



ORIGINAL PAPER

Ethics in the Public Administration of Mitrovica Municipality

Elvis Feka*
Jonuz Abdullai**

Abstract

Ethics in public service deals with the practical application of moral standards in governance. Ethics is primarily related to how an individual thinks should behave; it deals with values and their implementation in a given context. It is known that the civil society is directly related to the service provided by the public administration and as a consequence it directs its entire activity to meet the needs and interests of the public, exercising its functions, based on sound ethical and respectful law. The public administration performance study becomes important as this public sector represents the state and the way of governance, and that public services are very important to the beneficiaries, since they are ultimately vital and irreplaceable. There is always a direct link between ethics as discipline and public administration, which springs from the emergence of administrative functions in the civilized world. In this context we are going to go through procedures and standards that regulate the Ethics and ethical behavior in Kosovo Public Administration. In order to achieve the desired results and findings needed for this paper, we are going to use different research methodologies, such as text analyses and review of different documents that regulate this matter. Also we are going to use a questionnaire that will help us to obtain the necessary findings in order to complete this paper.

Keywords: *ethics; public administration; Kosovo; standards; regulations.*

* Msc., PhD Candidate, South East European University, Faculty of Contemporary Social Sciences; Email: elvis.feka@gmail.com.

** Lecturer, PhD, South East European University, Faculty of Contemporary Social Sciences; Email: j.abdullai@seeu.edu.mk.

Ethics in the Public Administration of Mitrovica Municipality

Ethics and moral values are a constitutional part of every contemporary society. Many of the developed countries place the ethical values as standards that need to be respected and they operate in align with those standards, thus ensuring equal opportunities to all of its citizens regardless to their gender, age, nationality, race, etc. In the other hand, countries in transition struggle on the implementation of these standards mainly because the lack of rule of law, high corruption and political instability, which distracts the attention from enforcing moral and ethical values in the society.

The public administration performance study becomes important as this public sector represents the state and the way of governance in a given country and that public services are very important to the beneficiaries; they are ultimately vital and irreplaceable. There is always a direct link between ethics as discipline and public administration, which comes from the need of administrative functions in the civilized world, but under the current circumstances, they must be pre-requisites and a necessary tool for an employee who performs public services. The good or bad functioning of a state public structure has ethics as an inherent element. This would mean that when the public servant performs unethical behavior during the performance of his duty, then he has violated the public's credibility towards himself, the institution and the state itself. If a violation happens on an organization that has breached formal and standard rules, odds are that the managers or those in charge be the first to hear about those violations. It's important that the organization can depend and rely on the staff, not to only do the right thing, to follow the guidelines, but also be the first to inform the manager if a colleague of theirs is not following the standards (Banfield, Kay, 2011). This issue will be our main concern in this paper, since the public administration in Kosovo is facing many challenges related to ethics in public state institutions, mostly due to the fact that those institutions has emerged during a transition period.

Ethics as a discipline starts with Aristotle who say that it represents a branch of philosophy which deals with the basic values of inter human relations. It is a discipline which deals with morale as an issue and its philosophy. Also it is a guideline on some important behavior, the way how we should live, do we reach for happiness or do we strive for knowledge, with virtues or beauty, etc. Ethics in the public service has to do with the practical application of moral standards in governance. Ethics is primarily related to how an individual feels behaving; it deals with values and their implementation in a given context. It is known that the civil society is directly related to the service provided by the public administration and as a consequence it directs its entire activity to meet the needs and interests of the public, exercising its functions, based on sound ethical values and respecting the law.

Ethics and the lack of ethics within the citizens and public institutions have become part of debates and public discussions by sociologists and philosophers, who have an impact and responsibility for this diverse situation in the field of morality and ethics. But, how necessary and important is the communication ethics in the Administration? The problems of Albanian society today are domestic violence, institutional arbitrariness, violation and disrespecting the laws, both by citizens and public administration employees, lack of social accountability, organized crime, lack of trust in independent institutions, lack of efficiency of law enforcement agencies, with a great impact on the rule of law. An example of ethical principles in public administration lies in the "Seven Principles of Public Life" by the Nolan Committee of the United Kingdom. According to this document they are: altruism, integrity, objectivity, responsibility, sincerity, honesty and direction (Chapman, 2002).

The role of public administration is a bridge between politics and society and this is achieved through the exercise of the working responsibilities of public servants, which represents the guarantee and the assurance of fulfillment of their mission in the realization of services and general goods in the interest of public. At political level, institutions and technological structures strictly limit human choices by imposing a great loss of freedom as long as they are thought and acted with instrumental reasons. In this society people end up as sealed within the walls of their heart (Rosenbloom, Kravchuk, 2002). The administration is based on the merit and professional skills of civil servants who are verified in free competition to enter the civil service, in accordance with the legislation in force.

The moral culture of public servants

Moral culture is an important indicator for the development of a moral personality. This culture is proved in the voluntary pursuit of moral standards and the implementation of the targeted action that is characterized by the harmonious combination of personal and public interests (Jowett, 1885). Moral freedom is represented through the ability to express free will by choosing a mode of action within many alternatives, controlling personal behavior, and taking responsibility for the primary needs. The essential components of moral freedom are: recognition of moral standards requirements; recognition of these standards as internal needs; making a decision in accordance with the internal will, without being subject to external (legal or arbitrary) pressure; serious efforts to control oneself and feelings about the achieved results and taking responsibility for the causes and consequences of the actions.

Moral culture is a quality tool of the development and moral maturity of a person. Personal moral culture cannot be reduced in external ethics or in moral self-reflections; it is not limited to the basic requirements of morality, nor with qualities such as consciousness, honor, and generosity, although it cannot exist without them. Personal values and ideals, objectively and historically defined goals, are very important. Each public servant has special obligations according to his / her position. Their combination forms the concept of professional tasks (Fromm, 2003).

The moral aspect of these tasks is related to the will of the clerk to fulfill them consciously and with the meaning of the vital importance of work he performs. Perfect application of personal duties is a matter of honesty. Deep understanding and conscientious application of duties makes the employee known and respected by public opinion. Public servants have the right and tremendous opportunities to act in favor of the state and to participate in the preparation and implementation of decisions that give genuine social and economic results for the majority of the population. For this reason they must have high professional and moral qualities. Learning the standards of employee etiquette in the public service is higher than those of the private sector. These are the following:

- Understanding the critical link between ethics and responsibility and challenges that ensure that administrative behavior is full of responsibility;
- Ability to explain the sources of discrepancies between citizen's desires and administrative decisions and ways in which citizens can interpret the stated differences;
- Understanding managerial, political and legal perspectives that take responsibility;

Ethics in the Public Administration of Mitrovica Municipality

- Learning the general features of codes of professional ethics that modern public administrators should adhere to.

Public administrators are treated as 'guardians' (Platon, 1999) of the modern administrative state. This sentiment raises a very usable expression: "Who watches the watchmen?" Public administrators have a duty to behave responsibly as their activity has many aspects that can lead to misunderstanding of public interest, corruption and subversion (Çela, 2006).

In general, public servants need to follow higher operating standards than those of other sectors. But there are many public administration dimensions that exacerbate the appropriate level of responsibility. It is therefore necessary to examine the managerial, political and legal duties of responsibility and ethics. Ethics can be taken as a form of self-responsibility or as an 'internal restraint' of the actions of public administrators. However, this restraint may come from the demands of external factors on the behavior of administrators.

The new perception of professionalism, including the code of ethics, is considered by many people as a tool to help "watchers" to try to watch themselves. Public administrators have become an important point of reference for power and political influence; many times they play an active role in shaping public policy. They have to do with the way, pace and tone of implementation of these policies. Out of this range of circumstances, a fundamental issue is raised by Frederick Mosher as follows: "How can the principle "government by the people" be consistent with the continuous public service, where people work without being chosen by the people nor appointed by their representatives" (Mosher, 1968). For many citizens and political authorities this is the fundamental political issue emerging with the development of the contemporary administrative state. This is also central issue of modern management.

As Victor Thompson (Thompson, 1961) points out, the rising specialization and the technical skills of subordinate employees have created a brutal equilibrium between hierarchical authority and the responsibility of top-level administrators on the one hand and their intellectual capacity to manage their staff on the other. That is why New Public Management opposes the hierarchy and gives priority to higher authorizations of employees. Responsibility is also a matter of law and relates to the following questions: "Who and for what is responsible, which actions are illegal?" It is important to address the problem of how administrators can guard their public trust. It breaks down the New Public Management (NPM), the traditional managerial, political and legal perspectives in relation to responsibility and ethics. Ethics is considered as an internal restraint, as a sense of personal responsibility, while responsibility as a process of enforcing the external restraints that the administrator has in the public sphere. Although the ethics and responsibility of public administrators are world-wide principles, there are many examples of misusing public trust and acting in a manner that is conflicting with the public interest.

The contemporary public administration (Gera, 2007) is considered as honest and in compliance with the foreseen standards, but still needs improvements in order to be perfect. Administrators sometimes give hasty judgments, make mistakes, and are not successful in carrying out their duties. Poor performances pose the potential problem, but there are three points where administrators violate public trust and which have a lot more to do with ethics and responsibility. It is about a misunderstanding of public interest (O'Toole, 2002), corruption and subversion.

Misunderstanding with the public interest

Some factors within the public administration make public servants misunderstand or misinterpret the public interest. The first are social factors. Public administrators, particularly those of the highest level, acting in more complex and politically most influential positions, can form a social group that does not represent the interests of the population; they can be seduced by the middle class position. Due to their skills, education and qualifications, but also the support they may have from governing governments, this category of employees is the most paid (Krislov, Rosenblom, 1981). The group's baseline provides a sense of how people live, telling about their problems and needs, it is an important element for creating individual and group values and norms of behavior. Human understanding is greatly influenced by social attributes. Seymour Lipset asserts that "the behavior of state bureaucrats depends on the non-governmental social background and the interests of those who control the bureaucratic structure (Lipset, 2010)."

People are closely related to several categories: one is born as a woman and somebody else as a male, as a member of a race, ethnic or social class. Most public administrators are members of the middle class society. The second factor that public administrators may cause to mislead the public interest is their specialization; they perform highly specialized functions and develop a close view of the public interest. In everyday activity they can exaggerate the importance of work they do and disparage the work of others, they can form opinions that exacerbate the meaning of alternative views and recognize the legitimacy of competitive values.

There are many well-known examples of this nature in daily life. For example, lawyers sometimes defend people who are known to be guilty of very serious crimes. Their reasoning is that each lawyer is obliged to defend his client in the best way and that the legal system cannot function differently. A knowledgeable person finds it difficult to distinguish between an individual who helps a child rapist to leave the crime scene and a lawyer who uses technical rules of evidence to release him after arrest. The policemen, who daily face crime, are used to deal with high-risk criminals, prostitutes and other types that are quite harmful to society.

These are some ways to think about the actions of people, including those of public administration in certain job circumstances. Bureaucracies perceive socialism as a mechanism for rooting in the values of employees and formation of work ethics. Anthony Dows shares the opinion that any administrative agency should develop its own office ideology which can be summed up in five principles:

- It will emphasize the benefits of office activities and will not emphasize its costs;
- It will show that extending office services is welcome, while cutting them unwanted;
- It will emphasize the benefits that the office offers to society even though it serves "special interests";
- It will highlight the high level of office efficiency;
- It will understand its achievements and future capabilities and minimize its inefficiencies and disabilities.

Moreover, this ideology is handed to important employees because "all officials exhibit strong legitimacy to the organization that controls their professional security and promotion (Dows, 1967)." Specialization and administrative socialism forms the world public understanding. The functions of education workers, military officers, urban

Ethics in the Public Administration of Mitrovica Municipality

planning, medicine, and other public administrators are considered to be extremely important for the future and the well-being of society. Close linkage with residents of a zone is another factor that may affect public administrators in misinterpretation of the public interest.

Different economic circles and social groups from government agencies seek supporting their interests. This process can sometimes lead the agency into mixing client and public interests and forcing it to act as a protector of clientele's interests. Joseph La Palombara describes this situation as a relationship with the "clientele" where a group of interests, for various reasons, achieves to become natural reflection in the eyes of an administrative agency, a representative of a social sector and a reference point for the agency's activities (Palombara, 1963).

Dealing with corruption

Corruption can be defined as a violation of public trust for private interests. According to many views, corruption in public administration is a global phenomenon and a serious obstacle to achieving government objectives. During the Cold War, the "bureaucracy crash" syndrome has been present in both the former Soviet Union and the United States, and examples of administrative corruption were discovered by both the press and various officials.

The main reason for the presence of corruption in public administration lies in the fact that it is within its competence to allocate or distribute something that the people need. Michael Johnston says: "Although the source of corruption is similar in all public administration environments, the betrayal of public trust and corrupt action by administrators differs according to political cultures (Johnston, 2005)." Each country has its own norms and values that define the different kinds of political exchanges. Political exchanges mean compensation for reports involving government and politics. The candidate's example for Congress, which says "Vote for me to lower your taxes" is a case of political exchange (Heidenheirner, 1970). The same is the demand of a driver to the policeman: "Let me pass this time by warning and I will not speed again." Vote bargain, the mutual support for advancing positions in the legislative system, drafting political party platforms, and recruiting party candidates for public offices, are also examples of political exchange.

No political system can stand without this element. But not all kinds of political exchanges are legal in all societies. An obstacle to understanding administrative corruption lies in precisely determining which types of political exchange are considered as acceptable part of political life, and which are not. Regarding the issue of administrative corruption in the US, a discussion has arisen between the norms and values of the two political cultures. One of them is the culture based on political structure, while the other in contemporary civic culture. These cultures were represented in the early public service reforms of the 19th century and in the progressive movements of the first half of the last century.

In political-based political culture, political exchanges are made between citizens, their chief or agents, and between bureaucratic and business apparatus. Votes are traded for jobs and other favors: for money, privileges, and public works contracts. These exchanges are considered acceptable, though sometimes referred to as 'honest bribes'. It has also become commonplace for administrative officials to deviate from administrative laws in order to satisfy their assistants or their friends. Public officials can receive gifts from clients and others in order to generate goodwill (Stuart, 2005). Public

employees should participate in the elections and contribute to the material benefit of the ruling political party. On Election Day, even though they are paid by the state cash, they have to cast the votes from the voters. Officials can also legitimately benefit from 'internal' knowledge, for example, they may know in advance of where the new road will go or where social housing will be built. Generally speaking, the goal of politics is not to achieve ideological goals, but personal gain by trading political support and money for the benefit of governmental benefits and advantages (Banfield, 1963). Civic culture implies a completely different perspective; it has to do with what is common, of community, with the promotion of public interests against private ones. In this context, the government is not seen as a tool that distributes good gifts, but as an institution in charge to provide general welfare to society. In the civil society, the state protects personal interests and not the chief, a principle embedded in written and unwritten legal documents. In such systems vote trading for finding a job is considered an illegal act. Giving money for licenses, privileges and various contracts is also considered as corruption. These gifts should be distributed according to the rules that give priority to the interest of the community rather than the individual.

Public administrators are prohibited from using internal information for private purposes. The laws that deal with conflicts of interest aim at preventing such misuse. It is forbidden the participation in electoral activities. Norms apply to all citizens, regardless of party, gender, profession, ethnicity, religion, etc. Part of the problem of identifying administrative corruption is the result of the coexistence of norms of these two types of political culture. Political machinery has shrunk, is being fragmented, is weaker than in the early twentieth century. This is an implicit consequence of public service reforms and progressive movements.

However, the norms, values and some general practices of the political apparatus of the past are still influential in the politics of affinity. Some 'political executive' positions are still on a party basis. Public administration employees, engaged in the distribution of government privileges, are sometimes guided by opposing views, such as those based on political administration and in other civic culture (Aristotel, 2003). Corruption definitions differ according to political culture, but within each political or administrative system there are several types of corruption. One useful way to think about corruption is to consider the way of realization and the purpose of the corrupt activity. Realization can capture a person or organization; it may be unilateral, which means the non-inclusion of an exchange with an individual or corporate entity. Same as the individual, the agency also can hide its mistakes. This is one of the reasons why Congress was so much interested in Clinton's experience of losing e-mails. Individuals and agencies can falsify data and recordings in order to be removed from doing the job as it is best. In such cases, the purpose of the individual or the agency is to preserve and increase its authority. Part of the unilateral corruption can also be material benefits.

Theft, misappropriation and use of official sources for private purposes are key examples of this type of corruption. Corruption can also be transactional, including direct exchange itself. In case the exchange increases the administrative authority, this behavior can take the form of extremely strong clientele reports. In order to repay the loan for the given support, the administrator gives the client group privileges that are incompatible with the public interest.

Ethics in the Public Administration of Mitrovica Municipality

The survey

By taking into account all the above mentioned regarding the ethics and ethical standards in public administration, as mentioned in the introduction of this paper, we are going to test the use of ethics in public administration in Mitrovica, a city in northern Kosovo, through a survey which is going to show us the state of ethics in this new country. For this purpose we are going to present the results from a survey which was conducted with 100 respondents (citizens and employees of the Municipality of Mitrovica in Kosovo), on a random sample.

When asked how they evaluate the transparency and communication of the administration in the Municipality of Mitrovica, 45 respondents answered bad and very bad, compare to 21 respondents who answered good and really good. This results show that majority of the respondents think that there is a lack of transparency and communication from the administration servants.

On the question whether civil servants in the Mitrovica Municipality Administration do a professional job, 76% of respondents had a negative stance, while only 24% had a positive answer. This results shows that overwhelming majority of the people who answered the questionnaire think that the public administration in their municipality need to improve their professionalism towards their duty.

Almost similar are the results on the question whether occurred during working hours not to find employees at workplaces. 73% of the respondents answered positively, which reflects the negative opinion regarding the presence of the employees in their workplace during the working hours.

When asked about the time needed to get an answer, after submitting a request to the administration of the Municipality of Mitrovica, the results are disappointing. Majority of respondents (54%) answered that it took more than 30 days to get an answer on their request, 35% answered that it took between 20-30 days, 8% answered between 10-20 days, while only 3 respondents have experienced fast answering on upon their request towards the municipality administration.

On the question whether civil servants in the municipality of Mitrovica are corrupt, again we find alerting results, where 64% of the respondents answered positively, while the remaining 36% thinks that the civil servant are not corrupt.

When asked whether the employment process in the municipality of Mitrovica is based on meritocracy, 86% answered with negation, while only 14% had a positive opinion regarding this process. This shows that the opinion of majority of respondents is that there should be changes in employment practices in the municipality.

Regarding the question on the effects of politics during the employment in the Municipality of Mitrovica, below we see the opinion of the respondents, where the majority shares the view that the effect of politics on employment varies around 75% of the cases. This result shows that politics has a large interference in the employment process in the public administration in Municipality of Mitrovica, and it also can represent a general opinion regarding the public administration employment procedures.

The results from the survey clearly show that there are many issues that need to be addressed in order to improve the quality of the offered services from the side of the public administration, which this time was the case of Municipality of Mitrovica. In this regard, the use and practice of code of ethics by the public administration employees will eliminate majority of concerns brought up by the survey, if enforced and implemented by the governing bodies and backed by the rule of law.

Conclusions and Recommendations

Beyond the view of public administration, as a managerial or political concern, public administration today is also considerably an ethical concern. Everything, including the smallest actions or tasks you will perform in the role of the public administrator, can have a very important impact.

At the root of every action of every public servant, whether in the development or execution of public policy, lies a moral or ethical question. A good selection system will help the effectiveness of the entire organization. Referring to the case presented in the Municipality of Mitrovica, there should be severe changes in employment practices, reforms in the law for public administration should be undertaken, in order to eliminate political pressure on employment processes, while installing meritocracy as standard that needs to be respected.

Installing Code of Ethics that will cover the minimum values that each member of the organization must possess and practice is of special importance for the successful functioning of any institution that strives for high goals and contributes to prospective social development. This is a must deal for the Municipality of Mitrovica in order to eliminate majority of concerns brought up by the survey conducted in this paper. Also addressing the state service principles and professional ethics and moral values would allow for the elimination of conditions for corruption manifestations in various categories.

Public service ethics encompassed a wide range of principles and values that must not be overlooked. These should include objectivity, impartiality, fairness, sensitivity, compassion, responsiveness, accountability and selfless devotion to duty. More than anything else, transition to a free and open society calls for rededication to democratic values and belief in the service of the citizens and of the common good. Regarding to this, workshops and other trainings should be conducted within the public administration through which they are going to be informed regarding ethical standards in Public Administration, their importance and effect in providing quality service to the citizens.

References:

- Aristotel. (2003). *Politika*, Tirana: AIIS Publishing House.
- Banfield, E., James, Q. W. (1963). *City Politics*, Cambridge, Mass: Harvard University Press & M.I.T. Pres.
- Banfield, P., Kay, R. (2011). *Introduction to human resource management*, Tirana: UET/Press, Printing House DITA 2000.
- Çela, H. (2006). *Etika e Biznesit*, Tirana: Botimet Albpaper.
- Chapman, R. A. (2002). *Etika në shërbimin publik për mijëvjeçarin e ri*, Tiranë: Botimet Iceberg.
- Fromm, E. (2003). *Njeriu për vete gjurmim në psikologjinë e etikës*, Tirana: Botimet Phoenix.
- Gera, M. (2007), *Organizimi i administratës qendrore shtetërore. Politikat dhe instrumentat*, Prishtina: Botimi Sigma, 43.
- Heidenheimer, A. J. (1970). *Political Corruption Readings in Comparative Analysis*, New York: Holt, Rinehart & Winston.
- Johnston., M. (2005). *Syndromes of Corruption: Wealth, Power, and Democracy*, New York: Cambridge University Press.

Ethics in the Public Administration of Mitrovica Municipality

- Jowett , B. (1885). *The Politics of Aristotle*, Oxford: Clarendon Press
- Krislov, S., Rosenbloom, D. H. (1981). *Representative Bureaucracy and the American Political System*. New York: Praeger Publishers.
- Lipset, S. M. (2010). Democracy in Private Government: A case study of the International Typographical Union. *British Journal of Sociology*, 61 Suppl 1(1), 9-27.
- Mosher, F. (1968). *Democracy and the Public Service*, New York: Oxford University Press
- O’Toole, B. J. (2002). “Interesi Publik: Një leverdi politike dhe administrative”, *Etika në Shërbimin Publik në mijëvjeçarin e ri*”, Tirana: Iceberg Publicity, ribotim.
- Palombara, J. (1963). *Bureaucracy and Political Development*, Princeton: Princeton University Press.
- Platoni, (1999). *Republika*, Tirane: Botimet Phoneix,
- Rosenbloom, D. H., Kravchuk, R. S. (2002). *Public administration, understanding management, politics, and law in the public sector*, London: botimet McGraw-Hill Humanities/Social Sciences/Languages; 7 edition (April 7, 2008).
- Stuart, C. G. (2005). *Ethics codes and codes of conduct as tools for promoting an ethical and professional public service*. Washington: PREM, World Bank.
- Thompson, V. (1961). *Modern Organization*, New York: Knopf.

Article Info

Received: April 16 2019

Accepted: September 20 2019
