



South East European University
Faculty of Contemporary Social Sciences

**Ph.D. Thesis: “Individual and Organizational Determinants of
Whistleblowing of Corruption among Civil Service in Kosovo”**

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This dissertation is a compilation of three inter-related paper series in the field of anti-corruption preventive measures in Kosovo. Papers were written for consecutive years of 2018-2019. The three papers constituting this dissertation investigate the public integrity from different angles and contribute to the understanding of what motivates members of civil service to whistle blow on corruption in the state administration.

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Abstract

This dissertation is a study on individual and organizational determinants that encourage or prohibit whistleblowing of corruption among civil service in the Republic of Kosovo. Using data from a survey conducted with members of civil service in Kosovo during 2019, study provides a comprehensive predictive analysis on 1) organizational trust perceptions related to whistleblowing procedures, 2) factors that encourage decisions to submit whistleblowing reports, and 3) factors related to reluctance of members of civil service to whistle blow. No such data were collected earlier by public institutions in Kosovo therefore this survey was conducted, and members of civil service were surveyed through a questionnaire and interviewed to deconstruct potential dilemmas and obstacles related to whistleblowing procedures.

Study conclusions are that the individual determinants of whistleblowing of corruption are influenced by organizational determinants, as indicated in most of the examined factors. The following factors prove such a hypothesis: dissatisfactory level of the perceived employment/self-employment prospects, proximity with working with the wrongdoer, personal and family safety, trust in organizational justice and leadership, trust in the protection offered by the law and trust in the person responsible for receiving whistleblowing reports.

Exploring eight possible scenarios for whistleblowing has led to findings that members of civil service in Kosovo are more inclined to whistle blow under the following contexts: 1) if many incidents are involved in the suspicious act/s of corruption, 2) even if many individuals are involved, and 3) suspicious act occurs frequently. Participants show less inclination to whistle blow if 4) the suspicious act does not occur frequently. They declare as unsure as how they would respond to 5) certain levels of seriousness of the corruption act, 6) how the evidence possessed to document wrongdoing would affect their choice of decision, and 7) if other coworkers have information but decide to not speak up. Participants are almost equally divided in their choices between pro whistleblowing and not sure under the context of 8) the proximity of working with the wrongdoer.

Keywords: whistleblowing, determinants, corruption, civil service, Kosovo

Introduction: corruption in public administrations

Studying corruption in organizational contexts has become an increasing demand in behavioral public administration. At a time when the global dialogue has shifted from anti-corruption to integrity measures – i.e. the Organization for Economic Cooperation and Development (OECD) Integrity Forum - one of the most prominent questions raised among international community is how the public administration scholarship can inform the designation of effective public integrity systems. The importance of integrity systems in public sector consists in ensuring that actions of specific corrupt individuals do not undermine the general social trust in the entire system of governance (Moreira, 2019). One of the most prominent questions related to prevalence of corruption in public administrations was what type of policies are effective to curb corruption in public sector. Mungiu-Pippidi (2017) has offered recommendations: reducing opportunities and increasing constraints on corruption, requires, among other steps, an evidence-based strategic approach that builds on measurable indicators on control of corruption for developing countries.

One of the very first reports in international development to recognize the effect of corruption in governance was the one by the World Bank stating that corruption weakens a government's ability to carry out its functions efficiently (1991, p.131). Since then, many research projects have aimed at studying corruption and measuring consequential costs, acknowledging that as a phenomenon, corruption is very difficult to measure, and its definition needs to expand in scope.

Renowned political scientists have debated about the negative impact of corruption in democracies. Corruption can take many forms and some of them are much more damaging to economic growth and political legitimacy than others (Fukuyama, 2014). Corruption impacts negatively the generalized trust of public in state authorities: when politicians demand bribes for offering favors to their relatives than it will prevails thinking among people that if you do not trust them than you cannot trust other people in general and it becomes a “common knowledge” among people that in order to get what you need from authorities, citizens will have to engage in dishonest behavior (Rothstein and Teorell, 2015, p.87). Pointing out informal institutions as an alternative to a high-corruption context societies, Rothstein and Teorell provide a cross reference to the case by Li and Wu (2010) on why China thrives economically despite high levels of corruption: “the

argument is that when the formal institutions cannot be trusted, some societies can rely on trustworthy informal institutions such as a high level of generalized trust (2015, p.87)

Another view on the effect of corruption is that it violates human rights. Examples include whistleblowers or investigative journalists who are discriminated, threatened, injured, imprisoned or killed for their intentions and their human rights are violated through the acts of dismissal, harassment, assault, etc., which otherwise would not have taken place without corruption (Engelbert et al., 2019, p.3). The International Council on Human Rights Policy has argued that corruption distorts the allocation of public resources, resulting in discriminatory and arbitrary public services often associated with discrimination based on race, color, sex, language, religion, political opinion, national or social origin or sexual orientation (2010, p.7).

The academic literature on the prevalence of corruption in public administration primarily relates to two important human resources aspects: 1) the professionalism of civil service, and 2) meritocratic recruitment and rapport with politicians. Under such a context, Silberman classifies bureaucracies in two types: organizationally oriented and professionally oriented bureaucracies (1993). Comparing between modern bureaucracies and older forms of organization of administrations ruled under monarchies, Fukuyama concludes that modern bureaucracies are built on a foundation of merit, technical competence, and impersonality and warns against staffing of politicians' political supporters or cronies leading to the inevitable outcome of poor performance (Fukuyama, 2014, p.87).

According to Dahlström *public administration, bureaucracy and corruption* are vague concepts (2015). He refers to public administration generally as a “different ways of organizing the public sector in a nation - state”, by making a reference in public administration studies that “when discussing the effect of the public administration on corruption, most scholars start from the way the ideal, typical bureaucracy was described by Max Weber at the beginning of the twentieth century (Dahlström, 2015, p.110).

One of the most original classifications of bureaucracies is the one provided by Max Weber, one of the most recognized scholars in administrative sciences for his bureaucratic centralization theory, theorizing on the differences between two main types of organization of public administration in bureaucracies and patrimonial forms of organizations. Drawing on the Weber's legacy, Dahlström argues that main distinction features between these two types of

organization of public administrations relate to the separation of *public* and *private* sphere, patrimonial systems are characterized by distribution of the resources without any form of accountability where office positions are passed through generations and family inherited, as in the bureaucracies administrators are recruited on merit-bases, are bounded to a hierarchy (2015). Control over resources and processes is a significant variable for two types of administrations: in bureaucracies the ruler loses his or her direct control over the administration, and this is very different in patronage systems, where the ruler can control the administration directly (Dahlström, 2015, p.112-113). Elaborating on features and forms of organizations of public administrations, the renowned authors Rothstein and Teorell (2008) bring the norms of “impartiality” as a quality of modern public administrations, implying that public services must be offered in impartial manners reducing any potential form of discrimination towards citizens.

Functioning of bureaucracies with high level of prevalence of corruption was associated with many challenges. As emphasized by Fukuyama, highly corrupt governments have big problems in delivering services, enforcing laws and representing the public interest, acknowledging that the reality and appearance of corruption are among the greatest vulnerabilities of new democracies seeking to consolidate their institutions (Fukuyama, 2014, p. 81-82). Evaluating the relationship between democracy and corruption as significant, the expectation is that for a country, the level and the years of being a democracy will impact the level of corruption (Dahlström et al., 2012). Data on various countries has shown that compared to the performance of older democracies, younger democracies tend to be more corrupt, and management of their public administrations is characterized by non-effective rule of law, low quality of bureaucracies, and greater expenditures for public investment and government workers (Keefer et al, 2004). In line with Keefer theory (2004), Moreira points out that even in established democracies, corruption can undermine citizens’ trust and provoke various reactions including abstention from elections or other destabilizing phenomena like the rise of anti-establishment parties and fake news (Moreira, 2019). Rents and patronage/clientelism are closely related to young democracies: clientelism undermines good democratic practice by strengthening existing elites and blocking democratic accountability. Moreover, clientelism is designed to generate mass political participation at election time (Fukuyama, 2014, p.87).

Seeking to identifying sustainable solutions on the challenges of modern bureaucracies, the professional recruitment of the civil servants has been referenced as critical factor defining the success of the less corrupted bureaucracies (Dahlström et al., 2012). The same importance to meritocratic recruitment is given by Rothstein and Teorell (2018, p.85) – by regarding it as a value together with gender equality as norms of state impartiality.

Studies on young democracies and corruption consider the role of the international community in shaping national agendas for reforms. According to Cornell, efforts for building and developing capacities of the administrations of young democracies many times aided by international organizations and characterized by high staff turnover that will affect the implementation of democratic governance programs through lack of experience and short time horizons among civil servants (2013). A study conducted to assess the political dynamics of bureaucratic turnover found that even in institutional systems designed to separate bureaucratic expertise from political control, partisan politics can shape the composition of agency personnel and that corruption in bureaucracies is better curbed when employees are recruited on merit-basis (Dahlström et al. 2017). Proposing an evidence-based policy solutions Mungiu-Pippidi suggests the approach of taking into consideration any tool that fits the local context when extending foreign aid for undeveloped countries: “In a development perspective even countries whose governance is presently based on norms like ethical universalism have a past with other norms: sales of offices, class privileges and electoral corruption – the history of even the cleanest countries shows that good governance is the product of evolution” (Mungiu-Pippidi, 2017, p.8).

According to Dahlström (2015) when studying corruption in bureaucracies, a distinction must be made between different levels of corruption, underlying the distinct forms of corruption in literature such as petty and grand corruption developed by Rose Ackerman in 1999. Dahlström (2015) also discusses the “state capture” concept by Hellman et al (2003) as situations where top politicians and administrators join forces with private actors in order to use the state properties for private income. Rose-Ackerman (1999) argues that although petty corruption attracts administrators and not politicians can still be organized in the ways to reward political partners and that constitutes a merging point between petty and grand corruption (2015). Dahlström makes a cross-reference to Lambert-Mogiliansky et al. (2007) in the argument that petty corruption does

not need to be a smaller problem than grand corruption: “several studies have demonstrated the misery that follows in the footsteps of petty corruption” (2015, p.110-111).

An important element in the discussion of corruption in bureaucracies is the coordination between the politicians and administrators for the grand and petty corruption:

“In grand corruption, the interaction and power balance between politicians and administrators are very important to the outcome. We should remind ourselves that corruption, like all criminal activity, needs coordination. If both politicians and administrators are involved in decisions, incentives for corruption must coincide between them; or one group must dominate the other for corruption to occur. This creates a coordination problem for corrupt politicians and administrators and therefore an opportunity to understand why some ways of organizing the state are less prone to corruption than others” (Dahlström, 2015, p.111).

For many authors, commencing with Weber, salaries have been an important variable to analyze incentives of administrators to engage in corruption. One argument is that there are no real reasons why a higher salary should drive down grand corruption, while it makes more sense for it to drive down petty corruption and it is important to make the distinction between different form of corruption (Dahlström, 2015, p.111-112). As a fair-salary system is the backbone of independent bureaucracies according to Weber, salaries have been categorized by scholars as being driven either by norms or by incentives. In addition to salaries, corruption in administration also affect the quality of knowledge and information on public policies. Borang found that politicized bureaucracies impact the quality of accurate knowledge on public policies and societal conditions (2017). Borang further argued that a politicized bureaucracy provides politicians with greater opportunities to demand from bureaucrats and impacts incentives for bureaucrats to supply public policy knowledge that is strategically biased or suppressed in a manner that benefits incumbents reputationally (2017).

A study commissioned by the European Parliamentary Research Service on prevalence of the corruption in the European Union, found that corruption is far from being non-existent in the EU, even though it is less prevalent there than in the vast majority of countries and regions around the world (European Parliamentary Research Service, 2017, p.1). Corruption costs the European Union between €179 billion to €990 billion, in GDP terms on an annual basis, including both direct and indirect effects of corruption (RAND Europe, 2016, p.115). The same study concluded that in addition to financial costs, corruption causes significant social costs such as more unequal

societies, higher levels of organized crime and weaker rule of law, and political costs including lower voter turnout in national parliamentary elections and lower trust in EU institutions (RAND Europe, 2016, p.115).

The context of the research.

The Republic of Kosovo constitutes the case focus of this dissertation. After the war in 1999, Republic of Kosovo benefitted a tremendous support from the international organizations for building capacities of public institutions. Such a support was extended years after the declaration of the independence in 2008, yet unsuccessful in ensuring sustainability of the invested capacities for institutional development.

As indicated in the European Commission annual reports for Kosovo during the years 2011 to 2019, nepotism-based recruitment and political interference in the functioning of civil service have remained among the most complex challenges characterizing the post-independence Kosovo.

The National Development Strategy of Republic of Kosovo 2016-2020 recognizes the importance of the effectiveness of public administration for economic development and European integration. The recently approved *the Law Nr. 06/L – 114 of Republic of Kosovo on Public Officials* grants the members of civil service the status of public officials (Kosovo Assembly, 2019). Under the scope of the law, members of civil service in Kosovo are all employees commencing with the officials of professional level up to the level of secretaries general, employees in the administration of the Office of the President, employees in the Office of Prime Minister, employees of ministries, employees of executive agencies, employees of agencies and of their local branches, administration of the institutions of the judiciary, employees of independent institutions, independent agencies, employees of local administration, and any other employee regarded as civil servant by any specific law of Kosovo Assembly. Under this law, the Foreign Service and Correctional Service of Republic of Kosovo is granted a special status in terms of organizational chart, grades, recruitment terms, and working hours.

To ensure implementation of standards on good governance such as inclusiveness and diversity, at least 10 % of all job positions from all categories of public officials must be assumed

by members of minority communities in Kosovo and who meet the criteria for recruitment. At the local level of governance, it is required that the percentage of employment of minority communities to be proportionate with the number of the respective local population.

Relevant stakeholders for management of public administration in Kosovo are the Minister of Public Administration as the authority responsible for general administration of policies for public officials; Department for Management of Public Officials responsible for preparing and overseeing implementation of policies for public officials; and Kosovo Institute for Public Administration is responsible for implementing policies for training, research, professional development and development of capacities for members of civil service.

Methodology of research

The most recent published research on behavioral public administration tends to use primarily experimentation yet researchers acknowledge that the qualitative and quantitative methods also to present valuable research methods (Grimmelikhuijsen et al. 2017). Mixed methods research is applied to meet the objectives of this dissertation. Qualitative and quantitative methods are integrated for the data collection and analyses. For the third chapter of the study we employ quantitative methods through a survey approach.

Research questions

This dissertation aims to provide answers to the following questions: What are the individual and organizational determinants that encourage or prohibit whistleblowing of corruption among civil service in Kosovo? What policies for ethics and integrity are instituted in the work of the civil service and what are the policy gaps that enable room for wrongdoing? Discussion of findings will entail analyses of the ethical dilemmas that whistleblowing has presented for whistleblowers and potential implications.

The importance of the proposed dissertation is multifaceted. Content wise, the topic of research has not been studied earlier in any form to generate primary data on attitudes and

perceptions of civil service on whistleblowing therefore this dissertation aims at establishing and advancing the body of knowledge on behavioral ethics and integrity in the Republic of Kosovo. Finally, the author shall provide expert recommendations for improved policies for advancing the whistleblower protection system in accordance with international standards.

Research objectives.

Main objective of this thesis is to deliver actionable recommendations to support the fight against corruption and improvement of relevant organizational procedures for whistleblowing. The desired outcome of this study is a strengthened agility of the government and other public institutions of Kosovo to reduce corruption through enhanced whistleblowing systems.

Survey.

For the third chapter of this dissertation a survey was used to generate primary data from members of the civil service of Republic of Kosovo. Unit analyses of the survey were individual members of civil service. A sample of the population consisting of 400 members of civil service has been determined to collect data at the national and local level of state administration, as per the scope of the definition of the civil service by Kosovo legislation - through probability stratified sampling. Sampling was applied aiming at reaching out to all relevant categories of civil service, including the categories of job positions in civil service (as envisaged in civil service legislation), types of employing institutions, geographic locations, demographics including ethnicity, sex, age, education, experience, etc. Stratified sampling provides the researcher with some control over the selection of the sample to ensure that crucial people and factors are covered by it (Denscombe, 2007). Ethnicity and gender criteria were provided special consideration as criteria for sampling, as two key demographic features that characterize Kosovo as a multi-ethnic country.

Key approach for collecting data to meet the objectives of this thesis was a structured survey, mode of face to face and self-administered. Respondents have responded the questionnaire individually. Respondents were selected to represent institutions employing civil servants: Kosovo Assembly, Kosovo Government, ministries, municipalities, independent and regulatory institutions.

A questionnaire has been drafted to collect data through the survey. It contained over 40 questions aiming to analyze 40 variables. Types of questions included 1) open and closed questions, 2) yes/no answers, 3) agree/disagree statements, 4) choosing from a list of options, 5) rank orders, 6) degree of agreement and disagreement, 7) rate items. Questions were ordered in the way that the least contentious and sensitive topics were dealt with at the beginning of the questionnaire. It took up to 20-30 minutes in average for the questionnaire to be filled.

In order to avoid any potential influence of social desirability bias, respondents were ensured and guaranteed the anonymity and confidentiality of the provided data, and that their responses under no circumstances would be displayed to third parties.

Data

Data from a total of 400 responses were collected from September 1 to November 25. The goal for the collected data were intended to produce nominal and ordinal data outputs. The collected demographic data included geographic location of the job position, gender, ethnicity, level of education. Most of variables were categorized in individual and organizational variables. Individual variables included category of job position in civil service, salary level, employment/self-employment prospects, job performance, experience as member of civil service, job satisfaction and job motivation, commitment to organization, value congruence, knowledge on whistleblowing procedures and international standards, role of the job position, etc. Organizational variables included protection afforded by the law against any potential retaliation, supervisor's support, cost-benefit analyses, whistleblowing effectiveness, number of employees in the organization, relationship with the supervisor, level of trust in the responsible person, anonymity and confidentiality, role of the informal networks, reward for whistleblowing, trust in the leadership of the organization, trust in the justice of the organization, culture of promotion of ethics and integrity in respective organizations, etc.

Operationalization and data analyses.

The collected data from the survey with members of civil service were analyzed in SPSS software. The dependent variable – whistleblowing – was explored under eight scenarios: 1) many

incidents involved; 2) many individuals involved; 3) the suspicious act occurs frequently 4) the suspicious act does not occur frequently; 5) level of seriousness of the suspicious act; 6) amount of evidence possessed for whistleblowing; 7) closeness to the wrongdoer; 8) other coworkers have information but do not speak up. The dependent variables then are explored in relation to other independent variables categorized under the following thematic sessions: 1) demographics; 2) individual; 3) role-related; 4) knowledge; 5) pro-social behavior; 6) trust perceptions; 7) organizational; and 8) organizational perceptions.

Framework and hypothesis development

Based on literature review, we have developed one main hypothesis and four auxiliary hypotheses to test the relationship between individual and organizational determinants of whistleblowing, as presented in the Table 2 below:

Table 2: Hypothesis: Determinants of Whistleblowing of Corruption

| Hypothesis on personal and organizational determinants |
|--|
| Hypothesis: The individual determinants of whistleblowing of corruption are influenced by organizational determinants. |
| Hypothesis 1: For civil servants in Kosovo, individual determinants constitute primary factors motivating the intention to blow the whistle when encountering corruption phenomena in the public sector. |
| Hypothesis 2: Non-effective functioning of judiciary institutions in Kosovo impacts negatively the decision of civil servants in Kosovo to whistle blow on corruption in public administration. |
| Hypothesis 3: Given the social norms of a post-war society, legislation will not provide incentives encouraging whistleblowing activity. |
| Hypothesis 4: Given the state of gender inequality, it is expected that women are less inclined to whistle blow compared to men. |

List of variables

During the proces of literature review, the following variables, presented in the Table 3 were identified as predictors for examination of whistleblowing attitudes of members of civil service in Kosovo.

Table 3: Predictors of whistleblowing of corruption in civil service

| Controlling variables | Individual variables | Organizational variables | Confounding variables | Outcome variables of interest |
|---|---|--|---|--|
| 1.Level of education | 7. Years of organizational tenure 8.Performance assessment | 26.Organizational size | 40. Multiple incidents involved in the wrongdoing | Good governance in the organization |
| 2.Years in civil service | 9. Job satisfaction level | 27. Administrative areas of reporting and strength of the system | 41. Multiple individuals involved in wrongdoing | Efficacy and effectiveness |
| 3.Tenure within the organization | 10. Awareness/training on whistleblowing 11. Role responsibility | 28.Supervisor support | 42. Multiple sources of evidence | Bringing positive change in the organization |
| 4. Level of the position in civil service | 12.Confidence on protection by the law | 29.Coworker support | 43. High frequency of wrongdoing | |
| 5. Salary level | 13.Organizational commitment level | 30.Wrongdoer power and status | 44. Low frequency of wrongdoing | |
| 6.Employment/self-employment prospects | 14.Value congruence with the organization | 31.Informal networks in your organization | 45. A proposed organizational change | |
| | 15. Perceiving whistleblowing | 32.Value of whistleblowing in the organization | 46. A public opinion issue | |
| | 16. Transgression affect them personally | 33.Reporting for improving “organizational functioning” | 47. The seriousness of wrongdoing | |

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| | 17. Prospection of collective interest | 34. Social retaliation from coworkers | 48. Amount of evidence possessed by whistleblower | |
| | 18. Perception of approval of whistleblowing among coworkers | 35. Preferred channels of whistleblowing | 49. The degree of work closeness with the wrongdoer | |
| | 19. Motivations to blow the whistle | 36. Performance-based reward for whistleblowing | 50. If coworkers know but remain silent | |
| | 20. Assessing cost-benefit from the action | 37. Motivation as member of civil service | 51. Fragmented approach to whistleblowing protection | |
| | 21. Guilt | 38. Trust in leadership and organizational justice | 52. Clear procedures envisaged on the law | |
| | 22. Level of social acceptance (norms) of reporting | 39. Organizational ethical programmes | 53. Robust and comprehensive protection | |
| | 23. Perceptions on the effectiveness of reporting | | 54. Due process for both parties and ensuring confidentiality | |
| | 24. Relationship with the supervisor | | 55. Protection of identity | |
| | 25. Role responsibility to report corruption | | 56. Protection from discriminatory and retaliatory actions | |
| | | | 57. Clearly defined channels of reporting | |
| | | | 58. Awareness raising activities on reporting | |

| | | | | |
|--|--|--|--|--|
| | | | 59. Triggered dilemmas | |
| | | | 60. Prioritized types of wrongdoing for reporting | |
| | | | 61. Organizational set up for encouraging whistleblowing | |
| | | | 62. Possessed evidence on wrongdoing | |

Research limitations

A notable research limitation was about the level of participation in empirical research of non-majority ethnic communities in Kosovo. The survey was translated in Serbian and shared with the Office for Community Affairs and other Serbian dominated municipalities in Kosovo like Municipality of Shterpce, Zubin Potok, etc. but not a satisfactory level of response was obtained. Also, no response was ensured by Municipality of Mamusha where majority of Turkish community mainly resides in Kosovo.

List of institutions participants in empirical research

1. Office of Prime Minister of Republic of Kosovo
2. Office of Language Commissioner of Republic of Kosovo
3. The Assembly of Republic of Kosovo
4. Ministry of Public Administration of Republic of Kosovo
5. The Kosovo Institute for Public Administration
6. Ministry of Labor and Social Welfare of Republic of Kosovo
7. Ministry of Foreign Affairs of Republic of Kosovo
8. Ministry of Finance of Republic of Kosovo
9. The Ministry for Diaspora and Strategic Investments of Republic of Kosovo
10. The Municipality of Prishtina
11. The Municipality of South Mitrovica
12. Municipality of Shtërpçë/Štrpce
13. The Municipality of Vushtrri
14. The Municipality of Lipjan
15. The Municipality of Podujeva
16. The Municipality of Fushë-Kosovë
17. The Municipality of Obiliq
18. The Academy of Arts and Sciences of Republic of Kosovo
19. The Agency for Management of Memorial Sites of Kosovo
20. Water Services Regulatory Authority
21. The Academy of Justice of Republic of Kosovo
22. The Kosovo Judicial Council of Republic of Kosovo
23. The Independent Oversight Commission for Civil Service
24. The Independent Commission for Mines and Minerals of Kosovo
25. The Kosovo Agency for Free Legal Services
26. The Kosovo Agency for National Archives
27. The Kosovo Agency for Air Navigation Services
28. Basic Court Mitrovicë/Mitrovica
29. Branch Court Shtërpçë/Štrpce

CHAPTER 1

CIVIL SERVICE OF REPUBLIC OF KOSOVO: CHALLENGES IN THE CONTEXT OF EUROPEAN INTEGRATION

2018

Abstract

Public administration reform and an accountable civil service constitute the key requested reforms lying ahead in Kosovo's European integration future. This paper analyzes the functioning of civil service in the Republic of Kosovo, based on theoretical approaches and best international standards of civil service performance and development. Paper examines the legal framework pertaining to regulation of civil service in Kosovo, in a comparative outlook towards the requested reforms. The relevance of civil service reform for the European integration process of Kosovo is assessed through discussion of the past and upcoming milestones. Qualitative research methods were applied to validate author's assessments of the challenges, through the content analyses method, supplemented by key informant interviews methods. Study conclusions lead to inferences that delays in implementing civil service reform- as per the requested timelines and logical models of civil service development - impacts the overall quality of public administration reform, consequently impacting the dynamics of the progress of integration of Kosovo in the European Union. Study offers recommendations for sustainable and contemporary approaches for functioning of civil service at a point of time when the amendment of the law on civil service has been assessed as a need for Kosovo by the European Commission.

Keywords: civil service; challenges; Republic of Kosovo; European integration

INTRODUCTION

Synonymous with public service, in administrative sciences, the notion of civil service has been regarded as the nucleus of public administration. For the Republic of Kosovo, well-functioning of civil service has been of an instrumental character to state development efforts. Following the declaration of independence in 2008, Republic of Kosovo has reaffirmed its commitment to European integration through numerous milestones and legal commitments. The recently announced enlargement strategy of the European Union *A credible enlargement perspective for an enhanced EU engagement with the Western Balkans* (European Commission, 2018) points out the required regional dynamics and outcomes for countries of Western Balkans – as, for Kosovo, the general vision is aimed at the processes of normalization of relations with Serbia. Besides the enlargement strategy that provides a reference for Kosovo's integration in the European Union, Kosovo has signed the Stabilization and Association Agreement with the European Commission, by undertaking a set of obligations requiring comprehensive domestic reforms, with a strong focus on public administration reform. The relevance of civil service reform for European integration consists in Kosovo's path towards fulfilling the Copenhagen criteria, specifically political criteria for EU accession: 1) functioning of the judiciary; 2) fight against corruption, fight against organized crime, freedom of expression; 3) administrative capacities estimated through public administration reform, among others.

Civil service is at the heart of Kosovo's public administration reform efforts. Any attempt to approach the civil service scientifically must take into consideration Republic of Kosovo's historical context of the development of public institutions. After the 1999 war (that emerged in Kosovo as part of the former Yugoslavia dissolution process) that followed NATO's military intervention and placement of the United Nations Mission in Kosovo (referred further as UNMIK), Republic of Kosovo has been governed jointly by UNMIK and the local self-governing authorities for many years. Since then public administration development has been characterized by the implementation of a considerable number of programs/projects supporting the development of capacities of public institutions, funded by international donors. Joint governance with the international community in Kosovo has continued until 2008 when Kosovo declared its independence. Under such a context, the following assumptions are taken into consideration for analyzing civil service in Kosovo:

- Civil service in Kosovo is relatively new - as its establishment commenced after 1999;
- Considering that Kosovo has been one of the largest beneficiaries of foreign aid per citizen capita in the history of international development, and despite the support promoting the development of organizational capacities of Kosovo institutions, these institutions are still fragile, lacking sustainable institutional capacities and transparency;
- Functioning of civil service for a decade has been challenged by many issues commencing with inconsistencies in the legislation regulating the functioning of public administration;
- Civil service development has not met the determined strategic timelines in order to deliver the desired quality of public services;
- Public administration in the after-war era has been the largest employer sector, as compared to private sector and non-profit sector.

The Strategy for Modernization of Public Administration of Republic of Kosovo 2015-2020 (Ministry of Public Administration, 2015) is the main guiding strategic document for public administration reform in Kosovo aiming at tackling key challenges of the functioning of civil service. When discussing challenges of civil service, it is of great importance to note that the total number of civil servants in Kosovo it is not clear, but a rough estimation by various sources account 18,000 to 19,000 servants.

1.1 Problem statement

With the purpose of informing the most relevant evidence-based problem statement, this study will refer to Kosovo annual progress reports published by the European Commission. Annual progress reports are used as policy tools within the Neighbourhood and Enlargement Policy of the European Commission for countries of Western Balkans and provide comprehensive assessments of reforms noting political, social and economic developments and progress. Aiming at offering a narrow overview of challenges concerning the progress of development of public administration in Kosovo, we commence with *Kosovo* 2011 Progress Report* (European Commission, 2011), calling for the improvement of skills of civil service and emphasizing the need for building a professional public administration immune from political interference. One year later, through the

*Commission Communication on a Feasibility Study for a Stabilization and Association Agreement between the European Union and Kosovo**, the European Commission (2012) welcomes the new laws on civil service and salaries of civil service but raises concern on delays of application of these laws (p.7). On 2013, the Special Group on Public Administration Reform is established as the highest structure of dialogue on public administration reform, consisting of representatives of Kosovo government and representatives of the European Commission (European Commission 2013, 4). In 2014, in the *Kosovo* Progress Report*, the European Commission (2014, 3) assesses that implementation of the strategy on public administration reform has been a major challenge for Kosovo delivering very limited results. *Kosovo* 2015 Report* (European Commission, 2015, 4) points out that it is of concern the continued politicization of the public administration and there is need to improve accountability in the public administration. In 2016, setbacks relate to political appointments of members of boards of independent institutions and agencies (European Commission 2016, 4). If we take a comparative outlook on the issues and problems, we see that considerable progress in Kosovo was made in public administration development from the legislative perspective. Corruption in public administration has remained a serious concern in recent five years. In 2013, we still do not see any progress documented while the need for reform is still evident in 2014. Lack of a satisfactory implementation of the strategic framework on public administration reform has not yielded the desired results, while in 2015 the politicization of the public administration has been referenced as of concern. In addition to this, the Government of the Republic of Kosovo reconfirms public administration challenges in the *National Development Strategy of Republic of Kosovo 2016 – 2021* (Office of Prime Minister, 2016). "The country, however, faces considerable challenges in terms of effectiveness and impartiality of the state in delivering effective and fair services..." (7).

This paper seeks to answer research questions as the following: 1) What are the challenges of the functioning of civil service in the context of European integration? 2) What are the trends characterizing civil service reforms vs. criteria of European integration and how these trends are affecting the overall European integration process?

1.2 Conceptual definition of civil service

The conceptual definition of civil service varies across different states subject to legal definition, in terms of scope and responsibilities:

There is no universally accepted definition of the civil servant and civil service...in some jurisdictions, civil servants include nearly all a state's civilian employees, for example in France, teachers and university lecturers are included in the country's civil service list. Whilst in the US there is a different system again, whereby for example all postal workers are deemed federal civil servants, and each US state overlays the functions of the federal government with public employees of its own.

In the *International Handbook on Civil Service Systems*, Andrew Massey (2011, 3-4) provides the reference for various forms of definition of civil service. Theoretical sources and international organizations provide a variety of approaches when defining civil service. Functions based on legislation and financial systems provide some of the approaches ground to the definition. The scholar thinking on public administration is mainly divided into two eras: 1) old public administration, and 2) new public management. As old public administration approach concerns with the paradigm of running state administration in accordance with the quality of delivery for citizens, the new public service theory comes with multifaceted questions seeking to raise efficiency in public administration. Under the old administration theoretical framework, the Weber model of bureaucracy has led the academic discussion of public administration for many decades and has provided the foundation of many international development assistance programs. Critics of the Weber model of state argue that his classical theory does not relate to the contemporary public sector reforms. Page (2003) argues that hierarchy and rule-bound behavior seem hard to work in modern work environments characterized by new public management, "governance" and postmodernity and asks the question if there is any case for taking such classical theories of bureaucracy seriously anymore (p. 485).

Yet, civil service remains unexplored at a satisfactory level as Sarah Repucci argues in the *Civil Service Reform: A Review* working paper: "Civil service reform is just one aspect of the broader topic of public administration (or public sector) ... The civil service is, however, the area that receives the least analytical attention, even as it touches on the most basic functions of the system " (2012, 1).

1.3 International standards on civil service

Working with various countries through its Neighborhood Policy, the European Commission has defined Principles for Public Administration that cover six core areas. Alike for other components of public administration, the Support for Improvement in Governance and Management (referred further as SIGMA), a joint initiative of the Organization for Economic Cooperation and Development and the European Commission, has developed a number of governance principles covering public service and human resource management that call upon implementing best practices of governance and management in public sector (SIGMA, 2017). For purpose of analyses, the key SIGMA requirements for public service and human resource management will be elaborated in the following. There are two key requirements on public service, and a total of seven principles guiding functioning of public service: 1) the need of existence of a policy, legal and institutional framework for public service, and 2) principle 2, among others, requires for public service an institutional set-up that would enable consistent and effective human resource management practices across public service (p.39). In addition to SIGMA Principles, the InCiSE Index, piloted by Institute of Government of the Blavatnik School of Government aims to assess civil service effectiveness. Piloted in 2017, index comprises a set of indicators measuring various dimensions of civil service effectiveness. The embraced approach defines the scope of civil service by measuring performance on the core functions of the civil service with the focus on functions which deliver services or affect citizens directly, and public management and policy functions carried out at the center of government (pp. 9-11). According to this model, at the phase of inputs, human financial resources are for the civil service to operate.

2. CIVIL SERVICE IN KOSOVO: AN OUTLOOK ON LEGISLATION AND RESPONSIBILITIES

Current legislation on civil service regulates basic working conditions, the rights and obligations of civil service, promotion, supervision and development of training policies. Article 101 of the Constitution of Republic of Kosovo (Kosovo Government, 2009, p.35) holds that the composition of civil service shall reflect the diversity of the people of Kosovo, building on

recognized internationally principles of gender equality. Functioning of civil service in the Republic of Kosovo is regulated through a package of legislation consisting of several laws and bylaws. Since 2010, regulation of civil service has been governed by the Law Nr. 03/L-149 on Civil Service of Republic of Kosovo and the Law Nr. 03/L-147 on Salaries of Civil Servants. Complemented by several secondary legislation, the primary legislation on civil service has not been fully implemented due to limited capacities of Kosovo institutions to adequately manage human resources, as indicated previously through European Commission reports.

A set of guiding principles for functioning of civil service are recognized in legislation including legality, prohibition of any forms of discrimination against members of civil service, obligation to respond to requests, efficiency and effectiveness, responsibility, impartiality and professional independence, transparency, avoidance of conflict of interest, equal opportunities for genders and ethnic communities. The flaws of the former legislation on civil service were related primarily to its scope of definition of civil service, that was not well defined according to the civil service standards that we elaborated in the theoretical framework.

2.1 The relevance of civil service reform for Kosovo's European integration

One of the most important milestones of Kosovo's way to EU integration was the process of negotiation, conclusion, and signing of the Stabilization and Association Agreement between Republic of Kosovo and the European Union in 2016. For effective implementation of this agreement, public administration reform in Kosovo is of critical importance. Article 120 of SAA on public administration, stresses the cooperation and dialogue as means towards further development of a professional, efficient and accountable public administration in Kosovo.

Modernization of public administration focused on civil service reform is also enshrined in the National Development Strategy 2016 – 2021 of Kosovo. NDS interventions in area of governance and rule of law include the following: 1) Strengthening the property rights system; 2) Enhanced efficiency of judiciary in disposing cases; 3) Close loopholes for abuse in the public procurement system; 4) Further enhancement of service delivery for businesses and the public; 5) Decrease administrative obstructions for issuance of business licenses and permits; 6) Improve the efficiency and coordination of state inspections; 7) Regular review of regulatory policies and measures prior

to adoption; 8) Shift from border taxation to taxation inside Kosovo (pp.19-27). Following signature of the Stabilization and Association Agreement, the Government of Republic of Kosovo has launched the European Reform Agenda (2016) seeking undertaking of the following measures to fight corruption in public administration: 1) Review and adoption of legislation that makes mandatory the suspension and/or removal of public officials indicted and convicted for corruption; 2) Amendment of the law on conflict of interest and related regulation, and bringing them in line with European standards and indicating the exact circumstances in which public officials may take on additional employment and appointments; 3) Ensuring that the planned legislative package covering civil service, salaries, and organisation of state administration is prepared in a coordinated way in an inclusive and evidence-based process on the basis of concept notes agreed at the government level; 4) Ensuring transparent, merit-based and non-political selection processes in line with the law for all independent institutions, agencies, and regulatory bodies as well as in public companies, including and in particular in relation to pending selection processes and ensure full implementation of the recommendations by the Kosovo Anti-Corruption Agency; 5) Continuing to strengthen the track record on the fight against corruption and organised crime, including through reinforcing the capacity of the Special Prosecution Office investigating and prosecuting high-level cases.

3. ASSESSMENT OF CHALLENGES OF FUNCTIONING OF CIVIL SERVICE IN REPUBLIC OF KOSOVO

Since its early phases of the establishment, civil service has faced various challenges in its role as provider of public services. Based on content analyses method where we analyze reports, legislation and policy documents, we conclude that the most notable challenge in recent years for the functioning of the civil service has been the non-allocation of funding for implementing the Law on Salaries of Civil Service, based on the job classification system. The non-allocation of such funding has undermined the preconditions for civil service effectiveness, motivation, and professionalism – as the theoretical framework on civil service and international standards on public administration regard the remuneration based on job classification systems as the essence of the logical model of the functioning of civil service. This has resulted in the selective application

of the package of legislation on civil service, and in this situation, the need for amending the legislation is of an urgent character.

Functioning of civil service has also been considerably challenged by the lack of statistical/administrative data to guide and inform strategic management of civil service, as consequence of the selective application of HR management systems.

Despite the international support for the capacity development of institutions, foreign aid provided in Kosovo has resulted as non-sustainable in most of the cases. Non-adequate professional capacities of civil service continue to hinder the policy-making and implementation processes. Practices, when members of civil service have misinterpreted EU directives have been observed in many instances by civil society in Kosovo, due to lack of knowledge and capacities. "Lack of knowledge and capacities of civil service, non-merit based recruitment and lack of knowledge of EU legislation and directives constitute key challenges to the functioning of civil service. Capacities of the Kosovo Institute for Public Administration must be strengthened, investments on this institute must be channelized and government's will is required for this" (Rushiti, 2018).

An interview held with the Head of the Legal Department of the Ministry of Public Administration of Republic of Kosovo reconfirms that the following constitute key challenges of functioning of civil service: 1) advancement of professionalism of civil service; 2) depolitization of civil service through merit-based recruitment, and 3) lack of mechanisms that would motivate members of civil service, as the new legal initiatives to amend the legislation aim to tackle these challenges by establishing and introducing new methods for recruitment such as group recruitment (Shamolli, 2018).

3.1 Way forward for a professional civil service towards EU integration

Undoubtedly, implementation of the strategic objectives of civil service reform is directly related to the progress of Republic of Kosovo in its European integration path. There is sufficient evidence showing significant delays and failures to implement the strategic goals of civil service reform as per the determined timelines, including the SMPA, ERA and selective implementation of the SAA, that constitute benchmarks of the progress of the reforms impacting the integration processes.

For the purpose of ensuring a professional civil service, the new package of legislation must address the weaknesses of the current legislation and embrace all the determinants that drive a successful public administration performance. Drafting of the package of legislation must be synchronized with the timely allocation of funding for human resources. The new legislation should set priorities such as the principle of meritocracy for helping to maximize the employee performance. Kosovo Government must use strategically this momentum to introduce new ethics and integrity policies in the context of reshaping the workforce.

4. CONCLUSIONS

Civil service is at the heart of policy documents for public administration reform in the Republic of Kosovo. Functioning of civil service in Kosovo has been challenged continuously. Given the after-war period, the establishment of civil service came along as a state-building effort, while after the declaration of independence, challenges were related to obstacles in implementing the package of legislation on civil service adopted in 2012. Non-allocation of funding based on the job-classification system has been the key challenge in driving performance of the civil service, while the need for advancing professional capacities, ensuring the principle of merit in human resources through recruitment and performance management have further impacted the capacity of state administration to deliver.

As public administration reform is among key political criteria for EU integration, undoubtedly delay in implementing strategic goals of civil service reform has a direct impact on the progress of European integration. Lack of effectiveness and sustainability of reforms in public administration first of all impacts the quality of the outputs of public administration for national development.

While the next steps for 2018 in the context of European integration shall include drafting of the new package of legislation, this momentum must be used strategically to address the lessons learned and past challenges, such as ensuring allocation of funding synchronized with entering into force of the new package of laws on civil service. Embracing determinants that drive a successful performance of civil service such as the principle of merit must be ensured along the way with introducing new integrity rules that would safeguard civil service from patterns of occurrence of various forms of corruption.

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CHAPTER 2

ASSESSMENT OF POLICIES FOR ETHICS AND INTEGRITY FOR CIVIL SERVICE OF KOSOVO

2018

Abstract

This research paper provides synoptic accounts of policies for normative ethics and integrity of civil service in the Republic of Kosovo. Building on the theoretical framework and international standards of ethics and integrity in public administration, the enacted policies for ethics and integrity in civil service are identified and assessed in three research streams such as institutional arrangements, policy documents, and tools/activities. The methodology of the study draws on key informant interviews to evaluate the current state of strategic and legal framework pertinent to public administration reform in Kosovo, with focus on integrity and normative ethics of civil service. Content analyses method is employed to study the policy documents. Study findings lead to conclusions that policies for ethics and integrity in civil service are at a very early stage of institutionalization with disproportionate synchronizing among institutions of state administration, and with limited prospects of becoming part of strategic reforms. Further, study recommendations suggest contemporary approaches to developing policies for ethics and integrity in civil service as instrumental tools for an accountable public administration reform.

Keywords: civil service, ethics and integrity policies, Kosovo

2.1 The significance of policies for ethics and integrity for civil service of Republic of Kosovo

An effective public administration is considered of paramount importance for the economic development of the Republic of Kosovo. The National Development Strategy of Republic of Kosovo 2016 - 2021 interventions in area of rule of law and governance include advancement of services for businesses and citizens. Accomplishing strategic objectives of national economic development requires a professional civil service, managed based on good practices of human resource management in public sector. SIGMA Principles of Public Service and Human Resource Management require that measures for promoting integrity, prevention of corruption, and ensuring discipline in the public service to be instituted among the public administration (OECD, 2017). Having the Republic of Kosovo ranked 85 with the 39 score on the Corruption Perceptions Index (2017), promotion of ethics and integrity among civil service requires a national regulatory framework to address proactively determinants of corrupt conduct. Civil service reform constitutes key strategic objective of public administration reform in Kosovo (Ministry of Public Administration, 2015). Addressing corruption in public service of Kosovo is projected through key policy documents for European integration such as the European Reform Agenda (Kosovo Government, 2016). Noting that *Kosovo* 2018 Report* states that “Kosovo is at an early stage/has some level of preparation in the fight against corruption” (European Commission, 2018), advancement of policies for ethics and integrity are of instrumental character for ensuring consistency in the sustainable implementation of reforms.

2.2 Selected literature review on ethics and integrity in state administration

Many classic scholars on administrative thinking have recognized the importance for public officials to be guided by moral philosophy when exercising their official duties. Concepts such as the unlimited *discretion* of administrators, *administrative responsibility*, and *neutrality of civil servants* constitute foundations of discussion on administrative ethics under the classical theoretical framework on public administration. According to Stewart (1991) “ethical action in public administration needs to be informed by more than human intuitions”. As Cooper later argues “empirical research on administrative ethics has expanded, but still represents the area of the field of study needing the most development” (2001, p.1). Although governance has been among the central study subjects of the political philosophy since ancient times, this paper focuses on

normative administrative ethics since the nineteenth century, building on Cooper's argument that "even during these years the study of administrative ethics has lacked sufficient emphasis on some of the elements necessary to come to full fruition as a developmental subfield" (2001, p.1). Under the broader theoretical framework on management of public service, Haque claims that reexamination of the administrative ethics has emerged due to "an increasing sense of ethical ambiguity caused by the emergence of the New Public Management (NPM) model which tends to reconfigure public service ethics by subordinating its long-established ethical priorities to businesslike standards found in private sector management" (2011, p.170). An opposite perspective to Haque by acknowledging the important role of the management as a process when normative ethics come as a focus at corporate operations is offered by Paine, elaborating on shared responsibilities on wrongdoing and importance of integrity systems:

Ethics, then, is as much an organizational as a personal issue. Managers who fail to provide proper leadership and to institute systems that facilitate ethical conduct share responsibility with those who conceive, execute, and knowingly benefit from corporate misdeeds. Though integrity strategies may vary in design and scope, all strive to define companies' guiding values, aspirations, and patterns of thought and conduct (Paine, 1994, para. 2 & 5).

Through the lenses of liberal democracies, Chapman (2003) refers to ethics in public service as the application of moral standards by representatives of the people and by officials in government. Chapman's focus on the concept of discretion of public officials adds to his perspective that this discretion gets reduced to the quest for accountability and checks and balances of constitutional structures (2003). Describing the importance of policies for bureaucratic behavior under the democratic framework, the theory of moral balancing holds that policies can affect moral choice making in two ways – by emphasizing moral reference points and raising moral reference points" (OECD, 2018, p. 23). Elaborating on preventive strategies against corruption, Rieger argues that corruption is a system and corruption has a system (2005). "Anti-corruption measures at the government agency level must, therefore, be bundled together into a systematic concept of prevention" (Rieger, 2005, p.3). As Androniceanu informs, integrity management involves the establishment of a system that a) identifies the opportunities for engaging in different actions, b) develops and implements effective strategies to mitigate those opportunities, and c) strengthens internal controls through the detection and prevention of corrupt acts (Armenia Androniceanu, 2009, p. 41).

Erakovich and Wyman when elaborating the institutional codes of ethics argue that “while formal codes of ethics offer some standards of conduct and guidelines for ethical decision making, a more effective approach is to link enforcement codes with a normative approach to establish an ethical environment that supports organizational processes and goals” (2009, p.89). Erakovich and Wyman also suggested the following strategies to support the integrity performance within the organization: a) developing commitment employee accountability, b) establishing trust within the organization and with citizen groups, c) promoting participative decision-making participation among employees, and d) supporting cohesion within the organization to build trust and integrity, among others (2009, p.89).

Instituting policies for ethics and integrity in state administration constitutes an inherent part of institutional reforms, especially for new public administrations such as the case of Kosovo. As Repucci points out:

“The single greatest challenge to civil service reform, or most reforms for that matter, is a lack of political will among the country’s leadership. If the most powerful players (including the head of government) are not interested in reform—for reasons such as reform fatigue, having other priorities, or because reform is in fact against their interests for staying in power—donors or others in favor are likely to make only minimal headway (2012, p. 14).

With the purpose of ensuring systems of promoting ethical conduct in public service Androniceanu argues that it requires taking actions such as a) developing and regularly reviewing policies, procedures, practices and institutions influencing ethical conduct in the public service, b) promoting government action to maintain high standards of conduct and counter corruption in the public sector, and c) assessing the effects on the public management reforms on public service ethical conduct, among others (Androniceanu, 2009, p. 90-91).

2.3 Methodology of research

A research methodology consisting of key informant interviews to generate primary data on the enacted policies for ethics and integrity has been employed for this study. Semi-structured interviews were held with the representatives of the Ministry of Public Administration, Kosovo Institute of Public Administration, ministries, Kosovo Anti-Corruption Agency, and external experts. Among study delimitations must be noted that some institutions including municipalities,

the Ministry of Justice, and Office for Good Governance have not responded to written request for providing data. The author has opted for content analyses as supplementary method to analyze documents touching upon ethics and integrity for civil service. Scope of research has included institutions of state administration employing civil service, exempting independent and semi-independent bodies of public administration employing categories of public officials other than civil service.

2.4 The conceptual definition of ethics and integrity.

The conceptual definitions of ethics and integrity vary based on the context and sector of application. To meet the objectives of this paper and for practical aspects of governance, we shall refer to the following definitions of ethics and integrity. In social sciences we find ethics divided into three categories: a) Meta-ethics covering moral propositions, b) Normative ethics determining the distinction between right and wrong conduct, and c) Applied ethics examining specific contemporary controversial issues. The focus of this paper is on normative ethics. Von der Pfordten offers a new perspective on adequate normative ethics by suggesting its composure by five elements: a) normative individualism, b) consideration of the individuals' concerns and interests, c) a pluralism of references of these, d) the necessity of a principle of aggregation and weighing regarding these concerns, e) the principle of relative reference to self and others (2012, p. 449-450).

The OECD Recommendation of the Council on Public Integrity defines the public integrity as the following “public integrity refers to the consistent alignment of, and adherence to, shared ethical values, principles, and norms for upholding and prioritizing the public interest over private interests in the public sector (2017, p.3). Building a comprehensive and a coherent public-integrity system, the OECD recommends the following: a) Demonstrate commitment at the highest political and management levels within the public sector; b) Clarify institutional responsibilities across the public sector to strengthen the effectiveness of the public integrity system; c) Develop a strategic approach for the public sector that is based on evidence and aimed at mitigating public integrity risks; d) Set high standards of conduct for public officials; e) Promote a whole-of-society culture of public integrity, partnering with the private sector, civil society, and individuals; and g) Provide sufficient information, training, guidance and timely advice for public officials to apply public integrity standards in the workplace, among other recommendations (2017).

2.5 International standards of ethics and integrity in civil service

This paper will refer to the SIGMA Principles for Public Administration Reform for countries of Western Balkans as relevant standards to consider for assessing and reviewing normative ethics and integrity policies in civil service in Kosovo. Principle 7 for Public Service and Human Resource Management lists measures on prevention of corruption, promoting of integrity and ensuring discipline in public service. According to these measures, it takes effect and adequate legal provisions, institutional arrangements, and tools for promoting integrity in civil service. Additional measures are that disciplinary procedures and the main procedural steps are established with the law and applied consistently among public service. SIGMA Principles recognize the right of the public servant to appeal against unfair disciplinary actions and require that such a right is established and implemented (OECD, 2017).

2.6 Findings on institutional arrangements

Key informant interviews held with the representatives of Ministry of Public Administration of the Republic of Kosovo reveal that efforts for establishing a regulatory framework for normative ethics and integrity have not been considered as of priority character for institutional reforms, given the challenges characterizing the functioning of civil service in Kosovo. Policies for ethics and integrity are at an infant stage for our state administration (H. Ramadani, personal communication, May 4, 2018).

Lack of an organizational structure mandated to develop and monitor implementation of policies for ethics and integrity is evident in the state administration:

Within the Ministry of Public Administration of Republic of Kosovo, there is not a clear institutional structure/unit, responsible for policies for ethics and integrity among civil service, with exception to the former position of the coordinator for ethics and integrity, whose responsibilities have shifted to a specific division within the Department for Management of Public Administration Reform (2017-2018), that was approved by Ministry of Public Administration but has not been functionalized so far within the ministry (V. Xani, personal communication, May 3, 2018).

2.7 Discussion of findings on policies and legislation

Strategic framework for public administration reform.

The Strategy for Modernization of Public Administration 2015 – 2020 developed by the Ministry of Public Administration of Republic of Kosovo is one of the main strategic documents of Government of Kosovo envisioning state administration reforms. Civil service reform is at the heart of this document, while strengthening the system for monitoring implementation of principles of ethics and integrity in public administration constitutes a strategic objective. “In fact, ethics in civil service is based on the recently adopted Code of Ethics for Civil Servants” (Ministry of Public Administration, 2015, p.30). The first Action Plan 2015 - 2017 for implementation of the Strategy for Modernization of Public Administration has listed the activities to accomplish this goal such as: instituting of a system for monitoring and capacity development of members of civil service to monitor ethics and integrity in public administration. This action plan has been further revised for the period 2018 – 2020, while the activities and objective for strengthening the system for monitoring implementation of principles of ethics and integrity in public administration no longer constitute part of activities of the (revised) action plan.

2.8 Trends on anti-corruption reforms.

The Anti-Corruption Agency of the Republic of Kosovo is a relatively new institution, mandated to initiate and develop procedures for detection and investigation of corruption. The character of investigations that agency carries out on suspicions for corruption is administrative one: if cases are assessed as suspicious, the Agency forwards the cases to the judiciary institutions. “The new anti-corruption strategy and its accompanying action plan have been drafted by the Anti-Corruption Agency and other relevant actors (local and central public institutions, civil society and media), further approved by the Kosovo Government and now it is expected its final approval by the Kosovo Assembly “ (B. Kelmendi, personal communication, May 16, 2018).

Presently, the agency is working to adopt the regional trends of anti-corruption measures, and first, it is planning to create a methodology that will guide the drafting of integrity plans of public institutions. “The plan of the agency is to develop a methodology that will guide the work of the public institutions to draft integrity plans, and monitoring reports shall be based on the

implementation of these plans” (B. Kelmendi, personal communication, May 16, 2018). In addition to that, the agency is planning to adopt the *risk assessment* and *corruption legislation proofing* in the new package of anti-corruption draft laws, as new anti-corruption measures” (B. Kelmendi, personal communication, May 16, 2018).

As the new anti-corruption legislative reform is progressing, various reports show that the present legislation has not been adequate to promote whistleblowing of corruption in the public sector, especially among civil service. A report by Lëvizja Fol found that the current Law on the Protection of Informers in Kosovo lacks clarity on the institution responsible for overseeing implementation of the law on whistleblowing (2018).

The quest for legal reforms that concerns the corrupt conduct of the public officials and civil service in Kosovo as part of the wider reforms for EU integrations stems from the European Reform Agenda ERA (Government of Republic of Kosovo, 2016). Approved in 2017 by Kosovo Assembly, ERA recognizes that one of the biggest challenges for Kosovo is corruption and calls for undertaking immediate and medium-term reforms such as review and adoption of legislation that makes mandatory the suspension and/or removal of public officials indicted and convicted for corruption. Presently the Ministry of Justice has drafted some laws including draft law on the expanded competencies for confiscation of illegal property. In the new criminal code were proposed new rules that do not allow for public officials - charged guilty with court decision – to exercise public functions up to ten years. On April 2018 the Government of Kosovo has approved the draft criminal code, further awaiting review by Kosovo Assembly.

2.9 Safeguarding the public interest

Law on Civil Service of the Republic of Kosovo 03/L-149 as the main law regulating the functioning of civil service lists the principles that must guide ethical and integrity aspects of the work of civil service (Kosovo Assembly, 2010). Chapter VI of the Law on Civil Service recognizes the integrity of the members of civil service: “Civil employees shall be treated by their managers with respect and human dignity and shall not be requested to carry out harmful duties” (2010). Chapter VII of the Law on Civil Service sets rules guiding the work of the civil service: civil servants are obliged to carry out their functions based on their job descriptions, in a timely manner, in accordance with the general conditions set out in the law, in accordance with the public interest

and legal system of the Republic of Kosovo. Article 51 of the Law on Civil Service points out that the work of the civil servants must serve the function of establishment and strengthening of mutual trust and cooperation between citizens and public administration. In addition to that, according to the Article 51, members of civil service who demonstrate lack of carefulness in respect and implementation of the legislation on civil service, shall be subject of an announcement of disciplinary actions. Moreover, Chapter VII of the Law on Civil Service prohibits misuse of authority for personal gains or for gains of other individuals or organizations. Under this chapter, civil servants may not exercise authority outside their scope of job position and are prohibited from requesting or accepting gifts for their services. As well, under the Chapter VII, members of civil service are requested to preserve their loyalty to the Republic of Kosovo and prevent situations that might harm legitimate interests of public administration. It is relevant for this study to emphasize that the Law on Civil Service recognizes the right of members of civil service to not accept duties from their supervisors if these orders conflict with legislation and are illegible and surpass legal responsibilities of their supervisors. Chapter VIII of the Law on Civil Service regulates the disciplinary measures and management of contests. If found guilty, based on procedure, the civil servant shall be undergoing disciplinary measures for violating the duties of the job. Under the law, such disciplinary measures shall be announced only upon the final decision by the court. Also, in accordance with this chapter of the law, civil servants have disciplinary responsibility and responsibility for damages. Law regulates composition of disciplinary committees that assess if the violation of duties has occurred and announce the disciplinary measure based on that decision. Under the same chapter, the establishment of the committees for resolving contests and complaints is enabled in each institution of state administration, at the central and local level as well.

2.10 Codes of conduct as means of preventive measures against corruption.

The Regulation Nr. 04/2015 on the Code of Conduct for the Civil Service of Republic of Kosovo as a secondary legislation to the Law on Civil Service has been approved by the Government of Republic of Kosovo on March 2015. This regulation aims at setting the rules of conduct for members of civil service in Kosovo as well as developing a public awareness of the expected conduct from civil service. Regulation applies for other public employees, experts, and technical staff supporting the work of state administration.

Article 4 of this regulation includes principles enshrined in the Law on Civil Service Nr.03/L-149 that members of civil service must uphold in the day to day work of exercising their duties. Such principles include the following: legality, non-discrimination, obligation to respond to requests, responsibility, impartiality and professional independence, transparency, avoidance of conflict of interest, and the principle of equal opportunities for communities and gender. Articles 6 of this regulation on measures of protection, calls for members of civil service to report cases that when required to act violate the Code of Conduct, laws, and ethics of work. Article 24 of this regulation obligates every institution of public administration to communicate to the Department for Administration of Civil Service any disciplinary measure announced to their respective members of civil service.

According to Article 25 of the Regulation Nr. 04/2015 on Code of Conduct for the Civil Service of Republic of Kosovo, the Office for Good Governance of the Office of Prime Minister of Republic of Kosovo and the Ministry of Public Administration are obligated to publish and promote this regulation among civil service. The units of personnel are obligated to inform members of civil service about this regulation. The interview with the former coordinator for ethics and integrity within the Department for Management of Public Administration, informs on an absence of activities of promotion of the code of conduct:

“There are no policies concerning ethics in public administration. A code on ethics has been drafted many years ago, and this code has been revised to be renamed Code of Conduct, but it has not been shared or distributed among civil service, resulting in a lack of awareness on its existence. Code of Conduct is not included in training orientations provided for the newly recruited civil servants” (V. Xani, personal communication, May 3, 2018).

2.11 Discussion of tools and activities for promoting ethics and integrity

Integrity Plans.

The Municipality of Gračanica/Graçanicë is one of the few local institutions in Republic of Kosovo having developed the integrity plan with the support of the international donors. “UNDP and KAA have supported the Municipality of Graçanicë/Gračanica to develop and adopt the Integrity Plan” (United Nations Development Programme Kosovo, 2016). Integrity Plan of

Municipality of Gračanica/Gračanicë 2016 – 2020 builds on the findings of the integrity risk assessment process undertaken by the municipality (Municipality of Gračanica/Gračanicë, 2016). Main components of this integrity plan are: 1) the integrity statement by the leadership of the municipality; 2) strategic objectives, activities and measures, and 3) action plan outlining measures to be implemented, timelines, and organizational responsibilities for implementation. This document draws upon international standards on integrity such as Integrity Best Practices Compendiums, ISO 9001 quality management systems requirements, Transparency International's Business Principals for Countering Bribery, among others, and it is among the very first integrity plan developed at the local level of governance. An in-depth analysis of this document finds that the responsible organizational unit of the municipality shall report to the mayor on bi-annual basis, and based on that report, it is on the mayor's discretion to undertake on time adequate corrective/preventive measures in cases when implementation of measures delays or is any difficulty (p. 9). As described by the representative of the Ministry of Public Administration, "in absence of a central unifying policies on integrity, few state administration institutions have developed their integrity plans with the support of international donors, on voluntary basis but not building on any legislative framework that regulates ethics and integrity specifically" (V. Xani, personal communication, May 3, 2018).

The Ministry of Kosovo Security Force of the Republic of Kosovo has developed the Integrity Plan 2016-2018 with the support of Norwegian Centre for Integrity in Defense Sector. This plan has drawn on a comprehensive analysis on the areas where the risk for corruption or unethical behavior was more potent, and proposals for measures and recommendations were offered in four areas: a) management of human resources, b) prevention of conflict of interest, c) improvement of procurement system, d) strengthening of internal control mechanisms (p.11). Currently this plan is being revised to include objectives for 2019 - 2020 (I. Shala, personal communication, July 6, 2018). Ethics and integrity for the Ministry of Kosovo Security Force of Kosovo are regulated with a wider package of laws and secondary legislation including Law on the Kosovo Security Force 03/L-046, Regulation on the Disciplinary Code of the Kosovo Security Force Nr. 01/2013, Law on Civil Service and the Regulation Nr. 04/2015 on Code of Conduct for the Civil Service of Republic of Kosovo (I. Shala, personal communication, July 6, 2018).

2.12 Development of capacities of civil service on policies for ethics and integrity

Analysis of the content of training materials on Code of Ethics for members of civil service, provided by the Kosovo Institute of Public Administration reveal that the training covers principles and norms guiding the work of the civil service. Training focuses on the rights and responsibilities of the members of civil service, on the rules of good conduct, protection measures, conflict of interest, and other topics under the framework of the Law on Civil Service of Republic of Kosovo and the Regulation 04/2015 on Code of Conduct for Civil Service in the Republic of Kosovo. “Kosovo Institute of Public Administration in accordance with its Plan for Training organizes training for ethics and integrity, as well as trainings on anti-corruption. The content of training covers administration, legislation, and human resources. Training is organized in bi-annual basis for each module of training. The targeted level of civil service for these trainings are managers and professional level of civil service with a focus on divisions for human resources, without exception to specific members of civil service who are referred by their supervisors to attend these training” (K. Selishta, personal communication, May 21, 2018).

The SIGMA Monitoring Report *The Principles of Public Administration Kosovo* November 2017* has noted that the very limited training budget and the lack of a strategic approach prevent KIPA from assuming the role of reference institution for the training of civil servants” (Organization for Economic Cooperation and Development, 2017, p.75).

2.13 Towards development of Systems for Monitoring of Principles for Ethics and Integrity in Public Administration of Republic of Kosovo.

Development of systems for monitoring ethics and integrity in public administration has become of great importance to inform state, challenges and opportunities for good governance in democratic countries. In Kosovo, a system for monitoring ethics and integrity among civil service has been developed with the support of the United Nations Development Programme (UNDP) in Kosovo, and handed over to the Ministry of Public Administration of Kosovo, but this system has not been approved and functionalized officially by the Ministry of Public Administration (V. Xani, personal communication, May 3, 2018):

“During 2016, with the support of the United Nations Development Programme, has been developed the draft System for Monitoring of Principles for

Ethics and Integrity in Public Administration of Republic of Kosovo, and its respective methodology has been developed to assist institutions to draft their integrity plans. As part of the methodology for the implementation of this system, a two-day training has been organized for a group of officials who were trained to train other groups of members of civil service for using this system” (V. Xani, personal communication, May 3, 2018).

2.14 Disciplinary procedures.

The Regulation 04/2011 on Disciplinary Procedures in Civil Service adopted by the Government of Republic of Kosovo aims at regulating classifications of violations of duties, disciplinary procedures and measures undertaken for the civil service. Under this regulation, violations of duties by civil service are classified as minor and serious. Under the Article 9 of this regulation, each institution of public administration employing civil service must establish a disciplinary committee in case of serious violation of duties. According to this regulation, disciplinary committees consist by three members, civil servants, two of them appointed in two-year terms, with possible extension, while the third member shall be selected case-based and should have knowledge on the area of the occurred violation. The SIGMA Monitoring Report *The Principles of Public Administration Kosovo* November 2017* finds that this regulation on disciplinary procedures in the civil service has some weaknesses, and does not regulate sufficiently some aspects such as the *time limits for taking disciplinary actions* and *the need to consider individual circumstances in imposing sanctions* (OECD, p. 79). In addition to this, this report has found out based on interviews with members of disciplinary committees that training on the regulation and implementation of disciplinary procedures is not adequate (p.79).

Data on the annual report for 2017 of the Independent Oversight Body for Civil Service of Republic of Kosovo show that 47 seven cases of complaints were admitted from civil servants for disciplinary measures (2018), a slight increase from previous annual report of 2016, with 44 cases of complaints were admitted from members of civil service for disciplinary measures (2017).

2.15 Study findings

Ethics and integrity strategies define guiding values for democratic deliberation in state administration. Having in consideration that public administration in Kosovo is relatively new

compared to a more consolidated public administrations in the region, literature research reveals that consistent research data are lacking for ethics and integrity management.

Study has found that within the Ministry of Public Administration of Republic of Kosovo it is not clear which institutional unit/structure is responsible for developing and monitoring policies for ethics and integrity. Interviews reveal that instead of the Department for Administration of Civil Service, within the Ministry of Public Administration, the responsibilities for ethics and integrity were first conferred to a coordinator for ethics and integrity, instituted in the Department for Management of Public Administration Reform- and that during 2017-2018, such responsibilities have shifted towards a new division structure within the same department which was approved by government but not yet functionalized within the Ministry of Public Administration. The same coordinator has informed this study that no activities were undertaken by the Ministry of Public Administration to promote the Code of Conduct among civil service since the promulgation of the pertinent regulation.

Examining the policy framework on ethics and integrity, Law on Civil Service of the Republic of Kosovo 03/L-149 and secondary legislation including the Regulation Nr. 04/2015 on Code of Conduct for the Civil Service of Republic of Kosovo and The Regulation N0 04/2011 on Disciplinary Procedures in Civil Service constitute national legal framework on ethics and integrity, while the new draft of anti-corruption strategy and a notable number of anti-corruption laws are undergoing review by the Government and the Kosovo Assembly.

Study has also found that no standardized procedure exists for developing integrity plans. Ministry of Kosovo Security Force provides an example of an institution supported by international partners for developing its integrity plan, alike for the Municipality of Gračanica/Graçanicë supported by the United Nations Development Programme for developing its integrity plan.

Content analyses of the documents touching upon ethics and integrity in public administration in Kosovo reveals that they all reflect values of public service such as democratic values (supporting policy-makers to promote and serve the public interest), professional values (serving with competence, impartiality, objectivity and efficiency), upholding the public trust, and

demonstrating respect and fairness for both fellow public servants and citizens, as per international standards and theories for public administration.

Study has found that public awareness campaigns for fostering a public integrity culture in Kosovo society are lacking. Also, on the donor side, the support of the United Nations Development Programme (UNDP) in Kosovo for the development of the draft system for monitoring of principles for ethics and integrity in public administration of Republic of Kosovo has not been embraced, as such a system has never been officially approved, functionalized and used by Kosovo government, as research interviews inform this study. On the other hand, the reforms initiated by the Ministry of Justice on undertaking measures on preserving integrity in state administration - such as prohibition of public officials charged for corruption for further exercising their duties up to ten years – still are pending parliament approval, and it is still very early to provide implementation assessments.

2.16 Discussion of recommendations

As international development experiences have witnessed that institutional reforms undergo stages, for the Republic of Kosovo, development and advancement of a national framework on public integrity system must constitute Government priority in the fight against corruption. That should follow the *define-enforce-monitor approach* by defining the organizational unit responsible for developing such a system, implementing the system and framework of policies, and establishing an effective monitoring system that would feed information on further advancement of the framework on ethics and integrity. Integrity planning and monitoring systems must follow consistent standardized approaches for all bodies of state administration that must be developed to support this goal.

Code of Conduct for Civil Servants must be promoted by the Ministry of Public Administration, as enshrined in the Regulation for Code of Conduct for Civil Servants in Republic of Kosovo. Trainings provided by Kosovo Institute of Public Administration on ethics and integrity must be extended to the newly recruited civil servants as part of orientation sessions. As theory advises, incentives must be provided for members of civil service who do not breach the

code of conduct, while must be avoided practices where discretionary authorities are delegated to public officials who have demonstrated unlawful acts.

In line with Erakovich and Wyman argument that a more effective approach is to link enforcing codes with a normative approach to establish an ethical environment that supports organizational processes and goals, policies for ethics and integrity in civil service must be further developed to accomplish national economic development goals. Such a legal framework needs to adopt the universal values of public service and respond to contemporary challenges characterizing the new public management.

The need for an integrity culture corresponds with the requirement that managers in public sector must provide leadership examples to their staff for managing discretion at public office. As literature suggests (Androniceanu, 2009) integrity management in Republic of Kosovo must build on strategies that mitigate risks for corrupt conduct such as strengthening of internal controls for detection and prevention of corruption. Public managers must foster such working environments where ethics and integrity rules are discussed freely, as a contemporary standard of good governance and openness.

With the aim of promoting state administration-citizens relations, public awareness campaigns must provide means for integrity tools, by emphasizing the principles that must guide work of the civil servants and informing about the rights of citizens to quality public services.

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Annex A: List of informational interviews:

1. Visar Xani, former coordinator for ethics and integrity at the Ministry of Public Administration of Kosovo. Incumbent staff member of the Department for Management of Public Administration Reform, MPA. Personal communication, May 3, 2018. Prishtina.
2. Hajdin Ramadani, former secretary general at the Ministry of Public Administration of Kosovo, presently expert to the Department for Administration of Civil Service, Ministry of Public Administration. Personal communication, May 4, 2018, Prishtina.
3. Blerim Kelmendi, Director of the Department for Combating Corruption, Anti-Corruption Agency of Kosovo. Personal communication, May 16, 2018. Prishtina.
4. Ibrahim Shala, Director for Public Relations, Ministry of Kosovo Security Force of Kosovo. Written correspondence, July 6, 2018.

Annex B: Documents undergone the content analysis method for this study

1. Law on Civil Service of the Republic of Kosovo 03/L-149;
2. The Regulation Nr. 04/2015 on Code of Conduct for the Civil Service of Republic of Kosovo;
3. The Regulation N0 04/2011 on Disciplinary Procedures in Civil Service of Kosovo;
4. The Strategy for Modernization of Public Administration 2015 – 2020 of Government of Republic of Kosovo;
5. Action Plan for Implementation of the Strategy for Modernization of Public Administration 2015-2017;
6. Action Plan for Implementation of the Strategy for Modernization of Public Administration 2018-2020;
7. National Development Strategy 2016 – 2021 of Republic of Kosovo;
8. European Reform Agenda of Republic of Kosovo;
9. Integrity Plan of the Municipality of Gračanica/Graçanicë 2016-2020;
10. Integrity Plan 2016 – 2018 of the Ministry for Kosovo Security Force.

CHAPTER 3

Individual and Organizational Determinants of Whistleblowing of Corruption among Civil Service in Kosovo

2019

3.1 Definition and theories on corruption.

According to Wickeberg (2019) although corruption was a universal phenomenon that has existed through time and space, still it must be understood as a social and historical construct (2019). Prior to 1996 there was a widely accepted view among development practitioners that some degree of corruption was inevitable or not of serious threat to economic growth (Fukuyama, 2014).

Lacking a universal definition, corruption has been given various definitions through the years. One of the most original definitions in international development is the one by World Bank defining corruption “as the abuse of public power for private gain”. Later, Transparency International defined corruption as “the abuse of entrusted power for private gain”. Boundaries of the concept of corruption have evolved with the institutionalization of anti-corruption at the supra-national level, followed by the emergence of new players and new agendas in the policy subfield (Wickeberg, 2019).

Corruption impacts negatively economic development of societies. It distorts economic incentives by channeling resources not into their most productive uses but rather into the pockets of officials with the political power and acts as a highly regressive tax, where the vast bulk of misappropriated funds goes to elites who can use their positions of power to extract wealth from the population (Fukuyama, 2014, p.82).

Examination of the theoretical framework on corruption reveals that two main approaches are used for explaining corruption: functionalist and rational choice. Rational choice explanations for corruption fall into three theoretical sub-fields: 1) collective action (prisoner’s dilemma) approaches, 2) principal - agent approaches, and 3) coordination game approaches. According to Dupuy et al. (2018) the paradigm of cognitive psychology seeks to explain the corrupt behavior and takes in consideration psychological aspects of corrupt behavior such as the psychological influence of power, personal gain and self-control, loss aversion and risk acceptance, rationalization, and emotion on the propensity to act corruptly.

Theoretical framework on corruption has been challenged for methodological limitations. Heywood has emphasized that most corruption studies take nation- states as their principal unit of assessment and given the changing nature of the modern governance, the interaction between

public and private sector should be given emphasis (2015). Heywood further argues that future research needs to pay greater attention to identifying the most appropriate unit of analysis (2015).

Rothstein and Teorell have highlighted key philosophical issues on corruption. “The problems with empirical and conceptual understanding of definition of corruption are sought through three dimensions: 1) whether there is need to operate with a universal definition of corruption or consider it just a cultural problem, 2) is the opposite of corruption - a “clean government” a universal or a culturally specific entity, 3) if wishing to minimize, what alternative should state wish for” (, 2015, p. 79).

3.2 Measuring corruption.

Measurement and definition of corruption have been attributed as challenging by many authors with reference to its hidden and informal nature, types of stakeholders involved and cultural practices and social norms setting various expectations on behaviors. The knowledge gap for understanding and measuring corruption is significant, it affects and interacts with numerous political, economic, social, and cultural factors (UNODC, 2018). Article 61 of the UNCAC, on collection, exchange and analyses of information on corruption invites state parties to analyze trends of corruption in their respective territories, share with each other statistics on corruption through standardized methodologies, information on best practices for combating corruption, as well as considerations for monitoring policies and measures for combating corruption and assessing their effectiveness and efficiency (UNCAC, 2004, p.50). An important distinction in the measurement of corruption is whether methods rely on indicators of the perception of corruption or of the experience of corruption (UNODC, 2018).

According to SDG Data Initiative (2019) civil society can support the work of governments in collecting, monitoring, and reporting on data for SDG 16 thus to reduce the capacity strain on national statistical agencies through strategic partnerships with official data collectors.

According to Rothstein, the main problem with the standard definition of corruption is that what should count as ‘abuse’ or ‘misuse’ is not specified (2011), highlighting the difference that i.e. what should count as corruption in, for example, Switzerland may be something completely different from what should count as corruption in, for example, Taiwan. The problem with this standard definition of corruption is thus that it makes it impossible to come up with any type of

general theory of what causes corruption in two settings where the understanding of ‘abuse’ or ‘misuse’ of public power differs (Rothstein 2011).

The most used indicators on corruption are the Corruption Perceptions Index (CPI) by the Transparency International (TI) and the World Governance Indicators on control of corruption constructed by Daniel Kaufmann et al. at the World Bank. Since most of the existing indicators on corruption relate to perceptions, many sources express skepticism on the actual level of measurements provided by such indicators. “The problem with perceptions is that general perceptions cannot differentiate between various types of corruption, nor different sectors within countries” (Heywood, 2015, p. 138). Other authors call for more experience-based indicators. “Cross-national comparisons should focus on experience- based measures and that more numerous and sophisticated versions of these should be constructed. To date, there are two main categories of such measures: those that focus on bribes extracted from ordinary citizens and those that assess the bribes paid by businesses”. (Daniel Treisman, 2015, p.99). On the other hand, perceptions are evaluated as alternative to the lack of perfect data on corruption. “Intrinsically, there is nothing wrong with a perception- based evaluation of corruption. Citizens of a country have direct lived experiences of the level of corruption in their own country; country experts have an arguably broader familiarity, although when they are not resident in the country in question this familiarity is perhaps less deep “ (Jonathan Rose, 2015, p.172).

3.3 Researching whistleblowing.

In corruption studies, the weak side of employing surveys relates to social desirability biases. “As corruption is recognized as a socially undesirable issue, fear or shame of admitting their experience of it may lead respondents to underreport bribery. This can be addressed by selecting interviewing techniques that can maximize the confidentiality of responses” (UNODC, 2018, p.20). When conducting surveys on corruption, research limitations include the following: unwillingness of respondents to admit socially undesirable behaviors, fear of being held responsible for the commission of various crimes, doubts regarding anonymity or confidentiality of responses, or indifference about the outcome of research findings (UNODC, 2018).

Barriers to conducting research about wrongdoings in organizations make it more difficult to gather data on actual whistleblowing compared to attitudes of whistleblowing intentions (Chiu, 2003). Sims et al. (1998) suggest that only partial information may be obtained from actual whistleblowers because obtaining data from their respective employers/organizations may impact revelations of their identities. Research limitations on conducting research on actual whistleblowers also relates to lack of data related to their geographic location (Mesmerus-Magnus et al., 2005).

3.4 Literature review

The literature review process for this dissertation has consisted in a thorough investigation of the research topic via a process of systematic review such as identifying the keywords, search of the contemporary literature, and its evaluation used for documenting the research findings. The literature review on whistleblowing is an integrated analysis that assesses relevance, credibility, gaps, consensus or disagreement on the whistleblowing concepts and theories.

As the concept of whistleblowing has started to become subject of study of social and psychological sciences, the study on whistleblower characteristics and organizational context has become central notion of research portrayed and published in many journals' articles. The literature on whistleblowing has started to expand only after 1980. For the recent decades the problem has been examined on legal and policy perspectives noting the gap on organizational implications (Near et al., 1985). Since then some models of the decision to blow the whistle have been introduced and the researched determinants have been assessed in various social context. The decision to whistle blow has been attributed as a complicated process with the associated relevant factors still under exploration" (Cho & Song, 2015). Five factors known to influence the effective whistleblowing included types of whistleblowing, the role of mass media, documentation of evidence, retaliation, and legal protection (Apaza & Chang, 2017). Vadera et al. argue that there is a literature gap on knowledge about what differentiates whistle-blowers from those who observe a wrongdoing but chose not to report it (2009).

From the legal perspective, in a comparative study including Croatia, Ireland, France, Czech Republic, Malta, Netherland and some other countries, Thüsing & Forst found that there

are huge differences between the jurisdictions as to who qualifies as a whistleblower: “notwithstanding the popularity of the topic, whistleblowing also raises several legal questions that have not yet been answered properly in every jurisdiction” (Thüsing & Forst, 2016, p.14).

In a study of whistleblowing in the U.S. government institutions, Lavena found that the whistleblowing from public service was positively associated with norm-based and affective work motives, but negatively associated with indicators of organizational culture (2014). Ashforth and Anand have introduced the model of the normalization of the corruption in organizations and explain that corruption can become “normal” in organization through three phases: 1) institutionalization, where an initial corrupt decision or act becomes embedded in structures and processes and part of routine; 2) rationalization where reasons develop to justify and valorize corruption; 3) socialization where naive new members of organization are induced to view corruption as permissible if not desirable (Ashforth et al., 2003).

The literature on organizational psychology tries to inform the distinction between individual and group morality. Pinto, Leana and Pil conceptualize two research dimensions of corruption in organizations: 1) whether the individual or the organization is the beneficiary of the corrupt activity and 2) whether the corrupt behavior is undertaken by an individual actor or by two or more actors (Pinto et al., 2008).

Darley found that it is sometimes the case that actors who previously were careful to act in moral ways, are now recruited into adopting a persona that goes along with, and even becomes an independent origin of corrupt practices (2005). As social norms constitute the foundation for the research of the dissertation, we take into account the findings from Bicchieri and Xiao that two different expectations influence the choice to obey to a norm: what we expect others to do and what we believe others think we ought to do (2008).

3.5 Conceptual definition of whistleblowing.

Whistleblowing on organizational wrongdoing is becoming increasingly abundant (Mesmer-Magnus et al., 2005). Whistleblowing as a social construct constitutes a subject of study across many disciplines of social sciences including business administration, psychology, public administration, law, and public policy, among others. Near et al. (1985) describe whistleblowing as a process that involves at least four elements: 1) the whistleblower, 2) the whistleblowing act

or complaint, 3) the party to whom the complaint is made, and 4) the organization against which the complaint is lodged.

One of the most original and definitions of whistle-blowing is the one provided by Near & Miceli that “the disclosure by organization members (former or current) of illegal, immoral, or illegitimate practices under the control of their employers, to persons or organizations that may be able to affect action” (1985). The following cross references pointed by Near et al., (1985) attribute the whistleblower at least four defining characteristics by academics: 1) whistle-blower must at some time be a member of the organization to which wrongdoing is ascribed (Farrell et al. 1982), 2) whistle-blower lacks the authority to change the organization's activities lacking a legitimate base of power for making the change and must rely on other informal bases of power (Elliston, 1982); and 3) anonymity may affect the nature of the whistle-blowing act and the credibility with which it is received (Elliston, 1982), and 4) some whistle-blowers may occupy roles where such activity is prescribed (Near et al.,1985).

Vandekerckhove views the concept of whistleblowing through a more inductive approach, claiming that the politico-ethical concept of whistleblowing involves the categories of organization, individual and society. “I suspect that whistleblowing, performed by individuals but protected and encouraged through whistleblowing policies, is able to eliminate conflict between organization and society, between the interests of private capital and the public interest” (2006, p.41).

Drawing in Job's definition that “whistleblowing is a deliberate non-obligatory act of disclosure, which gets onto public record and is made by a person who has or had privileged access to data or information of an organization, about non-trivial illegality or other wrongdoing whether actual, suspected or anticipated which implicates and is under the control of that organization, to an external entity having potential to rectify the wrongdoing” (1999, p. 78), Vandekerckhove (2006) has constructed the matrix of possible definitions of whistleblowing consisting on seven elements: 1) the act itself which is equivalent to a disclosure, but that disclosure can be intended or not, authorized or not, obligatory or not in terms of professional status or organizational function; 2) motive, when the whistleblowing is done out of altruism, to further the public interest without personal benefits, or with a rather egoist motive, because of personal benefits, regardless of whether this furthers the public interest or not; 3) subject, when the disclosure regarded as

whistleblowing can be about illegalities, immoral acts, specific contraventions or other wrongdoing, and in all cases these can be either trivial or non-trivial, and they can be actual, past or potential; 5) target, meaning who gets targeted by the disclosure, the subject of the disclosure can either be occurring in the organization, it can be outside but in control of the organization, or the disclosure can target a member of the organization, whether in function or in private life; 6) recipient, to whom the disclosure is made can vary between internal authorities, external authorities or the media, and in the case of internal authorities, the disclosure can either follow or by-pass formalized or conventional lines of communication (2006).

3.6 From intention to actual whistleblowing.

Psychology studies point out that the intention behavior gap is the phenomenon that people develop explicit decisions to change their behavior but do not act (Storm, et al. 2019). Mesmerus-Magnus et al. (2005) cite studies of Miller and Grush (1988) and Mitchell (1974) concluding that the intention–behavior relationship is thought to be even weaker for some behaviors. As interpreted further by Mesmerus-Magnus et al. (2005), “this suggests there may be multiple phases involved in moving from an awareness of an illegitimate practice, to the decision to blow the whistle, to actually making a claim”.

Intention-behavior theories contribute to understanding behavioral public administration. According to the Volitional Model of Goal Directed Behaviors developed by Bagozzi (1992), differences between behavioral intention and action are emphasized by extensive psychological, motivational, and implementation processes (i.e., planning, monitoring activities, guidance and control, psychological commitment, effort). Mesmerus-Magnus et al. suggest that based on Bagozzi’s model, “there may be multiple phases involved in moving from an awareness of an illegitimate practice, to the decision to blow the whistle, to actually making a claim” (2005, p.72).

3.7 Individual and organizational determinants on whistleblowing.

In general, the literature on whistleblowing groups the variables of study as per the following categories: characteristics of the whistleblower, the context and/or organizational

variables, and characteristics of wrong-doing and the wrong-doer. These are main groups of variables which serve to analyze any whistleblowing case.

In literature, the studied characteristics of the wrongdoer usually include demographic data like age, sex, ethnicity, geographic location, level of education, working experience, job satisfaction, job performance, role responsibility, prospects of future employment, perceived congruence with the organization, etc. Context and organizational variables include organizational policies regulating whistleblowing, retaliation threat, perception of fear from retaliation, organizational size, supervisor and co-worker support, reward, protection against retaliation, etc. Characteristics of wrongdoing and wrong doer include the type of wrongdoing, seriousness of wrongdoing, frequency of wrongdoing, evidence possessed by whistleblower, effectiveness to stop the wrongdoing, characteristics of transgression, etc.

One of the most relevant studies in determinants of whistleblowing is the meta-analytic study conducted by Mesmer us-Magnus et al. of 2005. What it is important about this study is that it makes a distinction between the intent versus actual whistleblowing behavior when examining antecedents and correlates of whistleblowing. It analyzes 21 articles reporting 193 correlations examining whistleblowing variables like the following: the intent, likelihood and actual whistleblowing - via internal and external channels, with special emphasis on the retaliation (2005). Main finding was that stronger relationships were found between personal, contextual, and wrongdoing characteristics and whistleblowing intent compared to actual whistleblowing” (2005).

3.8 Retaliation.

In the context of whistleblowing within organizations of public sector, retaliation is defined by Keenan (2002) as undertaking of undesirable actions against employees due to disclosure of information about wrongdoing and corruption. Until 2008, most studies on retaliation against whistleblowers have only covered current employees because former employees have not participated in surveys (Miceli et al., 2008).

Miceli et al., found that the organizational retaliatory behavior actors are often the organization itself or its representative agents while whistleblowers constitute the retaliatory

targets: under such contexts, the retaliation is conducted under the perceived harm or wrongdoing but not all whistle-blowers are perceived to cause “harm or wrongdoing,” at least not intentionally (2008). Weinstein argued that organizational retaliatory behavior in response to the whistleblowing may result with the aim of discouraging further reporting by other employees (1979).

Studies on organizational retaliatory behavior suggest that the frequency and types of reprisals may constitute standards to measure the severity of retaliations against whistleblowers (Miceli et al., 2008).

Whistleblowing in organizations is not always a welcomed experience. Retaliation against whistleblowers is one of the most expected response concerning any organization, irrespective of the sector. Retaliatory acts are different but not limited to job loss, job demotion, reprisals, harassments, limitation of job benefits, etc. In many instances’ whistleblowers are also perceived as spies and not supported in public (Near et al., 1985).

According to Miceli et al. (2002) burying or ignoring reports and retaliation against whistleblowers are more likely when whistleblowing behavior is perceived by management as a challenge to the organization’s authority structure. According to Near et al., the possible predicted options for action by the management of any organization after receiving a whistleblowing report are either taking appropriate action or disregard the submission, or, second, either to reward or retaliate the whistleblower (Near et al., 1986).

Miceli et al. have argued that a coworker’s experiences when whistleblowing will directly affect other’s likelihood to whistle blow (Miceli et al., 1992). Retaliation forms can range from attempted coercion of the whistleblower to withdraw accusations of wrongdoing to the outright exclusion of the whistleblower from the organization, organizational steps taken to undermine the complaint process, isolation of the whistleblower, character defamation, imposition of hardship or disgrace upon the whistleblower, exclusion from meetings, elimination of perquisites, and other forms of discrimination or harassment (Parmerlee et al., 1982). As Parmelee et al. argue, retaliatory acts by the organization may aspire the following goals: to silence the whistleblower completely, or to prevent a full public knowledge of the complaint, discredit the whistleblower and other potential whistleblowers from acting (1982). Retaliation may come from different addresses, so it

is very important to make the distinction whether support or retaliation is coming from top management of the organization, whistleblower's supervisor or coworkers.

3.9 Reporting channels.

According to Miceli et al. (2002) whistleblowers first consider the internal channel of reporting wrongdoing before using the external channels. Under the context of power theories, whistleblowers in organizations whose functioning depends on continuation of wrongdoing are more likely to report externally (Miceli et al. 1985).

A Warwick Business School webpage cites the *2017-18 Global Fraud and Risk Report published by KROLL* that “research from 2012 shows that 40 per cent of 5,000 firms studied had suffered from serious economic crimes ...while insiders were the main perpetrators of fraud, and whistleblowers, rather than internal audit or management, were the most effective means of uncovering fraud, exposing 47 per cent of fraud incidents.” (2019, p.32).

Mesmerus-Magnus cites Near et al. (1996) study that compared to inactive observers, whistleblowers are more likely to report a role related responsibility (2005). “Organizational employees have three options to address an unsatisfactory situation faced within an organization: 1) to exit the organization, 2) voice discontent (i.e., blow the whistle), or 3) remain silent” (Mesmerus-Magnus et al., 2005, p.59).

According to Near et al., whistleblowers are more likely retaliated when reporting externally (1986). Whistleblowers whose identity is leaked during an anonymous whistleblowing are also more likely to be retaliated against (Miceli et al., 1994).

Given the distinction between reporting channels, Miceli et al. suggest that differences between internal and external whistleblowers should be investigated empirically in the context of the gap knowledge (2008). “Research indicates that nearly every observer of perceived wrongdoing who reports it to someone outside the organization, reports it to at least one party within the organization” (Miceli & Near, 1992, p.192).

3.10 Commitment to organization.

Mesmerus-Magnus et al. found that members of the organization who have a higher commitment to organization are more inclined to remain in the same workplace and hence more likely to blow the whistle rather than leave the organization (2005). “Theoretical explanations based on idiosyncrasy credits and power relations, are congruent with empirical findings that older, high performing, more committed employees are more likely to report wrongdoing in and by organizations” (Mesmerus-Magnus et al., 2005). Sims et al. argue that the perception of having the support of top leadership of the organization is a key factor to whistle blow and the selection of the channel (1998).

Research on whistleblowers’ commitment to the organization found that whistleblowers tend to be moderately committed to the organization compared to inactive observers who tend to be either uncommitted or highly committed (Somers et al., 1994).

3.11 Value congruence with the organization.

According to Berry (2004) whistleblowing has resulted as more frequent in organizations that value whistleblowing. “Seven dimensions of organizational culture that influence the employee reflection process that ultimately leads to whistleblowing behavior are presented. These include 1) vigilance, 2) engagement, 3) credibility, 4) accountability, 5) empowerment, 6) courage, and 7) options” (Berry, 2004, p.13).

Value congruence is broadly understood as the degree to which an individual’s personal values match the values that they encounter in their work environment. “Value congruence between individuals and the organizations in which they work results in a number of beneficial outcomes, the most common of which are associated with positive attitudes and behaviors” (Molina, 2016). Kristoff Brown et al. mention in a meta-analytic study different types of congruences like person-organization, person-job, person-group, and person-supervisor congruence” (2005). It was noted that the absence of congruence between the individuals’ personal values and organizational values leads to conflict (Liedtka, 1989).

3.12 Type of wrongdoing and corruption.

A substantial aspect of whistleblowing definitions relates to the concept of wrongdoing in organizations. “Whistleblowers disclose organization practices that they consider that represent wrongdoing, but if the disclose represents acts of a nature other than “wrong” than it is not whistleblowing and research is needed to clarify relationships and boundaries among different constructs” (Miceli, et al., 2008, p.63). The type of wrongdoing was found positively related to whistleblowing in the studies of Miceli et al. of 1985 and Near et al. of 1996.

Miceli et al. (1985) report a greater likelihood of whistleblowing when organization members possess convincing evidence on wrongdoing. “The strongest correlates of retaliation against whistleblowers were found for characteristics of the wrongdoing (frequency and severity of wrongdoing), whistleblower actions during the whistleblowing process (use of an external reporting channel and success in stopping the wrongdoing), and contextual aspects, namely supervisor support” (Mesmerus-Magnus et al. 2005, p.49).

3.13 Characteristics of the whistleblower.

Characteristics of the whistleblower examined in literature include age, education level, job level, role responsibility, and value congruence with the organization. Parmerlee et al. found that the whistleblowers that are more valuable to organizations - older or more experienced- are more likely to be retaliated against rather than new organization members (1982) perhaps as Mesmerus Magnus et al. suggest that a greater organizational loyalty is expected, because when older individuals blow the whistle, other organizational members may feel a greater sense of betrayal, thus paving the way for more retaliatory behaviors, and especially when external channels of reporting are used (2005). “Theories of power suggest that whistleblowers at higher job levels, who are expected to enforce the power structure, upon violating this mandate are more likely to suffer retaliation. On the other hand, individuals at lower levels of the organizational structure may have lesser power, thus being easy targets for retaliation” (Mesmerus-Magnus et al., 2005, p.112).

3.14 Contextual variables.

During literature review of the context variables for whistleblowing were encountered the following variables: top management, supervisor and coworker support, organizational climate for whistleblowing, frequency, severity, and evidence of wrongdoing among others.

3.15 Demographics.

Results from the meta-analytic study of Mesmerus-Magnus et al. (2005) indicate that older employees are more likely to intend to blow the whistle than are younger employees. Further, it was found that sex and tenure were related to actual whistleblowing but not to whistleblowing intent; females and more tenured employees appear to be slightly more likely to blow the whistle. Ethical judgment was found to be moderately related to the intent to blow the whistle but not related to actual whistleblowing. Predictive of intent for whistleblowing in Mesmerus-Magnus et al. study appear to be role responsibility, approval of whistleblowing, and perceptions that blowing the whistle would be in one's best interests, but they do not relate to actual whistleblowing (2005). Job satisfaction and job performance were related to actual whistleblowing but not to whistleblowing intentions. Further, it was found that organizational commitment was not related to either whistleblowing intentions or actual whistleblowing. "Not surprisingly, whistleblowers who utilize an external reporting channel are more likely to be retaliated against ($r = 0.17$). However, those whistleblowers who are effective in stopping the transgression are less likely to experience retaliation for blowing the whistle ($r = 0.20$), as are those who produce convincing evidence ($r = 0.25$), and those who enjoy support from their supervisor ($r = 0.39$)" (Mesmerus-Magnus et al., 2005). It is very important to have in consideration another finding that whistleblowing on serious wrongdoings was more likely to be met with retaliation than infrequent or less severe wrongdoings (2005). "Overall, our results suggest that the predictors of the intent to blow the whistle are not the same as those of actual whistleblowing" (Mesmerus-Magnus et al., 2005, p.53).

In line with previous research of Miceli et al. (1994) and Sims et al. (1998) Mesmerus Magnus et al. argue that "once the intention to whistle-blow is formed, fear of retaliation for whistleblowing does not serve to de-motivate action. It may be that, in their decision to blow the whistle, employees weigh aspects of the situation (like their relative power to exact change, the severity of the transgression, the likelihood that they will experience retaliation for blowing the whistle on this particular transgression, which is also likely to be a function of their relative power within the organization and their relative balance of idiosyncrasy credits which will "protect" them from retaliation), and thus only decide to blow the whistle when they perceive their chances

of receiving retaliation are low, and once the decision is made to blow the whistle, they may be so committed to taking action that they are no longer able to back out” (2005, p.55).

3.17 Supervisor support.

According to Near et al. (1986) supervisor support may increase the likelihood of whistleblowing intention but it can also impact negatively the actual whistleblowing act.

“One possible explanation is that employees with supportive supervisors may feel a greater responsibility to ensure that their supervisors are not adversely affected by a whistleblowing claim. These individuals may choose silence to voice to spare the supervisor embarrassment or discipline that may result from a report of illegitimate, unsanctioned, or immoral acts occurring within their department/ division” (Mesmerus-Magnus et al. 2005).

3.18 Seriousness of wrongdoing as determinant of whistleblowing.

Trevino et al suggested that a more severe wrongdoing would ignite whistleblowing action more compared to a minor wrongdoing activity (1992). Results from meta-analytic study of Mesmerus Magnus et al. reveal that severity of the wrongdoing explains less than 3% of the variance in both whistleblowing intent and action (2005) as anticipated by Dozier et al. “that members of organizations perceive that whistleblowing on actions of serious wrongdoing are more likely to be followed with retaliation (1985, p.173). It is very important to note that as pointed out by (Miceli et al. 1994) individuals vary how they assess the seriousness of any transgression.

3.19 Proximity to the wrongdoer.

Mesmerus-Magnus et al. (2005) argue the importance of knowledge on wrongdoing and explain it to be the first step in the whistleblowing process. “The closer one is to the wrongdoer, the more likely one has access to sufficient evidence of wrongdoing (Mesmerus-Magnus et al. 2005, p.34). Further, it is recommended not to generalize comparisons from intent to actual whistleblowing, because the actual behavior is more difficult to study (Mesmerus-Magnus et al. 2005).

Social norms.

Mesmerus Magnus et al. (2005) cite the research by Schein (1996) “ that in organizations where wrongdoing is frequent, it is more likely that a cultural norm actively operates to continue and support the transgressions and in such cases, a whistleblower who reports wrongdoing is actively violating this norm”. Institutionalization of wrongdoing prevails when organizational norms against the deviant behavior are not strong, rigid, obvious, or unambiguous (Robinson et al., 1998). As found in Robinson et al. study 1998, “socialization for wrongdoing is more likely in organizations in which there is high turnover, weak culture, and socialization practices that do not prescribe clear norms against wrongdoing” (Miceli et al.,2008, p.18).

tenure and job level.

There is evidence that employees of higher tenure and job level are more likely to blow the whistle (Mesmerus-Magnus et al. 2005). Unexperienced and younger employees tend to whistle blow less frequently due to insufficient power or knowledge (Keenan, 1995, p.192).

It is suggested that to enhance whistleblowing activity frequency, organizations must train employees on whistleblowing procedures during the organizational orientation process (Mesmerus-Magnus et al. 2005).

ethical judgement.

In previous studies ethical judgment as a variable related to whistleblowing processes was related to the intent but not actual whistleblowing (Mesmerus-Magnus et al. 2005). “Our research suggests that whistleblowers may not frequently be successful in stopping wrongdoing. A potential whistleblower may weigh this into his or her decision to blow the whistle” (Mesmerus-Magnus et al. 2005, p.88). When considering the role responsibility in relation to whistleblowing, role responsibility was relatively unrelated to actual whistleblowing (Mesmerus-Magnus et al. 2005). “Top management should ensure that the internal reporting channels are “free from leaks” and are manned by trustworthy individuals” (Mesmerus-Magnus et al. 2005, p.77). Mesmerus-Magnus et al. (2005) suggest promoting cases when whistleblowing has encouraged positive change in

organization as a catalysator of the likelihood that other potential whistleblowers will be motivated to alert top management on wrongdoing” (Mesmerus-Magnus et al. 2005).

organizational silence.

Literature on whistleblowing refers to persons who observe wrongdoing but do not disclose as inactive observers (Near et al., 1988). A related concept to inactive observers is the concept of *organizational silence* discussed by many scholars of organizational behaviors. Morrison et al. (2003) bring the perspective that employees hesitate to raise their concerns because speaking up about the problems in an organization may present a dangerous practice.

Relevant to the literature on whistleblowing in organizational settings, *the spiral of silence theory* developed by Elisabeth Noelle-Neumann holds that since most people are afraid of social isolations in organizations, they watch out for other people’s behavior with the purpose of finding out which opinions and behaviors earn approval and rejection publicly (1991). The assumptions under the spiral silence theory relevant for the study of the whistle-blowing include the following: 1) People exert “isolation pressure” on other people, when somebody says or does something that is rejected by public opinion; 2) People tend to hide their opinion away when they think that they would expose themselves to “isolation pressure” with their opinion (Elisabeth Noelle-Neumann, 1991).

Types of wrongdoing in public sector.

Based on a survey by Near et al. wrongdoings in organizations encompassed seven broader categories including indicated theft, waste, mismanagement, safety problems, sexual harassment, illegal discrimination and violation of legislation/illegal behavior (2004).

the prosocial organizational behavior model.

Miceli et al. point out the social aspects as attribute to the whistleblowing (1997). According to Brief et al., “the prosocial organizational behavior is performed by a member of an organization - directed towards an individual or a group of people in an organization with whom

the whistleblower interacts while performing his or her organizational activities and intending to promote the welfare of the individuals towards which it is directed” (1986, p.236).

Miceli et al. (2008) model involves three phases. In the phase 1, the occurrence/nonoccurrence of wrongdoing is assessed, following phase 2 in which is needed to act after the wrongdoing is perceived to be unreported and uncorrected. Phase three can negatively influence employees’ perceptions about the organization and their assessment of what to do with the wrongdoing and at this point two processes may be anticipated, signaling or demoralization of the employee which may not be mutually exclusive (2008). “In the context of whistleblowing, unreported or uncorrected wrongdoing may signal to employees that the organization would not correct wrongdoing if they reported it, because the existence of wrongdoing implies that the organization tolerates bad behavior” (Miceli et al., 2008, 78). This model foresees that organizational unresponsiveness and demoralization experienced in phase 2 will discourage many employees from acting by affecting the phase 3 which involves decisions about whether to blow the whistle or not (2008). “Signaling and demoralization of the phase 2 may be manifested in variables other than whistleblowing, such as observers’ feeling a lack of satisfaction with or trust in their organizations, employee withdrawal, etc.” (Miceli et al., 2008, p.89). Under such a context, Merton argued that a deviant behavior is not really recognized as “deviant” until “labeled” as such by persons in organizations (1957).

personal predictors of whistleblowing.

The concept of *negative affectivity* developed by Watson & Clark holds that people high in negative affectivity are more critical of themselves and others and consequently experience more stress, anxiety, anger, fear, and guilt (1984). The Miceli et al. model on pro-social organizational behavior holds that organization members with high levels of moral judgment are more inclined to judge a questionable act to be wrongful and deserving of action than would other members (2008).

demographic characteristics.

Miceli et al. (2008) found that more powerful employees were more likely to witness serious wrongdoings due to access to documentation because of their positions other than lower rank employees, consequently having the observed wrongdoing depending to some extent in observer's demographic characteristics. "Organizations can signal responsiveness by not allowing wrongdoing in the first place and responding quickly to correct it when it does occur" (Miceli et al., 2008).

Miceli et al. (2008) suggest that future research could explore how demographics interact with contextual variables, for instance, how demographics interact with various types of wrongdoing, and raising questions such as if minorities might face more retaliation compared to other employees" (Miceli et al., 2008).

personality or dispositional characteristics.

Positive affectivity is considered among personality factors significant to influence whistleblowing, given its potential to ignite perception for greater success to stop wrongdoing, avoid retaliation the expected benefit-cost ratio (Miceli et al., 2001b). Bateman et al. (1993) attributed whistleblowers as more proactive than other persons having in consideration their need to control their surroundings. Upon observation of wrongdoings, proactive persons are more likely to whistle blow than other employees (Crant, 1995).

In a study by Rothschild et al., where respondents declared their personal values to have accounted in their decision to whistle blow (1999) emphasizes the impact of individual factors. "Empirical research prior to 1996 showed some tendency of whistle-blowers to be relatively powerful employees, for example, they were supervisors or higher rank, and more senior, with higher pay and performance" (Near & Miceli, 1996).

To the contrary, according to Miceli et al. (2008) "in many studies, there was no relationship between whistle-blowing and demographic or position variables, so we cannot conclude that whistle-blowers are always more likely to be powerful employees" (p.92). The same study provides cross reference to the Brewer & Selden (1998) who have found that education was

positively correlated with whistleblowing. Marital status was not significantly related to whistleblowing in large surveys (Rothschild et al, 1999).

Examining gender among demographic variables for whistleblowing, no differences were found in studies until 2001 (Miceli et al., 2008).

Theoretical framework suggesting that men are more likely to whistle blow compared to women include the following: men are more encountered in higher-status positions where wrongdoing takes place (England, 1979), supervisors (men as the prevailing gender in leadership positions) are more knowledgeable about how to respond to wrongdoing or where to report it (Keenan, 1990), women are more inclined towards conformity of the majority opinion compared to men (Costanzo et al., 1966).

Sims et al (1998) have found no relationship between whistleblowing and job satisfaction or organizational commitment. Examining the relationship between the decision to whistle blow and job commitment and satisfaction require empirical testing (Miceli et al, 2008).

“Valid whistle-blowing, executed appropriately, can be a positive experience for all involved, and provides the opportunity to stem what appears to be a veritable tidal wave of recent corporate wrongdoing” (Miceli et al., 2008, p.88).

characteristics of the organization.

If an organization tolerates wrongdoing, employees who perceive suspicious activities such as fraud may not consider it wrong (Miceli et al., 2008).

characteristics of the country or culture.

According to Johnson (2002) how the whistleblowers are seen by others depends on cultures as in some culture's reporters are referred as *bell-ringer* or *lighthouse keeper* while in some cultures they are perceived negatively.

Hofstede et al. in their research found that organization's effects were stronger than the society's effects on organizational behavior (1990).

The Social Information Processing Model of whistleblowing developed by Gundlach et al. (2003) aims at predicting whistle-blowing decision based on predictors like causal explanations, judgement of responsibility for perceived wrongdoing, emotions and cost-benefit analyses of acting. The Social Information Processing Model involves a decision-making process in which potential whistleblowers weigh the cost of their decisions – lack of actions by wrongdoers will cause more resentment (Gundlach et al., 2003).

Warren distinguishes deviance in organizations in two types: deviances with positive effects and deviances with negative effects, both as processes leading to departure from norms (2003). Under such a context Warren suggest whistleblowing attributed as positive deviance behavior (2003).

wrongdoer power or status.

Miethe found that employees were less likely to report the wrongdoers who happen to be their friends, coworkers, direct work supervisors or stakeholders in the organization (1999).

“The authors speculated that people closer to the wrongdoer may have better evidence of wrongdoing. Or, there may be two different dimensions of closeness that have different effects—proximity to the whistle-blower and emotional connection to him or her” (Miceli et al., 2008, p.92).

According to Gordon, industry influences any organizational culture (1991, p. 396). “The power context of the social actors predicts retaliation, but because power relationships may change over time, delineating the interaction effects may be difficult” (Miceli et al., 2008, p.93). The minority influence theory developed by Moscovici holds the view that members of minority groups can influence members of majority groups, especially if they manage to keep their consistency in their actions and their views can be supported by the so-called informative influence (1979). French & Raven social base power theories hold 6 type of social power: legitimate, reward, coercive, informational, expert and referent types of powers (1959).

The resource dependence theory by Pfeffer & Salancik holds that resources are key for the organizational mission hence whoever possesses the resources influence the organizational behavior (1978). “Under such a context the whistle-blower may be relatively powerful if the organization depends on them and if the organization does not depend on continuation of the

wrongdoing or on the wrongdoer” (Near et al., 1987, p.139). “Wrongdoers are relatively powerful if the organization depends on them” (Miceli et al., 2008, p.98).

“Whistle-blowers with little power can be ignored or retaliated against more easily and with fewer negative consequences to the organization, than can those who hold high-level positions or have special expertise that is needed and hard to replace, who are well respected for their experience and competence” (Miceli et al., 2008, p.111).

“The wrongdoer’s power is often measured in terms of the wrongdoer’s status in the organization, which reflects legitimate or other bases of power, or the dependence of the organization on the individual” (Miceli et al., 2008, p.123).

gender and whistleblowing.

The social role theory holds that gender differences in social behavior rely on the expected social roles generated by division of labor among men and women - that men are providers in family and women are caretakers (2016). Kidder et al. (2001) noted that the expected roles in society reflect norms of workplace. Miceli et al. (2008) suggest that based on the social role theory women are more likely to be retaliated against especially in male-dominated workplaces.

coworker support.

Miceli et al. (2008) suggested that based on the minority influence theory, support from coworkers is likely to decrease retaliation on whistleblowers, and that this respect for whistleblower may have derived from the referent or expert power.

It is important to distinguish between the two types of retaliation, the formal and the informal retaliation (Rehg, 1998). External reporting leads to more retaliation and more retaliation leads to external reporting (Miceli et al., 2008).

organizational change and whistleblowing.

In a study conducted by KAS Foundation in Western Balkans, it was found that from more than 7000 people interviewed region-wide, only about a third of them noted whistleblowing to be

acceptable, and one in six people thought that whistleblowers should be punished for their actions. Same study suggests that these social attitudes toward whistleblowing are related to the weak functioning of the judiciary in countries of Western Balkans (2013). More research is needed to investigate consequences of retaliation for the organization (Miceli et al., 2008).

“Psychological trauma manifested in the processes of whistleblowing involve experiencing of stress, and other psychological or physical consequences (Miceli et al., 2008). According to Hewlin et al. (2005) research, social norms impact the stigmatization and people who object wrongdoing other than wrongdoer are stigmatized in many cases. The fear of stigmatization in an organization depends on three factors: organizational reward systems, organizational resistance to change, and individual power (2005).

effectiveness of whistleblowing.

“Effectiveness of a whistleblowing process is the extent to which the questionable or wrongful practice (or omission) is terminated at least partly because of whistle-blowing and within a reasonable time frame” (Near & Miceli, 1995). A more advanced standard required corrective action on the wrongdoing itself (Miceli et al., 2008).

“Assessing effectiveness of whistleblowing implies the question effective for whom? and this is the most difficult variable to measure of all the variables concerned with whistleblowing” (Miceli et al, 2008, p.56). Validity of the complaint is also very important on the probability of the overall effectiveness of the whistle-blower in creating change and impacts the chances of retaliation against the whistle-blower (Miceli et al., 2002).

“One difficult issue is determining whether wrongdoing has actually occurred. It is also a problem if the employee judges an incident to be wrongful and reports it, but complaint recipients do not agree that wrongdoing has taken place” (Miceli et al., 2008).

Some institutions have created financial rewards or personal gratification for whistleblowers but the percentage of whistle-blowers who receive such rewards is low (Miceli, Near, Dworkin, 2008, p.117).

Near et al. define the effectiveness of whistleblowing as “the extent to which the questionable or wrongful practice (or omission) is terminated at least partly because of whistleblowing and within a time frame (1995, p.681).

3.21 whistleblowing dilemmas.

“The ethical problem in whistleblowing is that whistleblowers get retaliated against by the organization, even when blowing the whistle was the justified thing to do” (Vandekerckhove, 2006, p.4). Discussing trends on whistleblowing policies, Vandekerckhove makes the distinction if the whistleblowing policies protect the individual from organizational dominance, or whether the normative discourse of globalization has turned whistleblowing into a mechanism of organizational dominance (2006).

Relating to the globalization semantic through the concepts of flexibility, Vandekerckhove comes with legitimization constructs of whistleblowing: 1) whistleblowing as a human right; 2) whistleblowing from an organization social responsibility-network perspective; and 3) from an organization responsibility network-stakeholder perspective; 4) whistleblowing and responsibility; 5) whistleblowing and accountability; 6) whistleblowing and integrity; 7) whistleblowing and loyalty; 8) whistleblowing and organizational efficiency (2006).

Tracing back to the origins of the “whistleblower concept”, Vandekerckhove (2006) found that the 1961 edition of the Oxford English Dictionary does not mention ‘whistleblowing’ or ‘whistleblower’, only referring to the ‘to whistle’ as ‘to speak, tell, or utter secretly.

As Vandekerckhove points out, the momentum that whistleblowing concept has gained in in academic literature has also led to a de-activation of the concept for some time (2006).

According to Vandekerckhove “the academic literature on whistleblowing has kicked off in 1973, with a book review of Nader et al. (1972) in Social Work (Orlin 1973), with the first article in a law journal dating from 1974.

Approaching the institutionalization of whistleblowing policies in organization through the angle of the corporate social responsibility, Vandekerckhove attributes the whistleblowing as of indicting character in the sense that it identifies a wrongdoing and accuses and challenges a person or an organization (2006). “I think the underlying assumption is very important, namely that the

whistleblowers have to make indicting disclosures because they have no authority over those whom they report on and they lack the power to cause change otherwise” (2006, p.236).

3.22 motivation of public service.

Perry et al. (1990) identified three types of public service motivations: rational, normative, and affective by defining the public service motivation as “an individual’s predisposition to respond to motives grounded primarily or uniquely in public institutions and organizations” (p.368). Further elaborations, Perry et al. ask whether the public service motivation is a trait or state, defining trait as a stable characteristic of an individual that is consistent across situations and over time, while state is a transient characteristic that can change over time (2014, p. 42-43).

3.23 The Whistleblowing Protection System in Kosovo

On 2018, the Kosovo Assembly approved the Law 06/L-085 on Protection of Whistleblowers in Kosovo, aiming to regulate whistleblowing of wrongdoing in both private and public sector and protection of whistleblowers. The law defines whistleblowers as any person who reports or discloses information for a threat or damage of public interest under the context of their employment relationship in public or private sector. Under the law, reporting or disclosing of information include both actions or non-undertaking of actions threatening or damaging the public interest. Law defines reporting as reporting inside the institution - be it public or private sector - to the competent authority, while the disclose of information is defined by law as making the information public. According to the law, under the concept of employees eligible to report or disclose information are the physical persons employees of private or public institutions regardless of the form of employment, time of employment, external associates or volunteers, interns, candidates for employment, or providers of services contracted or subcontracted. In accordance with the law, there will be specific officials within institutions who will be receiving information on wrongdoings reported by whistleblowers.

The following forms of wrongdoing are subject of whistleblowing according to the law: 1) wrongdoing was committed, it is being committed or there are chances of being committed, 2) the official has failed, it is failing or will fail to fulfill legal obligations, 3) misadministration of justice

has occurred, is being conducted or is likely to happen, 4) health or security is being jeopardized, has been or is likely to happen, 5) the environment was degraded, is being degraded or is likely to happen, 6) there was misuse of official duty or authority or public finances or resources of a public institution, 7) actions or non-undertaking of actions that are discriminatory and are committed due to lack of caution and that represent a serious mismanagement, 8) the information on the abovementioned categories of wrongdoing has been hidden or destroyed.

Law grants the whistleblowers the following rights: protection of identity during the process of whistleblowing, protection of confidentiality of the source of the reported information, protection against any damaging actions. These rights are guaranteed for the following phases: during the timeline of the procedure of administrative investigation, and after the conclusion of the procedure of administrative investigation, therefore, to enable the whistleblower to normally carry out his/her activities related to job position, and after the end of employment relationship of the whistleblower.

Law grants a specific protection to whistleblowers. They may not be subject of any civil /criminal responsibility or disciplinary procedures. The right to protection is granted on the condition that the whistleblower believes that the disclosed or reported information is true and the whistleblowers are not required to prove if the disclosed information is true. The protection for whistleblowers is guaranteed only if the disclosed information on wrongdoing has to do with threatening of the public interest.

Law defines three channels of reporting. Reporting information to the employer is considered as internal whistleblowing. Reporting the information to the competent authority is considered as external whistleblowing. Disclosing information in the media, to civil society organizations, in any public meeting or any other form that makes the disclosure of information public, is considered a public whistleblowing.

The internal procedure of administrative investigation begins in the moment of the reporting or submission of information to the responsible officer for receiving whistleblowing reports within the institution. The procedure of investigative reporting must be completed as soon as possible. Length of the investigative procedures is maximum 45 days, with the possibility of extension of this deadline for the same number of days. During the period of investigative reporting, the responsible officer is supposed to conduct investigation, review and evaluate the

assumptions of the whistleblowers. The employing institution is obligated to return an answer to the whistleblower(s) – within the period of fifteen days - if their whistleblowing submission is accepted or not.

According to the law on whistleblowing, the investigative procedures shall be conducted in accordance with the Law on General Administrative Procedures of Republic of Kosovo. The employing institution is obligated under legislation to offer under the investigation any required data, documentation, of proofs, under their possession. If the whistleblowing practice or submission of information results as any form of violation of legislation, the employing institution shall inform the competent authority – and under such a context, the employing institution shall undertake immediate measures to prevent continuation of negative consequences for the institution, resulting from the suspicious whistleblowing practices.

The new law stipulates that the employing institution is obligated to protect the whistleblowers from any action that may damage them and must undertake all the necessary measures to stop the harmful actions and remove any consequence resulting from damaging actions.

For external whistleblowing in public sector, submission of whistleblowing report is addressed to the Anti-Corruption Agency of Republic of Kosovo. If the Anti-Corruption Agency does not have jurisdiction to act, then it forwards the information without delay to the competent authority and informs the whistleblower for such an action. In cases when the whistleblower does not accept to reveal his/her identity, and the Anti-Corruption Agency does not have competence to treat the information, before submitting the information to the competent authority, the Anti-Corruption Agency shall request the approval by the whistleblower, unless foreseen otherwise by law.

In addition to the internal and external channels of whistleblowing, whistleblowers can also whistle blow publicly in the following situations: 1) when whistleblower has reasons to believe that he will be retaliated if he does internal or external submission of whistleblowing; 2) the whistleblower has reason to believe that evidence related to the wrongdoing will be erased or destroyed if the whistleblower submits internal or external report; 3) in situations of immediate threat to life, public health, security, environment, or when wrongdoing causes damage in wide scale of unrepairable damage; 4) when competent authorities under this law have not undertaken

respective actions related to whistleblowing within the period of six months since the moment or submission of the whistleblowing report; 5) the whistleblower who submits wrongdoing reports in accordance with the law on whistleblowing, is obligated to respect the principle of presumption of innocence of the accused person, the right to protection of personal data, and not to obstruct the court proceedings.

Law sets the obligations of the institutions that within six months after the approval of the law on whistleblowing, institutions must set rules and procedures for accepting and reviewing all types of whistleblowing. If rules and procedures are not set, that general rules must be applied in accordance with the law.

Law grants whistleblowers protection from retaliation at work, including but not limited to the following situations: dismissal from work; suspension from work or suspension of work-related tasks, transfer within or outside the public institution without whistleblower's consent; demotion; decrease of salary; loss of status and privileges; non promotion at work; removal of the right to work-related trainings; negative appraisal of performance; cancelling of licenses or permits; annulment of contracts for goods or services; and any other work-related retaliatory action. Any retaliatory action against whistleblower will not be valid.

Any whistleblower who was harmed as result as his whistleblowing activities has the right to address to court to ask for compensation. Law specifies the courts for addressing whistleblowing issues: for members of civil service, lawsuits are filed to the Department for Administrative Issues in the Basic Court of Prishtina, while for other categories of employees, lawsuits shall be filed in the General Department of the basic court in respective locations of whistleblowers or job location. According to the law on whistleblowing, all cases related to whistleblowing are treated with priority by courts, in administrative procedures.

In cases when whistleblowers are facing retaliatory actions, the employees should submit evidence that actions are not caused by whistleblowing reports. Law sets a financial fine for institutions who fail to protect whistleblower(s) from retaliatory actions and who fail to undertake or stop any negative consequence, within their jurisdictions. Institutions shall also be imposed financial fine if they do not: 1) inform in writing all employees about their rights enshrined in this law; 2) do not appoint the responsible officer for whistleblowing; 3) do not undertake actions after reporting of information within the timelines set with the law; 4) do not inform the whistleblower

for the result of the procedure within the specified timeline in the law; 5) if they obstruct the whistleblowing procedures. Also, a financial fine will be imposed to responsible officers for whistleblowing reports if they do not comply with the law on whistleblowing on activities related to whistleblowing.

Requests for beginning of procedures will be submitted to the respective courts by the Agency for Anti-Corruption for cases of public sector, and for the cases of private sector it will be the Labor Inspectorate that shall forward the whistleblowing cases to the respective court.

If the institutions do not undertake any action or refuse to act within sixty days, then the whistleblower can initiate the procedures. Law obligates institutions to provide in writing guidelines to employees on procedures for whistleblowing. These guidelines and any other relevant information must be updated regularly and disseminated in work environments and in websites, when technically possible.

The institutions of both public and private sector as well as regulators on the sector where whistleblowing has occurred must prepare an annual report on whistleblowing for each previous year until December 31 – and this annual report should be submitted to the Anti-Corruption Agency the latest to 31 January of the next year. The Anti-Corruption Agency prepares and publishes the annual general report on whistleblowing, the latest by March 31. This report will contain the number of reports and disclosures on public interest, and actions undertaken in relation to these reports/disclosures.

Secondary legislation must be drafted within six months after approval of the law on whistleblowing by the Kosovo Assembly. Employing institutions are required that in a deadline of six months, the officers responsible for receiving whistleblowing reports to be appointed.

Upon entry into force of this law, law provisions related to private sector must start to implement on year later.

3.24 The Sustainable Development Goals and corruption.

Containing all seventeen goals, the United Nations 2030 Agenda for Sustainable Development recognizes that corruption has a destructive impact on sustainable development. Combating corruption constitutes the Sustainable Development Goal 16 (referred further as SDG16) and that is *Promote Peaceful and Inclusive Societies for Sustainable Development, Provide Access to Justice for All and Build Effective, Accountable and Inclusive Institutions at All Levels*.

Table 1: Targets and indicators under the SDG 16

| SDG 16 Targets and Indicators related to corruption (United Nations, 2019) | |
|--|--|
| Targets | Indicators |
| 16.3 Promote the rule of law at the national and international levels and ensure equal access to justice for all | |
| 16.4 By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime | 16.4.1 Total value of inward and outward illicit financial flows (in current United States dollars) 16.4.2 Proportion of seized, found or surrendered arms whose illicit origin or context has been traced or established by a competent authority in line with international instruments |
| 16.5 Substantially reduce corruption and bribery in all their forms | 16.5.1 Proportion of persons who had at least one contact with a public official and who paid a bribe to a public official, or were asked for a bribe by those public officials, during the previous 12 months 16.5.2 Proportion of businesses that had at least one contact with a public official and that paid a bribe to a public official, or were asked for a bribe by those public officials during the previous 12 months |
| 16.6 Develop effective, accountable and transparent institutions at all levels | 16.6.1 Primary government expenditures as a proportion of original approved budget, by sector (or by budget codes or similar) 16.6.2 Proportion of the population satisfied with their last experience of public services |
| 16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels | 16.7.1 Proportions of positions (by sex, age, persons with disabilities and population groups) in public institutions (national and |

| | |
|--|---|
| | local legislatures, public service, and judiciary) compared to national distributions 16.7.2 Proportion of population who believe decision-making is inclusive and responsive, by sex, age, disability and population group |
| 16.8 Broaden and strengthen the participation of developing countries in the institutions of global governance | 16.8.1 Proportion of members and voting rights of developing countries in international organizations |
| 16.10 Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements | 16.10.1 Number of verified cases of killing, kidnapping, enforced disappearance, arbitrary detention and torture of journalists, associated media personnel, trade unionists and human rights advocates in the previous 12 months 16.10.2 Number of countries that adopt and implement constitutional, statutory and/or policy guarantees for public access to information |
| 16.B Promote and enforce non-discriminatory laws and policies for sustainable development | 16.B.1 Proportion of population reporting having personally felt discriminated against or harassed in the previous 12 months based on a ground of discrimination prohibited under international human rights law |

As it can be seen from the Table 1, the SDG 16 is measured through the following aspects for promoting institutions that deliver through good governance: abolishing illicit flows of money and assets, provision of services through impartiality without bribery, enabling easier access of businesses to public services, transparency of government expenditures, and diversity in representation among others. Emphasizing the need of up to date and relevant data for measuring SDG 16, the Transparency International has demanded that the Goal 16 along its indicators must be reviewed every year by the United Nations, as some indicators are lacking or some of the existing indicators lack the methodology of calculation (Moreira, 2019). According to SDG 16 Data Initiative, two challenges stand out in the state of play regarding SDG16 data: 1) major data gaps remain in the official SDG16 indicators due to methodological issues, limited resources, and capacities of national statistical offices to collect data; and 2) conceptual gaps remain within the official SDG16 indicators preventing an accurate measurement of target objectives (SDG16 Data Initiative, 2019).

3.25 The United Nations Convention Against Corruption (UNCAC).

The United Nations Convention Against Corruption (The United Nations, 2004) presents the first global legally binding international anti-corruption instrument which consists of a comprehensive set of standards, measures and rules to promote, among others, integrity, accountability, and proper management of public affairs and public property. Under this convention “Each State Party shall, in accordance with the fundamental principles of its legal system, develop and implement or maintain effective, coordinated anti-corruption policies that promote the participation of society and reflect the principles of the rule of law, proper management of public affairs and public property, integrity, transparency and accountability” (The United Nations, 2004).

Ethics and integrity in state administration after the legislative reform of 2019.

The legislative reform for public administration during 2018-2019 presented new legal articles on policies for ethics and integrity. Compared to the previous legislation, the new Law on Public Officials Nr. 06/L – 114 (referred further as LPO) stipulates that all public officials are required to respect laws, protect country interests and human rights. Article 25 of the LPO states that public officials exercise their duties with professionalism, impartiality, without discrimination, in timely manner, without any personal benefit in accordance with the law and code of ethics, in the function of establishment and strengthening of mutual trust and cooperation between the citizens and public administration. According to the Article 26 of the LPO, if to a public official is given any task that they suspect of its character as illegal, by the immediate supervisor, they must notify in writing the supervisor of their supervisor and ask for a confirmation in writing by the addressee. The public officials are obligated to implement the order specified in the written confirmation, unless the order of act is of criminal character.

According to the Article 27 of LPO, public officials are required to manage carefully state property and to use it only for the purposes specified by the law and in accordance with the internal rules of the institution. According to the same law, public officials are prohibited to using the state

property as a mean for conducting personal economic activities or illegal activities. Under such a context, same law requires that public official exercise their duties efficiently for executing tasks related to their duties.

Article 28 of the LPO establishes the responsibility of public officials for their actions or non-acting on duty. Article 29 stipulates that public officials are required to avoid any conflict of interest between their private interest and public interest when exercising their duty. Further, the Article 30 of the LPO requires that public officials exercise their duties in transparent manners and are required to provide any information required by the public, unless the information is classified by the law.

[classification of job position in civil service in Kosovo.](#)

Article 33 of the Law on Public Officials of Republic of Kosovo classifies job positions of civil service based on the following criteria: the category, class, and the character of the job position. The job positions in civil service are classified in the following categories: 1) the higher management category consisting in positions of the secretary generals, executive directors and their deputies, and other equivalent positions; 2) the middle management category including the positions of directors of departments and other equivalent positions; 3) the lower management category including the positions of heads of divisions and equivalent positions; and 4) professional category including the positions of professional officials.

[3.26 The Whistleblowing Protection System in the European Union](#)

On April 2019, the European Parliament following on the proposal from the European Commission approved the Directive on Protection of Persons Reporting on Breaches of the Union law (2019). Approval of this directive has been a successful initiative in addressing whistleblowing protection gaps, as the system of whistleblower protection has been fragmented across Member States of the European Union. This directive is applicable to both private and public sectors. Directive provides for three channels of whistleblowing: 1) internal reporting, organizations that

have more than fifty employees should set up reporting channels, 2) external reporting, and 3) public reporting (European Commission 2019).

Approval of the directive shall follow transposition of its articles in national legislation of the member states of the European Union. Directive provides a solid protection of whistleblowers, across a wide array among sectors, and protects against retaliatory acts resulting from disclosure of wrongdoing (2019) given that whistleblowers have an important role in the fight against corruption and wrongdoing in organizations, yet their reporting makes them a subject of possible retaliatory actions.

Resolution 444 of the Council of Europe on Whistleblowing.

In the light of the approval of the whistleblower protection directive by the European Parliament on April 2019, the Council of Europe and the Congress of Local and Regional Authorities have approved in the same month the Resolution 444 *The Protection of Whistleblowers: Challenges and Opportunities for Local and Regional Government* (2019). This resolution presents a call to the local and regional authorities in the European Union to establish whistleblowing policies, reporting channels and ensuring that designated institutions exist to oversee and process the disclosure of information (Council of Europe, 2019). Recommendations of this resolution are that legislation at each member state level provides for the protection of whistleblowers at the local and regional level, in line with the newly approved directive by the European Parliament.

Resolution 444 recognizes that whistleblowers have an important role to play in the fight against corruption at local and regional level in the European Union, bearing in mind that local authorities are the closest to citizens in their mission of provision of public services that is increasingly being conducted based on public private partnerships (2019). Resolution recognizes that ensuring anonymity and confidentiality of reporting can be a challenge at the local level due to the small size of many localities.

In a study conducted in Australia by a consortium of researchers that compared whistleblowing systems in the private, public and not for profit sectors, most of the organizations have reported to conduct assessment of risks on detrimental impacts that whistleblowers may face including stress management, work place conflict and other repercussions and only a third of organizations of the business and private sector did not conduct such impact assessments (Brown et al, 2017).

Advanced standards provide to assess the strength of the whistleblowing systems within organizations. Such standards consist in three areas: 1) advice, awareness & training; 2) reporting & investigation processes; 3) risk assessment, support and protection (Brown A J et al., 2017).

Areas and indicators of measuring the performance of the process include the following: 1) Aspects of organization's ethical culture and climate; 2) Standards of ethical leadership in an organization; 3) Awareness and knowledge on reporting/'speak up' processes; 4) Staff trust and confidence in organization's responsiveness to concerns; 5) Recent/current levels of reporting, silence or other action in response to actual wrongdoing concerns in your organization; 6) Investigation rates and outcomes for internally reported concerns; 7) Quality of responses to internally reported wrongdoing; 8) Support, treatment, and welfare of staff who have raised wrongdoing concerns (Brown et al., 2017).

Standards developed by Griffith University on types of support available for whistleblowers are the following: 1) advice and information on how the organization will respond, 2) progress reports on the response, 3) advice about outcomes, including any actions taken, benefits or changes made, 4) access to a management-designated support person inside the organization, 5) access to professional stress management, counselling or legal services, 6) access to external employee support services, 7) support from external public integrity or regulatory agencies, 8) management intervention in workplace problems, if required, 9) physical protection or relocation, if required, 10) formal acknowledgement of service, including thanks and congratulations, where appropriate, 11) rewards or other incentives, 12) no particular types of support (2017).

Research on Australian public sector organizations and businesses have found as a difficult undertaking accomplishing goals to provide strong staff support and protection (Brown et al., 2017). Same study reveals that the regulatory environment, oversight, operating conditions, professionalization, skills and industry leadership are likely critical factors (2017). “New legislation is crucial to protect whistleblowers and to encourage whistleblowing. However, safe and effective whistleblowing is only possible if effective speak-up arrangements at the organizational level are in place. Merely encouraging employees to speak up, without putting robust response systems in place, is a recipe for disaster, for both employees and the organization” (Fotaki et al., 2018).

According to Fotaki et al., the benefits for establishing effective speak-up arrangements are threefold: to the company means preventing financial and reputational losses, saving time and money in legal battles, and creating organizational trust; while on the other hand, for the employees effective speak-up arrangements mean prevention of retaliation and for the society, effective speak-up arrangements mean protecting the public interest and maintaining trustworthy institutions and organizations (2018). Fotaki et al. recommendations that are specific from other whistleblowing standards are that for creating trust speak-up arrangements must involve robust systems to respond to concerns, responsiveness needs to be well organized, clearly mandated, and adequately resourced, and provide access in different languages (2018). “The differences in speak-up channels preferred seems to be shaped by national culture. Yet, at times, organizational culture overrides national culture” (Fotaki et al., 2018, p. 234).

protection of the sources of whistleblowers.

The report of the Special Rapporteur on the *Promotion and Protection of the Right to Freedom of Opinion and Expression* published by the United Nations General Assembly argues that without protection, many whistleblowing voices remain silent and the public uninformed (2015). Report mentions refers to the article 19 of the International Covenant on Civil and Political Rights on the rights to information at the international level. The report recommends that at the national levels, the protection mechanisms should promote disclosure and not require potential whistle-blowers to undertake precise analyses of whether perceived wrongdoing merits penalty under existing law or policy (2015). “

Vandekerckhove (2006) mentions Dworkin and Callahan (1998) “to argue that during the 1990s two conflicting trends have occurred: on the one hand, whistleblowers have gained more protection from retaliation through expanded legislation, but on the other hand, employers have increased the use of secrecy clauses to prevent information leaking out of the organization, which has resulted in more court cases in which judges were asked to enforce secrecy agreements against whistleblowers” (p.231).

3.26 Results of the survey

For this dissertation, survey with members of civil service in Kosovo was conducted during the period September to November 30, 2019. As it can be seen from the Table 4 below, total number of participant respondents was four hundred. Study has encompassed an almost equal ratio of gender representation, with male participation of 50.5 % and female participation of 49.0 %, so the overall gender participation in the study was satisfactory.

Table 4: Gender

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|--------|-----------|---------|---------------|--------------------|
| Valid | Male | 202 | 50.5 | 50.5 | 50.5 |
| | Female | 196 | 49.0 | 49.0 | 99.5 |
| | Other | 2 | .5 | .5 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

The Table 5 shows age of the participants. The age variable was grouped in 6 categories as response option in order to obtain the most accurate effects of age for the research questions. As shown in Table 5, in study have participated a good variety of respondents across generations. The greatest percentage of response to survey was obtained from the age group of 35-44 years old, as the most frequent category of age of respondents. From the same table we also see that the second most frequent age category of respondents was age 25 to 34 years old.

Table 5: Age

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|-------|-----------|---------|---------------|--------------------|
| Valid | 18-24 | 12 | 3.0 | 3.0 | 3.0 |
| | 25-34 | 126 | 31.5 | 31.5 | 34.5 |
| | 35-44 | 136 | 34.0 | 34.0 | 68.5 |
| | 45-54 | 78 | 19.5 | 19.5 | 88.0 |
| | 55-64 | 47 | 11.8 | 11.8 | 99.8 |
| | 65+ | 1 | .3 | .3 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

Table 6: Ethnicity

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|----------|-----------|---------|---------------|--------------------|
| Valid | Albanian | 370 | 92.5 | 92.5 | 92.5 |
| | Serbian | 12 | 3.0 | 3.0 | 95.5 |
| | Turkish | 10 | 2.5 | 2.5 | 98.0 |
| | Bosniak | 3 | .8 | .8 | 98.8 |
| | Askali | 1 | .3 | .3 | 99.0 |
| | Egyptian | 3 | .8 | .8 | 99.8 |
| | Other | 1 | .3 | .3 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

Table 6 presents the data on ethnicity of respondents. The 92.5 % of respondents are from majority Albanian community in Kosovo, whereas other 7.5 % of respondents represent non-majority communities like Serbs, Turks, Bosniak, Askali and Egyptian communities, across various regions in Kosovo.

Table 7: Level of education

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|-------------------|-----------|---------|---------------|--------------------|
| Valid | High school | 24 | 6.0 | 6.0 | 6.0 |
| | Bachelor's degree | 199 | 49.8 | 49.8 | 55.8 |
| | Master's degree | 162 | 40.5 | 40.5 | 96.3 |
| | Doctorate | 15 | 3.8 | 3.8 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

Table 7 displays data on the level of education of respondents. As it can be seen from the table above, most of participants (49.8 %) hold a bachelor's degree, and a considerable share of them hold master's degree.

Table 8: Category of civil service

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|--------------------------------|-----------|---------|---------------|--------------------|
| Valid | Technical-administrative level | 50 | 12.5 | 12.5 | 12.5 |
| | Professional category | 234 | 58.5 | 58.5 | 71.0 |
| | Low level management | 28 | 7.0 | 7.0 | 78.0 |
| | Middle-level management | 60 | 15.0 | 15.0 | 93.0 |
| | Upper-level management | 28 | 7.0 | 7.0 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

Table 8 shows data on category of civil service of the participants. The professional category of civil service is the most frequent among study participants with a percentage of 58.5 %, followed by middle-level management category of civil service. Upper-level management participation in the study is also quite satisfactory with a percentage of 7.0.

Table 9: Salary

| | | CATEGORY OF CIVIL SERVICE | | | | | Total |
|--------------|----------------|--------------------------------|-----------------------|----------------------|-------------------------|------------------------|--------|
| | | Technical-administrative level | Professional category | Low level management | Middle level management | Upper level management | |
| SALARY LEVEL | Less than €500 | 90.0% | 72.6% | 50.0% | 11.7% | 14.3% | 60.0% |
| | € 501-1000 | 10.0% | 27.4% | 50.0% | 75.0% | 50.0% | 35.5% |
| | € 1001 - 2000 | | | | 13.3% | 35.7% | 4.5% |
| Total | | 100.0% | 100.0% | 100.0% | 100.0% | 100.0% | 100.0% |

Table 9 displays the data on salary of participants of the study. As it can be seen, the salaries of the technical administrative level vary from 500 € for 90 % of this category while other 10 % of technical-administrative level is paid 500 to 1000 € on monthly basis.

72.6 % of professional category is paid less than € 500, with the rest of percentage being paid up to 1000 €. For the rest of categories of lower level and middle level management most of civil service have a salary of up to €500. For the upper level management, 50 % of respondents have a salary of up to €500, 14.3% are paid less than 500 € at the local level, and 35.7% have a salary of the range 1000- 2000 €.

Seeming from the data acquired from the survey, salaries of civil service are not systematized and standardized, allowing room for discrimination and inconsistent with the principle for good public administration *equal pay for equal work*.

Table 10: Employment/self-employment prospects

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|--|-----------|---------|---------------|--------------------|
| Valid | very likely to find a job relevant for my skills | 20 | 5.0 | 5.0 | 5.0 |
| | 2 | 56 | 14.0 | 14.0 | 19.0 |
| | 3 | 216 | 54.0 | 54.0 | 73.0 |
| | 4 | 62 | 15.5 | 15.5 | 88.5 |
| | no such opportunities at all | 46 | 11.5 | 11.5 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

Table 10 presents data on the perceptions of members of civil service on employment and/or self-employment prospects. Asked to rate the prospects of their potential employment in the labor market and/or self-employment, only 5.0 % of members of civil service have responded that there are very likely prospects for them to find other jobs or start their own businesses. 54 % of respondents are not sure about their future employment/self-employment prospects, while 15.5 % consider that such prospects are very limited for them. Believing that there are no such opportunities at all were declared 11.5 % of respondents.

Table 11: Civil service experience

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|--------------------|-----------|---------|---------------|--------------------|
| Valid | Less than 6 months | 13 | 3.3 | 3.3 | 3.3 |
| | 1-3 years | 83 | 20.8 | 20.8 | 24.0 |
| | 3-5 years | 59 | 14.8 | 14.8 | 38.8 |
| | 5-10 years | 79 | 19.8 | 19.8 | 58.5 |
| | More than 10 years | 166 | 41.5 | 41.5 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

Most of the respondents of the study by 41.5 % are characterized by more than ten years of working experience as civil service for Kosovo state administration. Second largest share have 1 to 3 years of working experience as civil service while the less frequent category with 3.3 % have less than 6 months of working experience.

Table 12: Job satisfaction

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|----------------------|-----------|---------|---------------|--------------------|
| Valid | very satisfied | 48 | 12.0 | 12.0 | 12.0 |
| | 2 | 67 | 16.8 | 16.8 | 28.7 |
| | 3 | 129 | 32.3 | 32.3 | 61.0 |
| | 4 | 95 | 23.8 | 23.8 | 84.8 |
| | not at all satisfied | 61 | 15.3 | 15.3 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

Asked to rate their job satisfaction from 1 to 5, respondents are divided almost equally across all five levels of job satisfaction: the biggest share of 32.3 % of participants feel neutral about their level of job satisfaction, 15.3 % are not satisfied at all, 23.8 of them are quiet dissatisfied, with only 12.0 % and 16.8 % feeling very satisfied and satisfied.

Table 13: Job motivation

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|----------------------|-----------|---------|---------------|--------------------|
| Valid | Very motivated | 48 | 12.0 | 12.0 | 12.0 |
| | 2 | 79 | 19.8 | 19.8 | 31.8 |
| | 3 | 119 | 29.8 | 29.8 | 61.5 |
| | 4 | 79 | 19.8 | 19.8 | 81.3 |
| | Not at all motivated | 75 | 18.8 | 18.8 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

Table 13 presents data on the levels of motivation of the members of civil service. Asked to rate their job motivation from 1 to 5, alike for job satisfaction variable, also for job motivation,

there is a wide variety of responses. Only 12 % of members of respondents have declared a high job motivation, with the contrast view of not at all motivated of a group of 18.8 % of respondents. The biggest share of respondents with a percentage of 29.8 % feel neutral about their job motivation.

Table 14: Organizational commitment

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|----------------------|-----------|---------|---------------|--------------------|
| Valid | Very committed | 87 | 21.8 | 21.8 | 21.8 |
| | 2 | 61 | 15.3 | 15.3 | 37.0 |
| | 3 | 88 | 22.0 | 22.0 | 59.0 |
| | 4 | 84 | 21.0 | 21.0 | 80.0 |
| | Not committed at all | 80 | 20.0 | 20.0 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

Participants of the study are quite divided on opinions when it comes to their perceptions on organizational commitment. Asked to rate their commitment to the organization they work for on a scale of 1 to 5, a percentage of 21.8 feel very committed to the organization, 15.3 % feel committed, followed by a percentage of 22.0 % who are neutral on their organizational commitment feelings. Not committed and committed at all feel the groups of 21 % and 20 %.

Table 15: Value congruence

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|----------------------|-----------|---------|---------------|--------------------|
| Valid | Fully congruent | 84 | 21.0 | 21.0 | 21.0 |
| | 2 | 70 | 17.5 | 17.5 | 38.5 |
| | 3 | 96 | 24.0 | 24.0 | 62.5 |
| | 4 | 92 | 23.0 | 23.0 | 85.5 |
| | Not congruent at all | 58 | 14.5 | 14.5 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

On value congruence, respondents were declared almost equally in all five groups. From fully congruent with the values of the organization to not congruent at all in five levels, the largest

share of responses was neutral with 24 %, not congruent with the values of the organizations were declared 23 %. Not congruent at all were declared 14.5 %.

21 % of respondents feel fully congruent with the values of the organization. Satisfactorily congruent with the values of the organization feel 17.5 % of respondents.

Table 16: Whistleblowing awareness level

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|-------|-----------|---------|---------------|--------------------|
| Valid | Yes | 207 | 51.7 | 51.7 | 51.7 |
| | No | 193 | 48.3 | 48.3 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

Survey has also raised questions related to the awareness of members of civil service about whistleblowing and whistleblowing procedures envisaged in the Law on the Protection of Whistleblowers in Republic of Kosovo. Asked if they are aware about the concept of “whistleblowing”, 51.7 % of participants have responded positively, while 48.3 % were declared to not have been aware before about the whistleblowing.

Table 17: Self-evaluation of knowledge on whistleblowing in civil service

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|-------------------------------|-----------|---------|---------------|--------------------|
| Valid | Advanced knowledge | 59 | 14.8 | 14.8 | 14.8 |
| | Moderated knowledge | 211 | 52.8 | 52.8 | 67.5 |
| | Zero knowledge on the concept | 130 | 32.5 | 32.5 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

A considerable percentage of respondents, 52.8 %, have assessed their knowledge on whistleblowing as “moderated”; 32.5 % of respondents were declared to have *zero* knowledge on whistleblowing and relevant procedures for civil service. Having advanced knowledge on the notion of whistleblowing were declared 14.8 % of respondents.

Table 18: Relevance of job position

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|---------------------|-----------|---------|---------------|--------------------|
| Valid | Very relevant | 101 | 25.3 | 25.3 | 25.3 |
| | 2 | 53 | 13.3 | 13.3 | 38.5 |
| | 3 | 133 | 33.3 | 33.3 | 71.8 |
| | 4 | 60 | 15.0 | 15.0 | 86.8 |
| | Not at all relevant | 53 | 13.3 | 13.3 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

In the study respondents were asked how “relevant” they assess their role of job position to whistle blow. From 1 to 5, rating the relevant of their job position, 25.3 % of respondents assess their job position as very relevant, 33.3 % do not have any specific opinion. 15 % think their job position is not relevant, and 13.3 % think of their job position as not at all relevant for whistleblowing. 13.3 % of respondents think of their role as a relevant one to whistle blow.

Table 19: Trained on whistleblowing

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|-------|-----------|---------|---------------|--------------------|
| Valid | Yes | 71 | 17.8 | 17.8 | 17.8 |
| | No | 329 | 82.3 | 82.3 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

With the Law on the Protection of Whistleblowers entry into force in 2018, participants of the study, one year later, were asked if they have ever received training on whistleblowing procedures. Only 17.8 % were declared to have been trained on whistleblowing, compared to the rest 82.3 to not have ever been offered organizational training to report corruption.

Table 20: Trust in protection granted by the law

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|------------------|-----------|---------|---------------|--------------------|
| Valid | Full trust | 49 | 12.3 | 12.3 | 12.3 |
| | 2 | 80 | 20.0 | 20.0 | 32.3 |
| | 3 | 135 | 33.8 | 33.8 | 66.0 |
| | 4 | 51 | 12.8 | 12.8 | 78.8 |
| | not trust at all | 85 | 21.3 | 21.3 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

Table 20 displays responses on trust perceptions that respondents have on the protection offered by the Law for Protection of Whistleblowers. Asked to rate their trust in the protection granted by the law from scale 1 to 5, only 12.3 % of respondents have declared full trust in the protection that the law is granting.

20 % of respondents have declared general trust, while 33.8 % of respondents have neutral opinions, neither trusting nor not sure in the protection offered by the law.

21.3 % of respondents have declared that they do not have trust at all in the protection that the Law on Protection of Whistleblowers offers.

Table 21: Whistle blow when affected personally

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|---------------------|-----------|---------|---------------|--------------------|
| Valid | Fully agree | 110 | 27.5 | 27.5 | 27.5 |
| | 2 | 47 | 11.8 | 11.8 | 39.3 |
| | 3 | 114 | 28.5 | 28.5 | 67.8 |
| | 4 | 49 | 12.3 | 12.3 | 80.0 |
| | Do not agree at all | 80 | 20.0 | 20.0 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

When asked about perceptions on personal affection behaviors, 27.5 % of respondents have declared to fully agree that they would file a whistleblowing complaint if the corruption would affect them personally. A similar percentage of 28.5 share another group of respondents who are neutral about reporting when affected personally. 20 % of respondents do not agree at all with the

statement that they would report wrongdoings when affected personally.

Table 22: Whistle blow when co-workers affected

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|---------------------|-----------|---------|---------------|--------------------|
| Valid | Fully agree | 106 | 26.5 | 26.5 | 26.5 |
| | 2 | 61 | 15.3 | 15.3 | 41.8 |
| | 3 | 97 | 24.3 | 24.3 | 66.0 |
| | 4 | 50 | 12.5 | 12.5 | 78.5 |
| | Do not agree at all | 86 | 21.5 | 21.5 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

When asked how much they agree from 1 to 5 that they would file a whistleblowing report when co-workers affected, 26.5 % fully agree, while 21.5 % do not agree at all. 24.3 % do not have any specific opinion what they would do. Responses indicate divided opinions and very close percentage results with the previous questions how they would act if affected personally.

Table 23: Whistleblowing approval by co-workers

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|--------------------------|-----------|---------|---------------|--------------------|
| Valid | Absolutely approve it | 53 | 13.3 | 13.3 | 13.3 |
| | 2 | 67 | 16.8 | 16.8 | 30.0 |
| | 3 | 165 | 41.3 | 41.3 | 71.3 |
| | 4 | 48 | 12.0 | 12.0 | 83.3 |
| | Do not approve it at all | 67 | 16.8 | 16.8 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

Most of respondents do not have any specific opinion when asked to what extent do, they think that whistleblowing is approved by their co-workers. This may be explained partly due to substantial lack of awareness on whistleblowing procedures by almost half of respondents. 16.8 % of respondents believe that whistleblowing is not approved at all by their co-workers. 13.3

% have declared to believe that their co-workers absolutely approve whistleblowing. Patterns of responses reveal an almost equally divided opinion that whistleblowing is approved and not approved.

Table 24: Cost-benefit analyses before deciding

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|----------|-----------|---------|---------------|--------------------|
| Valid | Yes | 105 | 26.3 | 26.3 | 26.3 |
| | Not sure | 227 | 56.8 | 56.8 | 83.0 |
| | No | 68 | 17.0 | 17.0 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

The largest share of responses was obtained from respondents on the option that they are not sure when asked if they would apply a cost-benefit analyses before deciding to whistle blow. 26.3 % of respondents have declared that they would consider costs and benefits before reporting. 17 % of participants have declared to not apply such an analysis before any potential decision to whistle blow.

Table 25: Guilt

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|---------|----------|-----------|---------|---------------|--------------------|
| Valid | Yes | 254 | 63.5 | 63.7 | 63.7 |
| | Not sure | 116 | 29.0 | 29.1 | 92.7 |
| | No | 29 | 7.2 | 7.3 | 100.0 |
| | Total | 399 | 99.8 | 100.0 | |
| Missing | System | 1 | .3 | | |
| Total | | 400 | 100.0 | | |

Table 25 reveals responses of respondents when asked if they would feel guilty if not whistleblowing when encountering any form of corruption in their workplaces. 63.5 % have declared that they believe would feel guilty afterwards if not whistleblowing. 29 % have declared that they are not sure if they would feel guilty. Only a small percentage of 7.2 have declared that

they do not believe that would feel guilty if not whistleblowing.

Table 26: Whistleblowing effectiveness to stop corrupt practices

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|----------|-----------|---------|---------------|--------------------|
| Valid | Yes | 224 | 56.0 | 56.0 | 56.0 |
| | Not sure | 141 | 35.3 | 35.3 | 91.3 |
| | No | 35 | 8.8 | 8.8 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

Survey has contained questions on perceptions of respondents for whistleblowing effectiveness. When asked if they believe that whistleblowing can stop corrupt practices, 56 % of participants have responded positively, while only 8.8 % of participants do not believe in whistleblowing's effectiveness.

35.3 % of participants are not sure and did not take any specific in relation to effectiveness of whistleblowing.

Table 27: Whistleblowing a responsibility

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|----------|-----------|---------|---------------|--------------------|
| Valid | Yes | 318 | 79.5 | 79.5 | 79.5 |
| | Not sure | 74 | 18.5 | 18.5 | 98.0 |
| | No | 8 | 2.0 | 2.0 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

There is quiet a consensus among participants that whistleblowing is a responsibility for any member of civil service. Only 2 % of respondents think that whistleblowing is not a responsibility. The rest of 18.5 % are not sure in this question.

Table 28: Relationship with supervisor

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|-------------------|-----------|---------|---------------|--------------------|
| Valid | High mutual trust | 106 | 26.5 | 26.5 | 26.5 |
| | Professional | 229 | 57.3 | 57.3 | 83.8 |
| | Neutral | 51 | 12.8 | 12.8 | 96.5 |
| | Lack of trust | 14 | 3.5 | 3.5 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

Asked to assess their relationship with supervisor, 57.3 % of participants have assessed their rapport with their supervisors as professional. 26.5 % have declared to have a high mutual trust rapport with their supervisor, while 3.5 % have declared to have lack of trust in their supervisor.

Table 29: Trust in the responsible officer

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|---------------------|-----------|---------|---------------|--------------------|
| Valid | Full trust | 79 | 19.8 | 19.8 | 19.8 |
| | 2 | 74 | 18.5 | 18.5 | 38.3 |
| | 3 | 136 | 34.0 | 34.0 | 72.3 |
| | 4 | 53 | 13.3 | 13.3 | 85.5 |
| | Do not trust at all | 58 | 14.5 | 14.5 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

Participants' responses indicate lack of trust in the officer responsible for receiving whistleblowing reports in public institutions in Kosovo. Asked to rate their trust in the responsible officer on a scale from 1 to 5, only 19.8 % of respondents have declared full trust. 34 % are not sure if they can trust the responsible officer. 14.5 % do not have trust at all and 13.3 % do not trust the responsible officer.

Table 30: Trust on handling data and protection of anonymity

| | | | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|-------------------------------|--|--|-----------|---------|---------------|--------------------|
| Valid | Data will remain confidential | | | 54 | 13.5 | 13.5 | 13.5 |
| | 2 | | | 62 | 15.5 | 15.5 | 29.0 |
| | 3 | | | 162 | 40.5 | 40.5 | 69.5 |
| | 4 | | | 64 | 16.0 | 16.0 | 85.5 |
| | Data will be misused | | | 58 | 14.5 | 14.5 | 100.0 |
| | Total | | | 400 | 100.0 | 100.0 | |

When asked to rate their trust how the anonymity data will be handled, only 13.5 % of respondents have full trust that data will remain confidential, and generally trusting have responded 15.5 %. A considerable number of participants, 40.5 %, are not sure how their data will be handled if submitting whistleblowing reports. 14.5 % of participants believe that data will be misused, and generally not trusting handling of data and anonymity have responded 16 % of respondents.

Table 31 below displays responses of participants' responses who were asked how important the support from their supervisor is to report corruption and wrongdoing. The largest share of responses was collected in the response option that their supervisor support is very important to whistle blow, followed by 15 % who share a similar opinion that supervisor's support is important for whistleblowing corruption. 22.3 % are not sure if their supervisor's support is important.

14.2 % of respondents do consider important their supervisor's support to whistle blow, and 14.8 % think that their supervisor's support is not at all important.

Table 31: Supervisor support

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|----------------------|-----------|---------|---------------|--------------------|
| Valid | Very important | 135 | 33.8 | 33.8 | 33.8 |
| | 2 | 60 | 15.0 | 15.0 | 48.8 |
| | 3 | 89 | 22.3 | 22.3 | 71.0 |
| | 4 | 57 | 14.2 | 14.2 | 85.3 |
| | Not at all important | 59 | 14.8 | 14.8 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

Table 32: Power of individuals involved

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|---------------------|-----------|---------|---------------|--------------------|
| Valid | Fully agree | 83 | 20.8 | 20.8 | 20.8 |
| | 2 | 65 | 16.3 | 16.3 | 37.0 |
| | 3 | 135 | 33.8 | 33.8 | 70.8 |
| | 4 | 53 | 13.3 | 13.3 | 84.0 |
| | Do not agree at all | 64 | 16.0 | 16.0 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

Table 32 display data on perceptions of respondents on the potential impact that power of individuals involved in corruption may have in their decision to whistle blow. 33.8 % are not sure if they would be influenced by the power of individuals who come from the same workplace. 20.8 % fully agree that individuals involved in corruption may influence their decision to whistle blow. Only 16 % do not agree at all to be potentially influenced by the power of individuals involved.

Table 33: Power of informal networks

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|---------------------|-----------|---------|---------------|--------------------|
| Valid | Fully agree | 56 | 14.0 | 14.0 | 14.0 |
| | 2 | 54 | 13.5 | 13.5 | 27.5 |
| | 3 | 155 | 38.8 | 38.8 | 66.3 |
| | 4 | 57 | 14.2 | 14.2 | 80.5 |
| | Do not agree at all | 78 | 19.5 | 19.5 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

When asked if the power of informal networks within their organization an influencing factor in the decision is to whistle blow corrupt practices, the largest number of respondents were declared not sure, 38.8 %. The rest of respondents 19.5 % do not agree at all to potentially be influenced by informal networks, and, other 14.2 % generally do not agree. Fully agreeing with this statement are 14 % of respondents, and, generally agreeing 13.5 %.

Table 34: Is whistleblowing appreciated?

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|----------|-----------|---------|---------------|--------------------|
| Valid | Yes | 132 | 33.0 | 33.0 | 33.0 |
| | Not sure | 225 | 56.3 | 56.3 | 89.3 |
| | No | 43 | 10.8 | 10.8 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

As displayed in the data from the Table 34, having 56.3 % of respondents not sure if whistleblowing is appreciated in their organization and among co-workers, shows that whistleblowing is a generally new notion in state administration. 33 % of respondents are sure that whistleblowing is an appreciated act, while 10.8 % think that whistleblowing is not appreciated.

Table 35: Is there reward?

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|----------|-----------|---------|---------------|--------------------|
| Valid | Yes | 32 | 8.0 | 8.0 | 8.0 |
| | Not sure | 210 | 52.5 | 52.5 | 60.5 |
| | No | 158 | 39.5 | 39.5 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

Participants of the study were asked if they know if there is a reward from their organization for whistleblowers. Even though legislation in Kosovo does not provide for any form of reward for whistleblowers, 52.5 of participants are not sure if such a reward exists. 39.5 % have declared that there is no such a reward. Adding the 8 % who believe that such a reward exists, data show that participants generally are not well-informed on this incentive mechanism, showing lack of knowledge on the content of the law.

Table 36: Would reward motivate your decision to whistle blow?

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|----------|-----------|---------|---------------|--------------------|
| Valid | Yes | 138 | 34.5 | 34.5 | 34.5 |
| | Not sure | 148 | 37.0 | 37.0 | 71.5 |
| | No | 114 | 28.5 | 28.5 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

Participants of the study were asked if the financial reward would present an incentive for them to whistle blow. While 37 % are not sure on their take on this incentive, 34.5 % think that reward would motivate them to whistle blow. 28.5 % have declared that financial incentives would not influence them to decide pro submission of whistleblowing reports. Generally, data show that financial reward could be a potent factor to encourage whistleblowing in state administration in Kosovo.

Table 37: Channel preferences

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|---------------------------------|-----------|---------|---------------|--------------------|
| Valid | Internal | 111 | 27.8 | 27.8 | 27.8 |
| | External | 31 | 7.8 | 7.8 | 35.5 |
| | Public | 37 | 9.3 | 9.3 | 44.8 |
| | Depending on the suspicious act | 187 | 46.8 | 46.8 | 91.5 |
| | Other | 34 | 8.5 | 8.5 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

Choice of channel for whistleblowing, as literature has shown, is a critical factor to shape the outcome of whistleblowing reporting. 46.8 % of respondents were declared that their choice of channel depends on the suspicious act of corruption.

27.8% have declared they would choose internal channels for reporting first, while 7.8 % have declared to prefer external channels of whistleblowing.

9.3 % have declared they would choose public channels to whistle blow on corruption.

Table 38: Trust in the justice inside the organization

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|---------------------|-----------|---------|---------------|--------------------|
| Valid | Full trust | 59 | 14.8 | 14.8 | 14.8 |
| | 2 | 79 | 19.8 | 19.8 | 34.5 |
| | 3 | 148 | 37.0 | 37.0 | 71.5 |
| | 4 | 49 | 12.3 | 12.3 | 83.8 |
| | Do not trust at all | 65 | 16.3 | 16.3 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

Asked to rate their trust in the justice inside the organization, on a scale from 1 to 5 – 37 % of respondents do not have a specific opinion thus being unsure of that. Only 14.8 % of respondents have declared full trust in the justice inside the organization, followed by 19.8 % who

generally have trust in such a justice.

12.3 % of respondents do not trust the justice inside the organization, followed by 16.3 % who do not have trust at all that there is justice inside the organization.

Table 39: Trust in the leadership of the organization

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|---------------------|-----------|---------|---------------|--------------------|
| Valid | Full trust | 77 | 19.3 | 19.3 | 19.3 |
| | 2 | 79 | 19.8 | 19.8 | 39.0 |
| | 3 | 140 | 35.0 | 35.0 | 74.0 |
| | 4 | 44 | 11.0 | 11.0 | 85.0 |
| | Do not trust at all | 60 | 15.0 | 15.0 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

Participants, again, on a considerable number, do not have specific opinions when it comes to trust in the leadership of the organization. 35 % of respondents were declared to not be sure if trusting the leadership of their institution.

19.3 % of respondents have full trust in the leadership of their organization, followed by 19.8 % who generally have trust in their leaders.

11% do not trust in general and 15 % do not trust at all in the leadership of their organization.

Table 40: Many incidents involved

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|---------------|-----------|---------|---------------|--------------------|
| Valid | I AM NOT SURE | 160 | 40.0 | 40.0 | 40.0 |
| | YES | 230 | 57.5 | 57.5 | 97.5 |
| | NOT | 10 | 2.5 | 2.5 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

A specific section of the survey has questioned participants how they would act under eight specific scenarios. Participants were first introduced with the scenario, when in an organization a series of corruption acts is occurring, and many incidents were involved. 57.5 % of respondents were declared that they would whistle blow under such a context, followed by 40 % who were

declared not sure how they would act under such a scenario. Only 2.5 % of respondents have stated that they would not choose to whistle blow in any situation where many incidents are involved.

Table 41: Many individuals involved

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|---------------|-----------|---------|---------------|--------------------|
| Valid | I AM NOT SURE | 164 | 41.0 | 41.0 | 41.0 |
| | YES | 226 | 56.5 | 56.5 | 97.5 |
| | NOT | 10 | 2.5 | 2.5 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

More than half of respondents were declared to choose to whistle blow in situations where many individuals are involved in corrupt practices, 56.5 %.

41 % of participants of the study are not sure how they would choose to act on such a situation. Only 2.5 % have declared they would not choose to whistle blow if many individuals were part of corruption acts in their organization.

Table 42: The suspicious act occurs frequently

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|---------------|-----------|---------|---------------|--------------------|
| Valid | I AM NOT SURE | 160 | 40.0 | 40.0 | 40.0 |
| | YES | 234 | 58.5 | 58.5 | 98.5 |
| | NOT | 6 | 1.5 | 1.5 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

From the data displayed in Table 42, it can be seeming a greater inclination of participants to choose to report if the suspicious acts of corruption would occur frequently. With 40 % not sure how they would choose to act, only 1.5 % were declared to choose to not whistle blow under such a scenario.

Table 43: The suspicious act does not occur frequently

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|---------------|-----------|---------|---------------|--------------------|
| Valid | I AM NOT SURE | 246 | 61.5 | 61.5 | 61.5 |
| | YES | 117 | 29.3 | 29.3 | 90.8 |
| | NOT | 37 | 9.3 | 9.3 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

The percentage of participants choosing to whistle blow decreases in 29.3 % if the suspicious act does not occur frequently, compared to the previous context where they choose greater to report if the corruption act occurs frequently. 9.3 % of participants would choose to not whistle blow in the corruption act does not occur frequently, and the number of respondents who are not sure how they would choose to act increases.

Table 44: Level of seriousness of the suspicious act

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|---------------|-----------|---------|---------------|--------------------|
| Valid | I AM NOT SURE | 196 | 49.0 | 49.0 | 49.0 |
| | YES | 194 | 48.5 | 48.5 | 97.5 |
| | NOT | 10 | 2.5 | 2.5 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

Percentage of participants who consider the level of seriousness of the corruption act taking place in their organization as an important factor for choosing to whistle blow is considerably large. 48.5 % were declared to choose to whistle blow for serious level acts of corruption, while 2.5 % were declared to not whistle blow. Having 48.5 % of respondents not sure how they choose to act in this situation, there is an indicative likelihood that majority of respondents would choose to report on serious crimes of corruption.

Table 45: Amount of evidence possessed for whistleblowing

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|---------------|-----------|---------|---------------|--------------------|
| Valid | I AM NOT SURE | 245 | 61.3 | 61.3 | 61.3 |
| | YES | 144 | 36.0 | 36.0 | 97.3 |
| | NOT | 11 | 2.8 | 2.8 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

Data from Table 45 show that amount of evidence possessed to submit whistleblowing reports is an important factor for a considerable number of respondents. 36 % of participants of the study were declared that the amount of evidence that they possess influences their decision to whistle blow.

61.3 % of respondents are not sure how the possession of evidence would affect their decisions. Only 28 % were declared to not depend on any possession of evidence to report corruption.

Table 46: Proximity to the wrongdoer

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|---------------|-----------|---------|---------------|--------------------|
| Valid | I AM NOT SURE | 195 | 48.8 | 48.8 | 48.8 |
| | YES | 191 | 47.8 | 47.8 | 96.5 |
| | NOT | 14 | 3.5 | 3.5 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

As displayed in the Table 46, a large share of respondents was declared that the proximity of working with the wrongdoer would not affect their decision to whistle blow. While 48.8 % are not sure how they would choose to act, only 3.5 % were declared to not whistle blow if they work directly with the wrongdoer.

Table 47: Other coworkers have information but do not speak up

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|---------------|-----------|---------|---------------|--------------------|
| Valid | I AM NOT SURE | 240 | 60.0 | 60.0 | 60.0 |
| | YES | 145 | 36.3 | 36.3 | 96.3 |
| | NOT | 15 | 3.8 | 3.8 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

As discussed previously, in this dissertation, the literature has shown that if other co-workers have information but do not speak up may be a significant factor. Asked how they would choose to act if their co-workers would have information but would choose to not report, 60 % of respondents were declared not sure how would they choose to act, indicating that they would not potentially take initiatives to choose to report. 36.3 % were declared they would choose to report, as opposed to 3.8 % who were declared against reporting under such a context.

Table 48: Perceptions on organizational culture for promotion of ethics and integrity

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|--|-----------|---------|---------------|--------------------|
| Valid | Ethics and integrity are constantly promoted verbally | 114 | 28.5 | 28.5 | 28.5 |
| | Organization has an advanced program on ethics and integrity that is being implemented | 135 | 33.8 | 33.8 | 62.3 |
| | The organization does not promote in any form activities that promote ethics and integrity | 50 | 12.5 | 12.5 | 74.8 |
| | Not sure | 101 | 25.3 | 25.3 | 100.0 |
| | Total | 400 | 100.0 | 100.0 | |

On table 48 are presented responses of participants who were asked to evaluate the culture of their organization for promoting ethics and integrity. The largest share of respondents 33.8 % believe that their organization has an advanced program on ethics and integrity that is being implemented. This idea contradicts author findings from Chapter 2 of this dissertation, that has found that no policy and tools for promotion of ethics and integrity were in place in most of institutions of public administration and also that activities for promoting integrity and ethics were not conducted at all. One explanation may be that civil servants lack general knowledge on policies for ethics and integrity. Other 28.5 % think that ethics and integrity are constantly promoted verbally.

25.3% of respondents were not sure on this question, while 12.5 % think that the organization does not promote in any form activities that promote ethics and integrity.

gender crosstabulation on perceptions.

This section contains data on perceptions of civil servants on previous indicators – but this time cross tabulated across genders, and differences are analyzed and in most of instances sought to be explained.

Table 49: Evaluation of prospects of employment/self-employment across genders

| | | GENDER | | | Total |
|---|--|--------|--------|--------|--------|
| | | Male | Female | Other | |
| Future employment/self-employment prospects | very likely to find a job relevant for my skills | 6.4% | 3.1% | 50.0% | 5.0% |
| | 2 | 13.9% | 14.3% | | 14.0% |
| | 3 | 53.5% | 55.1% | | 54.0% |
| | 4 | 14.9% | 16.3% | | 15.5% |
| | no such opportunities at all | 11.4% | 11.2% | 50.0% | 11.5% |
| Total | | 100.0% | 100.0% | 100.0% | 100.0% |

Data from the Table 49 generally indicate similar perceptions among genders when evaluating personal prospects of employment/self-employment. A slight notable difference may be observed at the option of “very likely to find a job relevant for my skills” having 3.3 % of male more compared to women, who have selected this option of response.

Table 50: Job satisfaction

| | | GENDER | | | Total |
|------------------|----------------------|--------|--------|--------|--------|
| | | Male | Female | Other | |
| Job satisfaction | very satisfied | 13.4% | 10.2% | 50.0% | 12.0% |
| | 2 | 16.8% | 16.8% | | 16.8% |
| | 3 | 33.7% | 31.1% | | 32.3% |
| | 4 | 22.8% | 24.5% | 50.0% | 23.8% |
| | not at all satisfied | 13.4% | 17.3% | | 15.3% |
| Total | | 100.0% | 100.0% | 100.0% | 100.0% |

As it can be seeming from the Table 50, men seem to have a slightly greater job satisfaction compared to women, who have expressed greater levels of job dissatisfaction.

Table 51: Job motivation

| | | GENDER | | | Total |
|----------------|----------------------|--------|--------|--------|--------|
| | | Male | Female | Other | |
| Job motivation | Very motivated | 14.9% | 9.2% | | 12.0% |
| | 2 | 19.8% | 19.4% | 50.0% | 19.8% |
| | 3 | 26.2% | 33.7% | | 29.8% |
| | 4 | 22.3% | 16.8% | 50.0% | 19.8% |
| | Not at all motivated | 16.8% | 20.9% | | 18.8% |
| Total | | 100.0% | 100.0% | 100.0% | 100.0% |

Male members of civil service in Kosovo, seem to have greater job motivation compared to woman, who report a greater level of not at all motivated.

Table 52: Organizational commitment

| | | GENDER | | | Total |
|---------------------------|----------------------|--------|--------|--------|--------|
| | | Male | Female | Other | |
| Organizational commitment | Very committed | 21.3% | 22.4% | | 21.8% |
| | 2 | 17.8% | 12.2% | 50.0% | 15.3% |
| | 3 | 20.8% | 23.5% | | 22.0% |
| | 4 | 24.3% | 17.3% | 50.0% | 21.0% |
| | Not committed at all | 15.8% | 24.5% | | 20.0% |
| Total | | 100.0% | 100.0% | 100.0% | 100.0% |

On level of organizational commitment, heterogeneous data were reported, thus not being able to generalize inferences on this indicator. We have women reporting a higher level of commitment to organization compared to men, but also, they report a slightly greater level of non-commitment at all compared to men.

Table 53: Value congruence

| | | GENDER | | | Total |
|------------------|----------------------|--------|--------|--------|--------|
| | | Male | Female | Other | |
| Value congruence | Fully congruent | 23.8% | 18.4% | | 21.0% |
| | 2 | 16.8% | 18.4% | | 17.5% |
| | 3 | 20.3% | 27.6% | 50.0% | 24.0% |
| | 4 | 22.8% | 23.0% | 50.0% | 23.0% |
| | Not congruent at all | 16.3% | 12.8% | | 14.5% |
| Total | | 100.0% | 100.0% | 100.0% | 100.0% |

Male members of civil service, participants of this study, seem to have higher value congruence with their organizational, compared to women, who report to have a slightly general less value congruence with their organization.

Table 54: Whistleblowing awareness level

| | | GENDER | | | Total |
|--------------------------------|-----|--------|--------|--------|--------|
| | | Male | Female | Other | |
| Whistleblowing awareness level | Yes | 49.5% | 54.6% | | 51.8% |
| | No | 50.5% | 45.4% | 100.0% | 48.3% |
| Total | | 100.0% | 100.0% | 100.0% | 100.0% |

Women report to have a slightly greater awareness on the concept of whistleblowing compared to men.

Table 55: Trust in protection granted by the law

| | | GENDER | | | Total |
|--|------------------|--------|--------|--------|--------|
| | | Male | Female | Other | |
| Trust in the protection granted by the law | Full trust | 12.4% | 12.2% | | 12.3% |
| | 2 | 20.8% | 19.4% | | 20.0% |
| | 3 | 32.2% | 35.7% | | 33.8% |
| | 4 | 13.4% | 12.2% | | 12.8% |
| | not trust at all | 21.3% | 20.4% | 100.0% | 21.3% |
| Total | | 100.0% | 100.0% | 100.0% | 100.0% |

Data from the table 55, indicate similar levels of trust and distrust when it comes to the protection that the Law on the Protection of Whistleblowers grants in Kosovo.

Table 56: Whistleblowing when personally affected

| | | GENDER | | | Total |
|---|---------------------|--------|--------|--------|--------|
| | | Male | Female | Other | |
| Whistleblowing when personally affected | Fully agree | 25.2% | 30.1% | | 27.5% |
| | 2 | 12.9% | 10.7% | | 11.8% |
| | 3 | 25.7% | 31.1% | 50.0% | 28.5% |
| | 4 | 13.9% | 10.7% | | 12.3% |
| | Do not agree at all | 22.3% | 17.3% | 50.0% | 20.0% |
| Total | | 100.0% | 100.0% | 100.0% | 100.0% |

No gender perceptions inferences may be reported on the indicator on Table 56, due to data percentage variance.

Table 57: Whistleblowing approval by coworkers

| | | GENDER | | | Total |
|--------------------------------------|--------------------------|--------|--------|--------|--------|
| | | Male | Female | Other | |
| Whistleblowing approval by coworkers | Absolutely approve it | 11.9% | 14.8% | | 13.3% |
| | 2 | 20.8% | 12.8% | | 16.8% |
| | 3 | 43.1% | 39.8% | | 41.3% |
| | 4 | 10.9% | 13.3% | | 12.0% |
| | Do not approve it at all | 13.4% | 19.4% | 100.0% | 16.8% |
| Total | | 100.0% | 100.0% | 100.0% | 100.0% |

Female participants, compared to men, tend to believe in slightly greater percentage than whistleblowing is not approved by other coworkers. Other share of women respondents is less sure than men on this question.

Table 58: Cost-benefit analyses

| | | GENDER | | | Total |
|-----------------------|----------|--------|--------|--------|--------|
| | | Male | Female | Other | |
| Cost-benefit analyses | Yes | 26.2% | 26.5% | | 26.3% |
| | Not sure | 55.4% | 57.7% | 100.0% | 56.8% |
| | No | 18.3% | 15.8% | | 17.0% |
| Total | | 100.0% | 100.0% | 100.0% | 100.0% |

There are almost similar perceptions across male and female participants when it comes to applying a cost-benefit analyses prior considering the decision to whistle blow.

Table 59: Guilt

| | | GENDER | | | Total |
|-------|----------|--------|--------|--------|--------|
| | | Male | Female | Other | |
| Guilt | Yes | 65.7% | 62.2% | | 63.7% |
| | Not sure | 28.9% | 28.6% | 100.0% | 29.1% |
| | No | 5.5% | 9.2% | | 7.3% |
| Total | | 100.0% | 100.0% | 100.0% | 100.0% |

Table 60: Can whistleblowing stop corrupt practices

| | | GENDER | | | Total |
|---|----------|--------|--------|--------|--------|
| | | Male | Female | Other | |
| Can whistleblowing stop corrupt practices | Yes | 55.0% | 57.7% | | 56.0% |
| | Not sure | 36.1% | 33.7% | 100.0% | 35.3% |
| | No | 8.9% | 8.7% | | 8.8% |
| Total | | 100.0% | 100.0% | 100.0% | 100.0% |

Male and female participants report a similar percentage of trust that whistleblowing can stop corrupt practices – having women leading in trust with less than 3 %.

Table 61: Whistleblowing as a responsibility

| | | GENDER | | | Total |
|-------------------------------|----------|--------|--------|--------|--------|
| | | Male | Female | Other | |
| Whistleblowing responsibility | Yes | 82.7% | 76.5% | 50.0% | 79.5% |
| | Not sure | 15.8% | 20.9% | 50.0% | 18.5% |
| | No | 1.5% | 2.6% | | 2.0% |
| Total | | 100.0% | 100.0% | 100.0% | 100.0% |

There are no notable differences between man and women when perceiving whistleblowing as a responsibility for a civil servant. Man lead in a percentage of 6.2 in believing that whistleblowing indeed is a responsibility.

Table 62: Relationship with the supervisor

| | | GENDER | | | Total |
|----------------------------------|-------------------|--------|--------|--------|--------|
| | | Male | Female | Other | |
| Relationship with the supervisor | High mutual trust | 22.8% | 30.6% | | 26.5% |
| | Professional | 61.9% | 53.1% | | 57.3% |
| | Neutral | 10.4% | 14.8% | 50.0% | 12.8% |
| | Lack of trust | 5.0% | 1.5% | 50.0% | 3.5% |
| Total | | 100.0% | 100.0% | 100.0% | 100.0% |

Women report a higher degree of having developed a relationship of high mutual trust with the supervisor, 30.6 % compared to men with 22.8%. Men tend to develop more a professional relationship with their supervisor. Other share of respondents, of both genders, report fewer evaluating as neutral their relationships with their supervisors. Having lack of trust in their rapport with supervisors have responded 5 % of men and less than 2% of woman.

Table 63: Trust in the responsible officer

| | | GENDER | | | Total |
|----------------------------------|---------------------|--------|--------|--------|--------|
| | | Male | Female | Other | |
| Trust in the responsible officer | Full trust | 16.8% | 23.0% | | 19.8% |
| | 2 | 22.3% | 14.8% | | 18.5% |
| | 3 | 31.2% | 37.2% | | 34.0% |
| | 4 | 15.8% | 10.2% | 50.0% | 13.3% |
| | Do not trust at all | 13.9% | 14.8% | 50.0% | 14.5% |
| Total | | 100.0% | 100.0% | 100.0% | 100.0% |

Women responding on a “full trust” to officers responsible to receive whistleblowing reports/complaints are on higher percentage than men, who appear to have greater “general” trust in the officers, compared to woman. Other share of respondents who do not have trust at all in these officers share similar percentage of trust – among men and women.

Table 64: Trust in handling of data and protection of anonymity

| | | GENDER | | | Total |
|---|-------------------------------|--------|--------|-------|-------|
| | | Male | Female | Other | |
| Trust in handling of data and protection of anonymity | Data will remain confidential | 13.9% | 13.3% | | 13.5% |
| | 2 | 18.3% | 12.8% | | 15.5% |
| | 3 | 40.6% | 40.8% | | 40.5% |
| | 4 | 13.9% | 17.9% | 50.0% | 16.0% |
| | Data will be misused | 13.4% | 15.3% | 50.0% | 14.5% |

Data from the Table 64 indicate almost equal levels of trust/distrust among men and woman how the data will be handled and if anonymity would remain confidential – if potentially submitting a whistleblowing report.

Table 65: Supervisor's support for whistleblowing

| | | GENDER | | | Total |
|---|----------------------|--------|--------|--------|--------|
| | | Male | Female | Other | |
| Supervisor's support for whistleblowing | Very important | 33.7% | 34.2% | | 33.8% |
| | 2 | 15.8% | 14.3% | | 15.0% |
| | 3 | 22.8% | 21.9% | | 22.3% |
| | 4 | 14.9% | 13.3% | 50.0% | 14.3% |
| | Not at all important | 12.9% | 16.3% | 50.0% | 14.8% |
| Total | | 100.0% | 100.0% | 100.0% | 100.0% |

Data from the Table 65 indicate that there no significant variations in perceptions of both genders for the need of supervisor's support to whistle blow. Seems like there are almost equal patterns of percentage on opinions of male and female participants of the study when it comes to the supervisor's support to report corruption.

Table 66: Power of individuals involved

| | | GENDER | | | Total |
|-------------------------------|---------------------|--------|--------|--------|--------|
| | | Male | Female | Other | |
| Power of individuals involved | Fully agree | 17.3% | 24.0% | 50.0% | 20.8% |
| | 2 | 18.3% | 14.3% | | 16.3% |
| | 3 | 36.6% | 31.1% | | 33.8% |
| | 4 | 12.4% | 14.3% | | 13.3% |
| | Do not agree at all | 15.3% | 16.3% | 50.0% | 16.0% |
| Total | | 100.0% | 100.0% | 100.0% | 100.0% |

As presented in Table 66, responses from participants show a more general agreement among women with 24 % compare to 17.3 % of men, that the power of individuals involved in corruption acts in their organization may influence their decision to whistle blow.

Table 67: Power of informal networks

| | | GENDER | | | Total |
|----------------------------|---------------------|--------|--------|--------|--------|
| | | Male | Female | Other | |
| Power of informal networks | Fully agree | 11.9% | 15.8% | 50.0% | 14.0% |
| | 2 | 15.3% | 11.7% | | 13.5% |
| | 3 | 36.1% | 41.8% | | 38.8% |
| | 4 | 14.4% | 14.3% | | 14.3% |
| | Do not agree at all | 22.3% | 16.3% | 50.0% | 19.5% |
| Total | | 100.0% | 100.0% | 100.0% | 100.0% |

Patterns of responses indicate a slighter percentage of men, compared to women, who declare that the power of informal networks does not constitute a factor that may influence their decision to whistle blow.

As presented in Table 68 below, compared to men counterparts in civil service, women seem to lead in percentage of confirming that a financial reward would motivate their decision to whistle blow.

Table 68: Would reward motivate

| | | | GENDER | | | Total |
|-----------------------|----------|--|--------|--------|--------|--------|
| | | | Male | Female | Other | |
| Would reward motivate | Yes | | 32.2% | 36.7% | 50.0% | 34.5% |
| | Not sure | | 38.1% | 36.2% | | 37.0% |
| | No | | 29.7% | 27.0% | 50.0% | 28.5% |
| Total | | | 100.0% | 100.0% | 100.0% | 100.0% |

Table 69: Whistleblowing channel preferences

| | | | GENDER | | | Total |
|------------------------------------|---------------------------------|--|--------|--------|--------|--------|
| | | | Male | Female | Other | |
| Whistleblowing channel preferences | Internal | | 28.7% | 27.0% | | 27.8% |
| | External | | 11.9% | 3.6% | | 7.8% |
| | Public | | 8.9% | 9.7% | | 9.3% |
| | Depending on the suspicious act | | 42.1% | 51.5% | 50.0% | 46.8% |
| | Other | | 8.4% | 8.2% | 50.0% | 8.5% |
| Total | | | 100.0% | 100.0% | 100.0% | 100.0% |

Table 69 displays whistleblowing channel preferences. Among five options of answers, more significant variations are encountered on the external channel of whistleblowing: share if men respondents who prefer external channels is 11.9 % compared to 3.6 % of women who prefer external channels. As for the other channels of reporting, similar patterns of preferences are observed.

Table 70: Trust in the leadership of the organization

| | | GENDER | | | Total |
|---|---------------------|--------|--------|--------|--------|
| | | Male | Female | Other | |
| Trust in the leadership of the organization | Full trust | 20.3% | 18.4% | | 19.3% |
| | 2 | 19.3% | 19.9% | 50.0% | 19.8% |
| | 3 | 34.2% | 36.2% | | 35.0% |
| | 4 | 12.9% | 9.2% | | 11.0% |
| | Do not trust at all | 13.4% | 16.3% | 50.0% | 15.0% |
| Total | | 100.0% | 100.0% | 100.0% | 100.0% |

There are no significant variations in trust perceptions in the leadership of the organization, among genders.

Table 71: Trust in the justice inside the organization

| | | GENDER | | | Total |
|--|---------------------|--------|--------|--------|--------|
| | | Male | Female | Other | |
| Trust in the justice inside the organization | Full trust | 15.8% | 13.8% | | 14.8% |
| | 2 | 20.3% | 18.9% | 50.0% | 19.8% |
| | 3 | 35.6% | 38.8% | | 37.0% |
| | 4 | 13.4% | 11.2% | | 12.3% |
| | Do not trust at all | 14.9% | 17.3% | 50.0% | 16.3% |
| Total | | 100.0% | 100.0% | 100.0% | 100.0% |

For the “trust in the justice” indicator, there are no significant variances in trust perceptions, having variations 3 to 4 %, usually indicating similar patterns of the degree of variations among five levels of trust.

3.27 Notes from interviews with members of civil service.

In the following section are presented findings from unstructured interviews with participants of the survey. The participants were asked two open questions A& B:

- A) In case you would be considering the decision to whistle blow on a corruption act in your organization, can you think of any potential dilemmas that you would face?
- B) In your opinion, what are the barriers to an effective process of whistleblowing?

Most frequent responses were presented below for each of the question posed. Alike for other questions in the survey, participants have remained anonymous.

Responses:

- A) In case you would be considering the decision to whistle blow on a corruption act in your organization, can you think of any potential dilemmas that you would face?

Respondent X: ...to what extent the case would be implemented!

Respondent X: ...main dilemma relates to the idea of expecting the outcome that wrongdoers will not be held accountable, no measures will be taken against them, so you then hesitate to whistle blow!

Respondent X: "Security and safety in the workplace!"

Respondent X: "If I whistle blow, would that cause effect?"

Respondent X: "...eventual consequences against me!"

Respondent X: "...non-serious approach towards whistleblowing!"

Respondent X: "...danger from retaliation!"

Respondent X: "What impact will it have!"

Respondent X: "...if there will be measures taken by the employer for punishment!"

Respondent X: "...lack of sufficient legal protection!"

Respondent X: "...fear from personal attack!"

Respondent X: "Will the whistleblowing report be taken seriously or just add the number in the pile of the unreviewed reports?"

Respondent X: "...if what I am whistleblowing about is well-argued!"

Respondent X: "...there is no security in protection of personal data, and there are chances of various labeling for this issue!"

Respondent X: "Threats in workplace and in the family!"

Respondent X: "...the risk of stigmatization!"

Respondent X: "...it would not get implemented practically!"

Respondent X: "...if my anonymity would be protected!"

Respondent X: "Protection of confidentiality, trust and decision-making!"

Respondent X: "...it is just that you are unprotected!"

Respondent X: "...consequences for counter-measures!"

Respondent X: "Dismissal from the job!"

Respondent X: "Whistleblowing report would not get read at all!"

Respondent X: "Physical attacks!"

Respondent X: "What its effect would be..."

Respondent X: "...wrongdoer is supported by someone else!"

Respondent X: "suspicions for the protection of confidentiality!"

Respondent X: "Personal and family safety!"

Respondent X: "Fear from the revenge of the person/persons I would report!"

Respondent X: "...there is lack of support from upper-level management!"

Respondent X: "If I would whistle blow, the wrongdoer would be the first one to receive the information..."

Respondent X: "...potential effect, personal safety, lack of cooperation among relevant authorities!"

Respondent X: "Lack of trust that I could change anything!"

B) In your opinion, what are the barriers to an effective process of whistleblowing?

Respondent X: "Trust in the officer responsible to receive whistleblowing reports!"

Respondent X: "Silence of authorities when receiving whistleblowing reports...non-protection of confidentiality...fear from retaliation!"

Respondent X: “Lack of professionalism to handle cases!”

Respondent X: “The culture to not report!”

Respondent X: “Wrongdoers do not get punished!”

Respondent X: “Confidentiality will not be ensured, and consequences will be retaliation and negativity in working relation!”

Respondent X: “Nepotism and political militants inside institutions!

Respondent X: “Informal networks inside the organization!”

Respondent X: “...lack of trust, nepotism...”

Respondent X: “...so far, we have not had such practices, we are not informed how such a system would function...!”

Respondent X: “Non-effectiveness of responsible authorities!”

Respondent X: “...non-responsibility...!”

Respondent X: “Threats of integrity!”

Respondent X: “...undue influence...!”

Respondent X: “Non-adequate management!”

Respondent X: “Safety of whistleblowers is concerning!”

Respondent X: “Traditions...the environment...there is no safety for whistleblowers...!”

Respondent X: “...there is just no safety for in the protection of personal data...I doubt that working ethics shall be respected...!”

Respondent X: “treatment of the cases in time, in serious manners, and impartially, for all the cases and for all the suspicious wrongdoers...!”

Respondent X: “Tribal and acquaintance connections...!”

Respondent X: “...there is no active citizenry...!”

Respondent X: “Non-familiarity about the cultures of western countries for whistleblowing...!”

Respondent X: “Political connections...clientelism...nepotism...!”!

Respondent X: “...stigmatization...!”

Respondent X: “...lack of access to information...!”

Respondent X: “...non-access in public documents...!”

Respondent X: “...cases will not be treated accordingly by justice institutions...!”

Respondent X: “...processes do not get managed well...!”

Respondent X: “Injustice from actions of tribal connections inside the institutions...!”

Respondent X: “...political parties...!”

Respondent X: “...the way the justice works...!”

Respondent X: “Lack of transparency!”

Respondent X: “Whistleblowing in the right time, without delay, without hesitation!”

Respondent X: “Lack of consistency for treating cases and delays for solving cases in courts!”

Respondent X: “Lack of awareness on the rights of the whistleblowers!”

Respondent X: “Informal groups of interest inside the institution...leak of information...lack of the protection of anonymity...lack of professionalism, lack of trust in co-workers...rumors...!”

Respondent X: “...whistleblowing in time...!”

Respondent X: “...lack off secondary acts of legislation regulating whistleblowing procedures!”

Respondent X: “For the whistleblowing processes effectiveness, it takes a higher culture of society, a healthy society, and the awareness that every corrupted act or behavior shall be punished!”

Respondent X: “for whistleblowing (read: “sinjalizim” literal translation in Albanian for the world “whistleblowing”) you can ask the Department of Infrastructure and Transport...they know everything...well if you ask 80 % of our employees. Nobody knows what integrity is...!!”

3.28 Discussion of findings: making sense of data

In this discussion part of the dissertation, results of empirical research will be elaborated in relation to the questions posed in the introduction part. In the methodology section of this chapter, the dissertation main hypothesis stated that it is expected that the individual determinants of whistleblowing of corruption are influenced by organizational determinants thus impacting the decrease of the cases of whistleblowing of corruption in civil service in Kosovo. The following factors prove such a hypothesis: dissatisfactory level of the perceived level of employment/self-employment prospects, proximity with working with the wrongdoer, personal and family safety, trust in organizational justice and leadership, trust in the protection offered by the law and trust in the person responsible for receiving whistleblowing reports.

Self-reported evaluations on the prospects in the labor market indicate that more than the half of participants of the study is not sure how likely they are to find a job outside of their current

workplace. Adding 15.5 % of respondents believing that generally, there are no future employment/self-employment prospects, and 11.5 % of participants believing that there are not at all such opportunities, it may be inferred that limited opportunities in the labor market of Kosovo, that currently has the highest un-employment rate in the region of Western Balkans, poses a constraint for civil servants who consider whistleblowing.

Exploring possible scenarios for whistleblowing, results that members of civil service in Kosovo are more inclined to whistle blow under the following contexts: 1) if many incidents are involved in the suspicions act/s of corruption, 2) even if many individuals are involved, and 3) suspicious act occurs frequently. Participants are 4) not inclined to whistle blow if the suspicious act does not occur frequently. They declare as unsure as how they would respond to 5) certain levels of seriousness of the corruption act, 6) how the evidence possessed to document wrongdoing would affect their choice of decision, and 7) if other coworkers have information but decide to not speak up. Participants remain divided between *pro whistleblowing* and *not sure* under the context of 8) the proximity of working with the wrongdoer.

Auxiliary Hypothesis 1 stated that for civil servants in Kosovo, individual determinants constitute primary factors motivating the intention to blow the whistle when encountering corruption phenomena in the public sector. 48.3 % of participants of the study were declared to have not at all knowledge on whistleblowing procedures established by the legislation, thus presenting a very serious impediment to prospective whistleblowing.

On demographic data, it has resulted that above 41 % of participants, more than ten years of working experience as members of civil service, as opposed to the second largest share have 1 to 3 years of working experience as civil service. On evaluation of job-satisfaction, largest share of participants is not neither satisfied nor dissatisfied with their jobs, followed by a considerable number of employees unsatisfied at all with their job positions. A similar situation is encountered for job motivation where the largest share of participants was declared neither motivated nor unmotivated, indicating lack of satisfactory level of job motivation. Results of the survey do not indicate a satisfactory level of organizational commitment among participants of the study. Also, on value congruence, results do not show a satisfactory level of responses that would indicate strong attachment of employees to the values of their organization.

Relevance of job position for whistleblowing seems to be a promising factor: 25.3 of participants consider the role of their job position as very relevant for whistleblowing. If combined with other organizational factors, such as a campaign for greater level of awareness on whistleblowing procedures, whistleblowing prospects may be enhanced.

With over 82 % of participants having declared they have never received any training on whistleblowing, two years after adoption of the legislation by the Kosovo Assembly, indicates shortcoming of the training provided to members of civil service.

On affection-based motives, the number of respondents who agree that they would whistle blow if corruption would affect them personally is quiet high, above 27 %, but also the number of participants who have declared that they would not report even under such situations is still high, above 20%. It may be inferred that participants are divided on their opinion when concerning affection-based motives of whistleblowing, with the largest share of participants declared unsure on this indicator.

Having the largest share of participants unsure about to what extent their coworkers approve whistleblowing, shows lack of discussion and public awareness on whistleblowing.

Above 55 % of participants were not sure if they would apply a cost-benefit analyses when considering whistleblowing or not. With over 63 % of participants declaring they would feel guilty if observing a corruption act and not reporting it, indicates the level of conscience and perhaps under the circumstances of an ideal protection and incentives, shows a promising path for encouraging whistleblowing among civil service.

Having 56 % of participants who responded positively that whistleblowing may result effective to stop wrongdoing and only 8.8 % not believing at all in such effectiveness, shows optimism among civil servants, but still requires taking of action and trust that competent authorities will exercise their duties effectively. Almost 80 % of respondents have declared to consider whistleblowing a responsibility for a civil servant, showing an established sense of shared responsibility for collective action against corruption.

With over 57 % of respondents who have assessed their relationship with supervisor as *professional* gives us a positive indication of higher chances for whistleblowing – in line with literature review that claims that relationships with mutual trust results in decreased activity of

whistleblowing in public sector – yet the percentage of participants who have assessed their relationship with supervisor as of high mutual trust has resulted above 26 %.

Survey responses reveal participants' attitudes in lack of trust in the officer responsible for receiving whistleblowing reports in public institutions in Kosovo. Participants rate their trust in the responsible officer on a scale from 1 to 5 and only 19.8 % of respondents have declared full trust while 34 % are not sure if they can trust the responsible officer. 14.5 % do not have trust at all and 13.3 % do not trust the responsible officer. Responses from interviews reveal additional concerns of participants in relation to the trust in the responsible officer: the way how they were appointed, a member of the existing staff was all the sudden appointed as responsible for whistleblowing report. Participants have declared in interviews that greater trust would be instilled if these officers would be appointed externally.

Data from the survey shows a general lack of trust on how the data and anonymity of whistleblower would be handled: over 40 % of participants were declared not sure if the data would be misused and identity of whistleblower revealed. 14.5 % of participants believe that data will be misused, and generally not trusting handling of data and anonymity have responded 16 % of respondents, opposed to 13.5 % of participants who declared that data would be treated well.

Participants of the study consider the support of their supervisor as very important to them for whistle blowing.

When it comes to the influence and the power of the individuals potentially involved in a wrongdoing, a notable share of respondents above 20 % have fully agreed on the potential influence in their decision-making. Only 16 % of respondents have fully disagreed to be potentially influenced by the power of individuals involved. Results on the power of informal networks as a factor to influence decisions of the participants do not fully unveil the significance of this factor as above 38 % were declared as not sure on this question.

Surveyed on channel preferences, over 27 % of participants prefer internal channels as compared to 7.8 % who prefer external channels, and 9.3 % of participants who prefer public channels. The share of respondents who declared that it depends from the suspicious act when choosing channel preferences for whistleblowing poses uncertainty as to which is the most preferred channel for whistleblowing.

As for the indicators on the trust on leadership of the organization and trust in the justice inside the organization, respondents remain unsure on their level of trust – at the largest share of responses indicate – on a scale from 1 to 5 measuring full trust to total lack of trust.

Auxiliary Hypothesis 2 stated that non-effective functioning of judiciary institutions in Kosovo impacts negatively the decision of civil servants in Kosovo to whistle blow corruption in public administration. Such a hypothesis is proved by qualitative findings from interviews: there is a consensus among civil servants on the skepticism that public authorities are not competent enough to exercise their duties accordingly and solve effectively and efficiently court cases on related to whistleblowing.

Auxiliary Hypothesis 3 stated that given the social norms of a high corruption context society, legislation will not provide incentives encouraging whistleblowing activity. Trust in the protection offered by the legislation for whistleblowers is one of the most critical factors encouraging whistleblower behavior. The largest share of respondents does not have a specific opinion on the protection offered by the law thus remaining unsure. Share of respondents who believe in the protection offered by the law is almost approximate to the share of respondents who *in general* and *not at all* believe in such a protection. Such results indicate that it can be said that opinion among civil service is not yet shaped about whistleblowing in Kosovo, considering this a very early stage of implementation of the new legislation that was adopted in 2018. On this indicator, interviews with members of civil service reveal other sides of their concerns: given that Kosovo is a very small country geographically, most concerns of participants of the study relate to the physical integrity and safety of their families first of all, and their own physical safety as well. 21.3 % of respondents have declared that they do not trust at all in all the forms the protection that the Law on Protection of Whistleblowers guarantees.

Auxiliary Hypothesis 4 stated that given the state of gender inequality, it is expected that women are less inclined to whistle blow compared to men. On the gender cross tabulations data similar responses were provided across genders on perceptions related to prospects of employment/self-employment in the labor market, similar levels of trust and distrust when it comes to the protection that the Law on the Protection of Whistleblowers grants in Kosovo. All genders share a similar percentage of trust that whistleblowing can stop corrupt practices – having women leading in trust with less than 3 %.

Compared to men counterparts in civil service, women seem to lead in percentage of confirming that a financial reward would motivate their decision to whistle blow. Men respondents who prefer external channels is 11.9 % compared to 3.6 % of women who prefer external channels for whistleblowing. There are no significant variations in trust perceptions in the leadership of the organization, among genders. For the “trust in the justice” indicator, there are no significant variances in trust perceptions, having variations 3 to 4 %, usually indicating similar patterns of the degree of variations among five levels of trust.

Women seem to have greater levels of job dissatisfaction and motivation. They are slightly inclined compared to men in believing that whistleblowing is not approved by other coworkers. Women report a higher degree of having developed a relationship of high mutual trust with the supervisor, 30.6 % compared to men with 22.8%. Men tend to develop more a professional relationship with their supervisor.

Men report greater value congruence with the organizations they work for and lead in a percentage of 6.2 in believing that whistleblowing is a responsibility. Women responding on a “full trust” to officers responsible to receive whistleblowing reports/complaints are on higher percentage than men, who appear to have greater “general” trust in the officers, compared to woman. Women report to have a slightly greater awareness on the concept of whistleblowing compared to men. All genders report almost equal patterns of percentage on opinions of male and female participants of the study when it comes to the supervisor’s support to report corruption.

Table 72: Evaluating Hypothesis on Determinants of Whistleblowing of Corruption

| Hypothesis on personal and organizational determinants | Observable Indicators/Variables |
|--|--|
| Hypothesis: The individual determinants of whistleblowing of corruption are influenced by organizational determinants thus impacting the decrease of the cases of whistleblowing of corruption in civil service in Kosovo. | Job satisfaction Job motivation Organizational commitment Value congruence Whistleblowing awareness level Training on whistleblowing Trust in legislation offered by the legislation Whistleblowing approval by coworkers Whistleblowing as a responsibility Relationship with supervisor Trust in the responsible officer Trust on handling data and protection of anonymity Supervisor support Power of the individuals involved Power of informal networks Trust in the leadership Trust in the justice |
| Hypothesis 1: For civil servants in Kosovo, individual determinants constitute primary factors motivating the intention to blow the whistle when encountering corruption phenomena in the public sector. | Prospects of employment/self-employment Cost-benefit analyses Financial reward Channel preferences Evidence possessed to document wrongdoing Other coworkers have information but decide to not speak up |
| Hypothesis 2: Non-effective functioning of judiciary institutions in Kosovo impacts negatively the decision of civil servants in Kosovo to whistle blow corruption in public administration. | Effectiveness to stop wrongdoing |
| Hypothesis 3: Given the social norms of a post-war society, legislation will not provide incentives encouraging whistleblowing activity. | The proximity of working with the wrongdoer Many incidents are involved in the suspicion's act/s of corruption Suspicious act occurs frequently Suspicious act does not occur frequently Levels of seriousness of the corruption act |
| Hypothesis 4: Given the state of gender inequality, it is expected that women are less inclined to whistle blow compared to men. | Employment/self-employment prospects Power of individuals involved Relationship with supervisor Power of informal networks |

Conclusions

This dissertation sought to explore the individual and organizational determinants that encourage and/or prohibit whistleblowing of corruption from civil service in the Republic of Kosovo. Implementation of the survey with four hundred members of civil service in Kosovo on individual and organizational trust perceptions indicators related to whistleblowing delivered on key objective of this dissertation.

As literature recognizes various forms of corruption that hinder functioning of public administrations worldwide, non-merit-based recruitment and political interference remain the most serious challenges of well-functioning of public institutions in Kosovo. Strategic reforms during 2018 to 2019 including the new package of legislation on public administration approved by the Kosovo Assembly on 2019 – regulating organization of institutions of public administration, status and salary of public officials/civil service, and rationalization of independent agencies – not only did not present an opportunity for reforms against corruption, but to the contrary- the way they were drafted - they resulted as constraints to advancing further corrupt practices and discrimination in public sector in Kosovo. With the decision of the Constitutional Court of Kosovo of November 2019 to suspend implementation of the new package of legislation of public administration reform – due to lack of legality and constitutionality – the lack of robust and effective integrity systems has weakened the public trust in the entire system of governance in Kosovo, as the Corruption Perception Index of 2019 shows.

Though it is challenging to measure the corruption, when civil service constitutes unit of analyses on the levels of corruption in Kosovo, usually indicators evolve around percentage of citizens who have paid bribes for public services. Differentiating among various forms of corruption, in public administration sciences, corruption in civil service has been associated with petty corruption, while the grand corruption has usually been argued to involve politicians.

To date there has not been conducted any comprehensive study that measures political, economic and social costs of the corruption in Kosovo. On literature review part of the dissertation were identified attributes of public administrations hurt by various forms of corruption. Comparative studies between democracies have shown that the number of years of being democracy impacts the level and presence of corruption in new countries. Scholars have concluded

that younger democracies are less experienced in delivering public services therefore facing bigger problems to deliver with impartiality.

Public administration development in Kosovo was characterized by international assistance. Efforts for institutionalizing advanced integrity systems for civil service have lacked sustainability. Various local and international reports for many years have voiced concerns over non-merit-based recruitment of civil service, which has resulted in lack of mutual control between administrators and politicians, as notable political scientists advocate.

Corruption has become as the greatest challenge to effective functioning of democratic institutions recognized under the Agenda 2030. Most of the indicators measuring the Sustainable Development Goals 16 relate to the bribery for public services for citizens and businesses. Corruption remains a serious challenge also for long established democracies. Lacking a universal academic and business definition, in public sector context, corruption has been regarded as abuse of trust for private gain. Measurement of corruption is assessed as quite a challenging undertaking, yet indicators on perceptions and real experiences offer contributing insights.

Year 2019 was significant in efforts of European countries to harmonize national legislation with the EU Directive on Protection of Persons Reporting Breaches of the European Union Laws.

Since whistleblowing of corruption has not been studied earlier empirically to generate primary data on attitudes and perceptions of civil service on whistleblowing- this study has aimed at establishing and advancing the body of knowledge on behavioral ethics and integrity in the Republic of Kosovo, with individual members of civil service as unit analyses of the survey. The objective for the data were intended to produce nominal and ordinal data outputs.

Literature review has identified that knowledge gaps on whistleblowing mostly relate to the factors influencing decision-making to whistle blow and organizational response to whistleblowers.

Data from the survey has revealed that salaries of civil service are not systematized and standardized per job positions in various public institutions, thus enabling room for discrimination, and inconsistent with the principle for good public administration equal pay for equal work.

Members in civil service do not report a satisfactory degree on future employment/self-employment prospects.

Survey results reveal that the main hypothesis that claims that "the individual determinants of whistleblowing of corruption are influenced by organizational determinants" is proved valid by results obtained on the following determinants: dissatisfactory level of the perceived level of employment/self-employment prospects, proximity with working with the wrongdoer, personal and family safety, trust in organizational justice and leadership, trust in the protection offered by the law and trust in the person responsible for receiving whistleblowing reports.

Study results lead to the interference that the auxiliary hypothesis 1 stated that "for civil servants in Kosovo, individual determinants constitute primary factors motivating the intention to blow the whistle when encountering corruption phenomena in the public sector" is disapproved by finding that 48.3 % of participants of the study were declared to have not at all knowledge on whistleblowing procedures established by the legislation, thus presenting a very serious impediment to prospective whistleblowing activity.

As for the auxiliary hypothesis 2 stating that "non-effective functioning of judiciary institutions in Kosovo impacts negatively the decision of civil servants in Kosovo to whistle blow corruption in public administration", notes from interviews prove such a thesis indicating general lack of trust on courts' competencies to solve cases effectively, on timely and impartial manners.

On auxiliary hypothesis 3 stating that "given the social norms of a high corruption context society, legislation will not provide incentives encouraging whistleblowing activity" indicators such as trust in the protection offered by the legislation for whistleblowers and trust in the responsible officer for receiving whistleblowing reports provide evidence for stating that such a hypothesis holds true.

The auxiliary hypothesis 4 stating that "given the state of gender inequality, it is expected that women are less inclined to whistle blow compared to men" holds approved for the following indicators: financial rewards, relationship with the supervisor, trust in the responsible officer.

Findings of this dissertation stand in line with Lavena findings (2014) who concluded that whistleblowing in public service in United States was negatively associated with organizational indicators.

future avenues for research.

Findings from interviews with members of civil service reveals that approval of the law on the protection of whistleblowers has found managers of agencies with limited knowledge on whistleblowing. This dissertation is written at a time when whistleblowing was something new for civil service, and public authorities lacking general know-how and knowledge on whistleblowing, future avenues for research might include examining what prompted actual whistleblowers to report wrongdoing under the conditions of a general mistrust in organizational factors.

Recommendations

Having in consideration the extensive literature review and comparative analyses conducted for the purpose of this study, the following recommendations are offered to the Government of Kosovo and Kosovo Assembly, in line with findings of this study, in order to advance standards encouraging whistleblowing in Kosovo and addressing the concerns voiced by members of civil servants under the framework of this study:

1. Establish stress management programs for whistleblowers.
2. Advance programs for protection of physical integrity of whistleblowers and their respective family members and deliver financial resources for establishing such programs.
3. Establish incentives to encourage whistleblowing such as financial rewards.
4. Include the non-profit sector under the framework of the legislation, as the current legislation has left outside this sector for regulating whistleblowing procedures.

Although the new Law on the Protection of Whistleblowers in Kosovo has been approved just recently in 2018, and establishes internal, external and public channels for whistleblowing, implementation of the offered recommendations might include the need to revise the actual legislation.

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CV

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