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Does legitimacy matter in whistleblowing intentions?

INTRODUCTION

Despite the introduction of Whistleblowers Act in 2010 to create an enabling environment for Ugandan citizens to freely disclose information on unethical practices or improper conduct in the public and private sectors, the percentage of people reporting unethical practices continue to be small. The Afro Barometer survey of 2015 reveals that out of the 2400 respondents surveyed in the public sector, only 6% reported unethical incidents in the public sector to government officials or people in authority while the remaining 94% remained morally mute. This is consistent with the results of the Economic Policy Research Center (2009) which rated Uganda low on the reporting of unethical practices. This finding is corroborated by the Inspectorate of Government which reports having received only 1,000 complaints from the public in 2014 (The Observer, 2014). These revelations could be attributed to legitimacy challenges which often result in retaliatory actions such as firing, blacklisting, threats, harassment, physical violence and verbal abuse, transfer, dismissal and humiliation of whistleblowers. There are a number of reports which support retaliatory practices in public procurement. According to “The 3rd Public Procurement Integrity Survey Report of (2016), 9.9% of the respondents indicated that they chose to keep quiet about the misdeeds of the public officials because of fear of victimization as the wrongdoers command high social status in the public sector. Cases supporting this conduct include; a whistleblower who lost his job in the Office of the Prime Minister (OPM) after reporting a procurement related scam. The identity of the whistleblower was revealed resulting in malice and personal vendetta.

The action of Procuring and Disposing Entities to victimize whistleblowers is surprising since the enactment and approval of the whistleblowers Act 2010 assumed automatic authority, obedience and power resulting from stakeholder consultations. According to Max-Weber’s legitimacy theory people obey the authority because they regard it rightful. Weber asserts that an organization should engender and maintain the belief that its policies are the most appropriate or proper ones for the society (Lipset, 1959). Obedience to the laws is based on peoples’ belief that the legal system is right, proper and appropriate. However, this seems to be problematic in Uganda. Most people in Uganda see the misdeeds in public procurement but decide to keep quiet due to fear of victimization. This may be attributed to lack of legitimacy of the whistleblowers Act and the enforcement agencies who are the rightful holders of authority. This study seeks to examine the legitimacy of the whistleblowing intentions in Uganda. This study is important in a number of ways. Firstly, it reveals the whistleblowing intentions of the public servants in the Procuring and Disposing Entities. It also shows the legitimate power of the whistleblowers protection Act (2010) and the enforcers of the Act including; the Inspectorate of Government; the Directorate of Public Prosecutions; the Uganda Human Rights Commission; the Directorate for Ethics and Integrity; the office of the Resident District Commissioner; Parliament of Uganda; the

National Environment Management Authority and the Uganda Police Force. Furthermore, the study brings out the factors that compose legitimacy in Ugandan public procurement and the different strategies that the government of Uganda can use to promote the legitimacy of the Act and its enforcers in order to increase on the reporting of unethical practices in public procurement.

Literature Review and hypotheses

In this section we review literature related to the legitimacy theory and whistle blowing intentions and behavior.

Legitimacy Theory

From max weber's point of view, people obey the authority or an organization because they regard it as rightful. With legitimacy, the commands of the authority or the organization are obeyed voluntarily due to the believing in it. Therefore, according to Weber, an organization or authority should engender and maintain the belief that its policies are the most appropriate or proper ones for the society (Lipset, 1959) because legitimacy exists due to worthiness to be recognized as it captures the beliefs that bolster that willingness. According to Gau (2011), actors regularly comply with an order they view as ideal because they feel an obligation to do so. Levi and Sacks (2005) clearly show that when there is belief of the subjects in fairness of the organization and its policies as well as the belief that it is effective in its activities then it can be obeyed. Franck (1995, p. 24) agrees that legitimacy is: [...] a property of a rule [...] which itself exerts a pull toward compliance [...] because those addressed believe that the rule or institution has come into being and operates in accordance with generally accepted principles of right process. Therefore, Legitimacy is '...a psychological property of an authority, institution, or social arrangement that leads those connected to it to believe that it is appropriate, proper, and just' (Tyler, 2006b: 375). Legitimacy is the right to rule and the recognition by the ruled of that right (Beetham, 1991; Coicaud, 2002).

Weber highlights that there are three alternative claims to legitimacy: traditional, charismatic, and legal. Legitimacy may reside in an appeal to tradition or the established belief in the sanctity of long established traditions and the legitimacy of those exercising authority under them. Therefore, with valid normative orders in the society and people base on that and decide to follow the obligations. Legitimacy may equally be founded on charisma. This is the devotion to the exceptional sanctity, heroism or exemplary character of an individual person and the normative patterns of order revealed or ordained by him. Finally, a claim might appeal to rational procedures or a belief in the legality of enacted rules and the right of those elevated to authority under such rules to issue commands. For example in a liberal democracy, legitimacy of governmental action is judged primarily on legal terms. At a minimum, legitimacy entails government action that is consistent with the rule of law. The rule of law requires citizens to be subject to known legal rules and executive accountability to the legal authority. Therefore, it is observed that legitimacy arises out of authority.

Legal legitimacy is the belief that the law and agents of the law are rightful holders of authority. That they have the right to dictate appropriate behavior and are entitled to be obeyed; and that laws should be obeyed simply because that is the right thing to do (Tyler,

2006a; Tyler, 2006b). Weber puts it that it is a belief in the legality of enacted rules and the right of those elevated to authority under such rules to issue commands. At a minimum, legitimacy entails government action that is consistent with the rule of law. The rule of law requires citizens to be subject to known legal rules and executive accountability to the legal authority

This is true because researchers find that in order to garner general legitimacy, not only do the authority need to be fair and procedurally just in the performance of their duties, they also need to be seen to be enforcing or supporting rules, policies and laws that are perceived to be legitimate (Jackson, Bradford and Hough, 2014). For examplesome scholars suggest that how police conduct their duties can affect perceptions of the rules and laws being enforced (Barnes, 1999; Tyler, 1990; Tyler &Huo, 2002). This is because obeying one is necessarily to obey the other (Jackson, Bradford and Hough, 2014). However, some scholars have limited themselves to one side in legal legitimacy and that is law only ignoring the law enforcer. Legal legitimacy is the public belief that laws are personally binding and the corresponding moral obligation to abide by the law (Jackson, Bradford and Hough, 2014). When people believe that rules are binding in their 'existential, present lives' (Sampson and Bartusch, 1998), they feel a duty to obey the rules put in place by authorities, regardless of the morality of a given act (Kelman and Hamilton, 1989; Tyler, 2006).

What Constitutes Legitimacy

The answer for what constitutes legitimacy remains uncertain. This is because it has been operationalized differently by various scholars. The sub-dimensions of legitimacy is the obligation to obey and confidence in the police, positive feelings about, respectively identification with the police, and the lack of legal cynicism (Tyler, 2003). But, Sunshine and Tyler (2003) used the obligation to obey and confidence in the police as the two main components of legitimacy. Similarly, Piquero et al. (2005) measured legitimacy using items that bear on confidence in criminal justice actors and legal cynicism. In the Canberra drinking and driving experiment legitimacy was measured with two items that ask respondents about their future likelihood to comply with the law, a question that may only indirectly bear on the obligation to obey (Tyler et al., 2007). Tyler and Jackson (2013) used Obligation to obey, reflecting the internalization of the value that it is appropriate to obey the police and the law. Trust and confidence, If people feel that the authorities are sincere, benevolent, and concerned about their welfare, then they trust them to act in ways that benefit the people over whom they exercise authority. Finally, they added moral alignment, which is the belief that power-holders have values, goals and purposes that align with their own (Jackson et al., 2011, 2012b). Operating within an appropriate ethical and normative framework (principally by wielding power in fair, just and neutral ways) thus seems to validate power possession in the eyes of citizens (Hough et al., 2013a, 2013b).

Surprisingly, Chamlin and Cochran (2006) used survey items measuring perceptions of fairness, Nivette and Eisner (2012) used a composite score that includes items on trust, evaluations of performance, confidence in institutions, as well as measures of consenting

behaviors. LaFree (1998) used a range of operationalization, some are likely 15 predictors of illegitimacy, such as trust, while others are likely to be outcomes of illegitimacy, such as inequality or collective action. At the meso-level of neighborhoods, at least one study has interpreted legal cynicism as a measure of legitimacy, while most micro-level studies consider legal cynicism to be a different construct (Eisner and Nivette, 2013). For Fagan and Tyler (2005) operationalized legitimacy through items that measure the perceived fairness and equity of legal actors. Contrary, Kaina (2008) explicitly rejects the notion that trust, legitimacy and the obligation to obey are part of one underlying construct. She argues that trust is based on prior institutional performance, and consists of expectations about the future, whereas legitimacy is based on one's own moral principles. Obligation, or "decision acceptance" as she calls it, is not part of legitimacy because it "can also be attributed to other causes such as habits or utilitarian calculations" (p. 513).

H1: Obligation to obey, Trust and Confidence and Moral alignment constitute legitimacy

Whistleblowing

Whistle-blowing is typically described as reporting wrongdoing to an individual or organization believed to have the power to stop it. An organizational member can report wrongdoing within an organization or can go to the public with that information (Gokce, 2013). Near and Miceli (1985) define whistle-blowing as "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 effect action." Robinson & Bennett (1995) introduced a typology, and four types of wrongdoings in organizations. Their construct involves two dimensions: (1) Minor vs. Serious, which describes the severity of the deviant behavior, and (2) Interpersonal vs. Organizational, which represents the target of the deviant behavior. Besides, Near et al., (2004) created taxonomies of wrongdoings in organizations such as waste and discrimination, legal violations mismanagement and sexual harassment, and stealing and safety problems. Park et al. (2008) describes six types of whistle blowing which include; Formal whistle blowing is an institutional form of reporting wrongdoing, following the standard lines of communication or a formal organizational protocol for such reporting, whereas informal Whistleblowing is done by the employee personally telling close associates or someone she or he trusts about the wrongdoing; Identified whistleblowing is an employee's reporting of wrongdoing using his or her real name, whereas in anonymous whistleblowing the employee gives no information about himself and might use an assumed name; Internal whistleblowing is the employee's reporting of wrongdoing to a supervisor or someone else within the organization who can correct the wrongdoing and external whistleblowing is reporting of a wrongdoing to outside agencies believed to have the necessary power to correct the wrongdoing.

According to Rennie and Crosby (2002), the thinking process of a person's whistle blowing decision involves three steps: first, recognition of the wrongdoing, second, assessment of the wrongdoing and third, judgment of responsibility. In step one; people apply their standards of

what constitutes wrongdoing against their perceptions of what has taken place. In step two, people consider whether the wrongdoing deserves any action, that is, whether it is intolerable. In step three, people consider whether it is their responsibility to blow the whistle. If any of these questions are answered negatively, silence follows and the thinking process terminates. This process further suggests that a positive perception of the principal is important in triggering an agent's decision to blow the whistle on organizational misdoings for three reasons. First, an agent's standards of what constitutes organizational wrongdoings are more aligned with the standards of a principal for whom the agent has a positive opinion. Second, an agent who views the principal and the organization as a whole positively is less tolerant of the wrongdoing that can potentially harm the organization. Third, an agent who views the principal positively identifies more with the organization and is more likely to feel that it is his/her responsibility to help address problems within the organization. Thus, an agent who views the principal positively is more likely to blow the whistle to the principal (Yue Zhang, 1997)

Whistle blowing as a behavior is influenced by various factors. Cultural orientations can affect decision toward different forms of whistle blowing (Oktem and Shahbazi, 2012). Miceli et al. (2001) showed that people were less likely to report wrongdoings when they did not feel compelled morally hence individuals with higher levels of moral reasoning are more likely to blow the whistle than are individuals with lower levels of moral reasoning. Nature of the harm caused by the wrongdoing and likelihood of harm; effectiveness of the reporting channel; retaliation and protection from retaliation; quality and reliability of the evidence of wrongdoing; support from peers and supervisors as well as materiality of the act influence whistleblowing Intentions (Miceli and Near 1992; Park and Blenkinsipp 2009; Stansbury and Victor 2009).

Scholars (Keenan, 2002 and Near et al., 2004) suggest that individual, organizational and situational factors affect individual's decision-making process to blow whistle. There are many empirical studies that have been conducted to find out possible effects of personal factors on decision making process to blow whistle. The results by Arnold & Ponemon (1991), and Near & Miceli (1986) concluded that moral reasoning influences an individual's decision-making process for whistle-blowing. According to Gundlach et al. (2003), moral reasoning plays a significant role in the whistle-blowing process. In addition, Near and Miceli (1996) suggest that the decision to blow the whistle is affected by the personality traits of the individual, and the environment surrounding the individual. Reidenback & Robin (1990) and Cruz et al., (2000) have used ethical dilemmas and the Multi-dimensional Ethics Scale for examining ethical judgments, including the philosophical values such as justice, utilitarianism, relativism and egoism. Justice indicates the idea of fairness while relativist person considers any action culturally. Utilitarianism requires criticizing any action according to its benefits, while egoism indicates deciding under self-promoting.

Legitimacy and whistleblowing

De Maria (2005) identified that public confidence is a pre-requisite for effective whistleblowing as it guarantees of freedom of expression thereby combating unethical practices. Schultz and Hooks (1998) add that when employees do not trust the responsible authority, disclosing of the unethical practices are made minimal. According to Mary (2006), trust which is in the organization's willingness to investigate reports and to keep reporters identify confidential were strong determinants of reporting intentions leads to effective whistleblowing. Dorasamy (2013) observes that by implementing whistleblowing mechanisms can increase the confidence of whistleblowers to disclose unethical practices to authorities which can be trusted, without fear of retaliation. Park and Blenkinsopp (2009) argue that successful implementation of legal and organizational whistleblowing systems encourage the reporting of illegal or unethical behavior. In addition, the presence of legislation promotes legitimacy which in turn encourages whistleblowing as it goes a long way toward mitigates the fear (Hartman, Elm and Pope, 2009).

Furthermore, if employees are aware of action taken against guilty of unethical conduct, then an effective whistleblower's line can increase the probability of unethical practices being reported and investigated (Dorasamy, 2013). Hooks et al. (1994) argued that when an organization shows tolerance of unethical practices, then this influences the perceptions of serious. Such tolerance does not reflect legitimacy thereby not reinforcing ethical practices. For example, retaliation makes whistleblowers to perceive the procedures of an organizational unjust leading to withdrawal of trust and loyalty hence minimum reporting (Rehg et al., 2008).

Therefore, the authority structure must be effective and supporting in order to promote whistleblowing. For example an organization culture which does not protect whistleblowers does not facilitate the disclosure of unethical practices and neither does it promote the eradication of unethical practices (Dorasamy, 2013). Hellreigel et al. (1998) aver that powerful reinforces like management reaction to incidents of unethical conduct and the manner in which it is dealt with, can improve a whistleblowing culture where in management sends strong messages on what is important and expected. Paul & Townsend (1996) assert that legalistic responses like protection of whistleblowers by institutions are more effective in reducing retaliation which encourage whistleblowing.

Additionally, Dorasamy (2013) argues that a transparent and accountable organizational culture is conducive to promoting whistleblowing because it is a way of improving on the effectiveness of reporting channels which increase the reporting of unethical practices hence poor perceptions of organizational adherence to core ethical values and practices may not deter unethical practices, while reflecting negatively on an organizational culture conducive to whistleblowing. Mey, Lloyd, Ramalingum (2014) asserted that Effective leadership encourage the reporting of misconduct, through whistle blower protection, and to have rewards and penalties in place for recognizing ethical behavior and to curb misconduct

The successful implementation of legal and organizational systems would encourage the reporting of illegal or unethical behavior (Park and Blenkinsopp, 2009). However, according to Tsahuridu & Vandekerckhove (2008) in their examination of international whistleblower legislation content that it is vital to consider the effectiveness of that legislation, influenced not only by embedded cultural factors but also by the purposes of the legislation, which are many. The provision of whistle blowing laws alone cannot lead to reporting wrongdoing but only when people are confident about the protections guaranteed by existing legislations (Transparency International: Kenya, 2006) and this can be through having in place a special investigative unit to independently investigate the whistleblowers allegations (Dorasamy, 2013)

H2: Legitimacy explains whistleblowing intentions and behavior

Methodology

Design, population and the sample

The study adopted both a quantitative and qualitative cross-sectional design. The population comprised of 129 PDEs from Kampala [24 Ministries, 12 Commissions, 6 Boards, 15 Referral Hospitals, 10 Training Institutions, 28 Statutory Bodies, 22 State Enterprises, 8 Government agencies and 4 Councils] (PPDA, 2013) from which a sample of 97 PDEs was selected using the Krejcie and Morgan, (1970) table of sample size determination. The Unit of Analysis was the Procuring and Disposing Entity staff. The response rate was 89.7 percent representing 127 staff. The sample of Key informants who participated in the study were selected using snowballing sampling.

Variables

The measurement items for the construct of legitimacy were adopted from Tyler and Jackson (2013). These items included indicators like obligation to obey, trust and obedience as well as moral alignment. Obligation to obey, reflects the internalization of the value that it is appropriate to obey the authority and the law. Trust and confidence, If people feel that the authorities are sincere, benevolent, and concerned about their welfare, then they trust them to act in ways that benefit the people over whom they exercise authority. Moral alignment is the belief that law is and law enforcer operate within an appropriate ethical and normative framework, in the sense that they seem to share the moral values and sense of justice of citizens. This means that the law and enforcement agency act in ways consistent with ideas about what is right and wrong (Jackson et al., 2012; 2013; 2014a; 2014b). We tested for reliability using the cronbach alpha coefficient. The Cronbach alpha coefficient (α) for legitimacy was .81 and is in the cut off region provided by Kline (1999). The Content Validity Index (CVI) for the legitimacy construct was .80. Item scales for the whistleblowing intention construct were obtained from both Dorasamy (2013) and Park et al., (2009). They included; perception on whistle blowing and attitudes toward whistle blowing. For perception, we focused on the respondents' perceptions on the effectiveness of whistleblowing legislations and perceptions on how whistleblowing is generally governed in public procurement. For

attitudes, we focused on the respondents' perceptions on the relevancy of whistleblowing and the value they attach to whistleblowing in relation to morality. The Cronbach alpha coefficient (α) for the whistleblowing construct was .90 while that of the Content Validity Index (CVI) was .80. All responses were anchored on a five point Likert scale ranging from 5=strongly agree to 1=strongly disagree.

Sampling Design and Procedure

Stratified Simple random sampling was considered appropriate for the quantitative study. A stratified sampling strategy was used to classify the PDEs after which simple random sampling was applied to select the PDEs and staff. PDEs were divided into nine different categories (e.g. Ministries, Commissions, Statutory bodies, Referral hospitals, Training institutions, Councils, Boards, State Enterprises and Government Agencies) based on the categories of the PPDA (2011). For the several categories of PDEs, unique identifiers of the PDEs were written on scrap of papers which were put in a jar, shook and several PDEs were selected using a lottery method. In order to get two targeted respondents from each PDE, we approached the Accounting Officers who are the heads of the PDEs to get the lists of procurement managers to consider being our respondents. There was similarity on this because the User department heads, Evaluation committee members, Procurement officers, Members of contracts committees, and Accounting officers were given as procurement managers from each PDE. We focused on these because the whistleblowers Act (sections 2-4), requires employees in public institutions to report unethical practices to the relevant authorities. Thereafter, unique identifiers for the different procurement managers were written on scrap of papers and for every PDE, the papers would be put in a jar, shook and two papers would be selected blindly. This gave the respondents equal chances of being chosen.

Data analysis

SPSS Version 23 software package was used for entering data. Nevertheless, data were collected, edited, entered in SPSS software and checked for errors and completeness prior to the analysis. Qualitative data were analyzed and presented using content analysis.

RESULTS

On average, most of the respondents were male (Mean = 1.482, SD=.501). This is consistent with the Republic of Uganda (2011) which reveals that 33 percent of women are employed in the Public Service, despite the affirmative action taken by the Government of Uganda. The age category for the respondents ranged between 35-47 years (Mean = 2.178, SD=.785). The results also shows that most of the respondents were married (Mean=1.848, SD=.587). On average, most of the respondents had a degree (Mean=3.183, SD=.855) indicating a group of literates in the public sector. On average, the respondents had training in procurement or

purchasing management (Mean=1.381, SD=.487). This means that most of the respondents are aware of the rights and wrongs in public procurement.

It is observed from table 1 that the concept of legitimacy is a multidimensional construct composed of obligation to obey, trust and confidence and moral alignment. These three factors account for 71% of legitimacy. This finding supports hypothesis 1 which states that obligation to obey, trust and confidence and moral alignment are constructs of legitimacy. Results from in-depth interviews reveal that public servants have an obligation to obey the whistleblowing Act and the authorities even when they disagree with the Act and authorities. For example, case 16 asserts that:

“Yes, it is my obligation to obey the whistleblowers Act because it was made for the good of the country to get the unethical people because it encourages the reporting of such people as it clarifies where to report them for example the IGG’s office, parliament, police and other bodies. Therefore, it is my duty as a public servant to save public funds by reporting the immoral individuals to such bodies”.

Additionally, case 2 assert that it is the responsibility of every Uganda to obey the procurement law - *“I agree it is appropriate to obey the whistleblowers Act because it was made for Uganda and am a Ugandan who have to abide with the laws in the country and its existence is for the welfare of the citizens by informing us where to report the immoral individuals”*

As regards Trust and Confidence, case 15 said

“I do not trust the whistleblowers Act. This is because it is not known by most people in the country hence it is for formality we have seen various individuals losing their jobs and some are killed just because of reporting immoral deeds of others to the relevant authorities so how can I rely on it when people are not protected as it stipulates in some sections. Secondly, it bothers me why the whistleblowers are not always given their 5% pay of the money recovered as the Act stipulates and instead end up in courts demanding for their pay”.

Case 17 –

“I lost confidence in the enforcers of the whistleblowers Act like the IGG’s office and police because these bodies always disclose the whistleblowers and this violates the Act its self. Secondly, these bodies do not always investigate some whistleblowing allegations and if they do they end up coordinating with the individuals reported to get money from them”.

Case 9 –

“For me, I trust the whistleblowers Act because it is good for promotion of good morals as it encourages the reporting of wrong doings by telling us where to report to and I would say I have some trust in the enforcers of the Act, as they always make investigations on whistleblowing allegations and this scares the people from doing wrong things”.

There was consensus among respondents on the aspect of legitimacy that constitute Moral Alignment. Case 19 revealed that:

“In fact, the whistleblowers Act is morally right because it encourages the reporting of wrong doers as it has clauses for the protection of whistleblowers, it gives the bodies to report to when someone observes another acting unethically hence it encourages good morals in the country. Therefore, the Act is in line with what is considered right in Ugandan environment as it discourages bribery, stealing and other corrupt acts but it is only let down by the enforcers like police”.

Case 10

“It is true in some areas, the whistleblowers Act is not perfect or right for example it stipulates that a whistleblower shall be given 5% of the money recovered but I has been seen where organizations promise to pay whistleblowers more than that; this is questionable why so? It means there is something not right with it and finally, the enforcement agencies are unethical in their operations instead they devise means of getting money from people being reported doing immoral deeds and in some instances they do not totally investigate whistleblowing allegations”.

TABLE 1: Factor Analysis for Legitimacy

	Obligation to obey	Trust and confidence	Moral alignment
The enforcers of whistleblowers Act are legitimate and we should obey the whistleblowers Act	.815		
It is our duty, us the procurement officers to obey the whistleblowers Act enforced by the PPDA even when we do not like the way they treat us	.801		
Sometimes we have to bend the whistleblowers Act in order to get things to come right	.801		
The whistleblowers Act is perfect in encouraging the disclosure of unethical behaviors in this organization	.749		
We should accept the law enforced by the PPDA even when we disagree with them		.854	
We trust the enforcement agencies that it makes decisions that are good for every one when they are investigating and prosecuting whistleblowing allegations			

	.809
Our organization must accept the laws enforced by the PPDA even though they are likely to bring problems	.717
The whistleblowers Act is within an appropriate ethical and normative frame work	.879
There are times when it is ok for us to ignore what the enforcement agencies tell us to do in the whistleblowers Act	.899
The enforcers of the Act are consistent with ideas about what is right and wrong	.735
The whistleblowers Act share the moral values and sense of justice of Ugandan citizens	.811
Variance %	32.666 24.432 13.907
Cumulative %	32.666 57.098 71.005

Extraction Method: Principal Component Analysis, Rotation Method: Varimax with Kaiser Normalization. Rotation Converged in 4 Iterations

Table 1b: Content Analysis for Whistleblowing Intentions and behavior

Respondent 7	I would not report about the bad deeds in my organization to the relevant authorities because it is a self-destruction mission, what if they close my organization.
Respondent 5	For me, I cannot report my boss about the wrongs because if am chased, where will I eat from? I would rather cooperate with him or her because in everything you must know where the power is and may be where I can benefit a lot.
Respondent 14	I know when you report to the authorities like police, the police is interested in money instead they just approach the suspect to get money from him or her. Secondly, there is no confidentiality am sure when you report the suspect, instead my identity will be disclosed.
Respondent 16	I am not aware of the existence of the whistleblowers Act because I do not have interest in it. In fact am lazy to know it may be those who for training and in fact I believe it is there for formality
Respondent 10	I would not bother to report my boss to the authorities of the bad deeds because I know the authorities will do nothing in response
Respondent 21	Yes, I agree when you report wrongs to the enforcement agencies, they can do something and they are stopped in the organization because some allegations are always investigated but the only problem is that the whistleblower is not protected
Respondent 15	The best way to promote whistleblowing in the country is to establish a special body responsible for addressing whistleblowing allegations than the existing bodies which are very corrupt
Respondent 13	I fear to report my colleagues to the relevant authorities for immoral acts because there are higher chances of losing my job. In addition, I fear to create enmity with my workmates may be those with the “ Don’t Care Attitude” would report

Respondent 11	I fear to report wrong things to the relevant authorities because they may retain you there and other likely risks that are associated with the reporting as most public workers in Ugandan environment are very connected
Respondent 8	I fear to report immoral acts because I do not know how the whistleblowers Act protects people who report

It can be seen from table 2 that the age category for the respondents ranged between 35-47 years (Mean = 2.178, SD=.785), corresponding to the Generation X - age category. This indicates that Ugandan public procurement consists most individuals who are adaptable to change, pragmatic with strong technical skills who value continuous learning and skill development (Niemic, 2002; Joyner, 2000). On average, the respondents had worked for their organizations between 4-6 years (Mean=2.208, SD=.723). There is a significant and positive relationship between obligation to obey and whistleblowing intentions ($r=.282$, $p\leq 0.01$) which means that when people internalize the value that it is appropriate to obey the authorities and the law, whistleblowing is increased. The respondents disclosed that it is an obligation to obey the whistleblowers Act and the enforcement agencies of the Act ($M=3.76$, $SD=0.73$). A significant and positive relationship exists between trust and confidence and whistleblowing intentions ($r=.229$, $p\leq 0.05$) which means that when people feel that the whistleblowers Act and authorities are sincere, benevolent, concerned about their welfare and act in ways which benefit them, the reporting of wrongs to the authorities is increased and the respondents indicated that they trust and have confidence in the whistleblowers Act and the enforcers ($M=3.70$, $SD=0.83$). It is also observed that a significant and positive correlation exists between moral alignment and whistleblowing intentions ($r=.135$, $p\leq 0.05$) hence moral alignment increases whistleblowing. The respondents revealed that they believe that law is and law enforcers operate within an appropriate ethical and normative framework in the sense that they share their moral values and sense of justice ($M=3.41$, $SD=1.03$)

Overall, the results showed a significant positive relationship between legitimacy of the whistleblowers Act and whistleblowing intentions ($r=.313$, $p\leq 0.01$). This means that when people have an obligation to obey the Act and decisions of the enforcement agencies, and have trust and confidence in them with the belief that they operate within an appropriate ethical and normative framework, then the reporting of wrong doings to the relevant Authorities increases. Respondents revealed that they were willing to report unethical practices to the relevant authorities ($M=3.05$, $SD= 0.54$) and that the whistleblowers Act and the enforcement agencies are legitimate ($M=3.72$, $SD= 0.69$) which means that the whistleblowers Act and the enforcement agencies can be lied on to report the unethical practices by the public procurement managers.

TABLE 2: Means, Standard Deviations and Zero Order Correlations

	Mean	SD	1	2	3	4	5
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Age Category	2.18	0.79					
Work Experience	2.21	0.72					
Obligation to Obey (1)	3.76	0.73	1.00				
Trust and Confidence (2)	3.70	0.83	.521**	1.00			
Moral Obligation (3)	3.41	1.03	.411**	.571**	1.00		
Legitimacy (4)	3.72	0.69	.616**	.538**	.486**	1.00	
Whistleblowing Intentions (5)	3.05	0.54	.282**	.229*	.135*	.313**	1.00

Notes: ** Correlation is significant at the 0.01 level (2-tailed); *Correlation is significant at the 0.05 level (2-tailed)

In order to test the hypothesis (H2) which states that Legitimacy explains whistleblowing behavior, a regression analysis was undertaken. The results show that legitimacy matters in whistleblowing thereby supporting H2. Legitimacy was found to be a significant predictor of whistleblowing intentions accounting for 33.6% of the variance (R Square Change=0.336) and the overall model was significant at 5%.

TABLE 3: Regression Model

Predictor Variables	Model 1	Model 2	VIF
Constant	3.38**	1.51**	-
Age Category	0.16	0.14	1.27
Work Experience	0.09	0.12	1.27
Obligation to Obey		0.30**	1.26
Trust and Confidence		0.20*	1.08
Moral alignment		0.46**	1.37
R	0.09	0.59	Na
R-squared	0.01	0.34	Na
R-squared (adjusted)	-0.02	0.29	Na
R Square Change	-	0.34	Na
F	0.33	6.91	Na
Sig. F Change	0.32	10.13	Na

Notes: *P≤0.05, **P≤0.01, n=127 staff, Dependent Variable: Whistleblowing, Durbin Watson= 2.22.

DISCUSSIONS

Consistent with H2, the study finds that legitimacy matters in whistleblowing. This means that the existence of a legitimate law (whistleblowers Act) and the legitimate enforcement agencies promotes whistleblowing. This means that when people feel an obligation to obey the Act have trust and confidence and have the belief that law is and law enforcers operate within an appropriate ethical and normative framework, in the sense that they seem to share the moral values and sense of justice of citizens, then they can highly disclose the unethical

practices to the authorities. In order to improve whistleblowing intentions and behavior in Ugandan public procurement, the Ugandan government should promote legitimacy of the whistleblowing Act and its enforcers.

The finding is consistent with Hartman, Elm and Pope (2009) who found that legitimacy can be promoted by presence of appropriate legislation which reduces fear and encourages whistleblowing. De Maria (2005) notes that public confidence is a pre-requisite for effective whistleblowing as it guarantees freedom of expression thereby leading to the increase in reporting of unethical practices. This is supported by Dorasamy (2013) who observes that implementing effective whistleblowing mechanisms increases the confidence of whistleblowers to disclose unethical practices to authorities. Mary (2006) argues that trust which is in the organization's willingness to investigate reports and to keep reporters identify confidential were strong determinants of reporting intentions. Additionally, Schultz and Hooks (1998) posit that when employees do not trust the responsible authority, disclosing of the unethical practices are made minimal.

Furthermore, Park and Blenkinsopp (2009) argue that successful implementation of legal and organizational whistleblowing systems promote confidence which encourages the reporting of illegal or unethical behaviors. Hooks et al. (1994) argued that when an organization shows tolerance of unethical practices, this influences the perceptions of whistleblowing intentions and behavior. Retaliation makes whistleblowers to perceive the procedures of an organizational unjust leading to withdrawal of trust and loyalty hence minimum reporting (Rehg et al., 2008). Paul & Townsend (1996) assert that legalistic responses like protection of whistleblowers by institutions are more effective in promoting trust which encourages whistleblowing. Nevertheless indeed, the provision of whistle blowing laws alone cannot lead to reporting wrongdoing but only when people are confident about the protections guaranteed by existing legislations (Transparency International: Kenya, 2006) and this can be through having in place a special investigative unit to independently investigate the whistleblowers allegations (Dorasamy, 2013).

However, Schein (1990) noted that it is the ethical climate which shapes a culture of people in society. This may greatly influence the whistleblowing behavior of such people where in a society with a culture of reporting, many wrongs are reported than a society with a poor culture of reporting wrongs. Trevino (1986) found that ethical codes of conduct were not effective unless those codes were consistent with the organizational culture and were enforced. Kish, Harrison, and Trevino (2010) revealed that the existence of laws had no noticeable impact on employees' positive whistleblowing behavior when they have negative perception.

Furthermore, in order to influence whistleblowing behavior positively, the legitimate agency should have the capacity to reward and punish deviant behaviors (Lasthuizen, 2008 and Kanfer, 1990). This means that people who blow the whistle should be rewarded and those that keep quiet should be punished and it may prevent such behavior in the future of not reporting the wrong doings. The whistleblowing behavior of people can be positively

influenced when the legitimate agency walk the talk and talk the walk (Paine,1994) that is by being role models by being credible and consistent in what they say and what they do (Brown & Trevino, 2006). For example when an enforcing agencies investigates on whistleblowing unethical practices, they should publish the findings and this increases on the reporting of wrong doings by the subjects.

CONCLUSION AND RECOMMENDATIONS

From the study, we conclude that legitimacy is a significant predictor of whistleblowing intentions and behavior. In order to increase on the reporting of unethical practices in Ugandan public procurement, legitimacy of the whistleblowers Act and the enforcing agencies should be promoted.

Mechanisms should be developed for the public employees to have an obligation to obey the whistleblowers Act and the authorities. There should be an increase on the awareness of the whistleblowers Act as there are few Ugandan citizens who are aware of it and this can be possible by making it a requirement for all the public entities to possess the whistleblowers Act. In addition, there should be sensitization of the whistleblowers Act to the public workers such that they are well conversant with it and their responsibilities towards it. There should be publication of whistleblowing cases like issuing out whistleblowing reports for every financial year showing the cases reported, the cases investigated and those dealt with. This can make the Ugandan citizens to see the value of reporting unethical practices and generally to have an obligation to obey the whistleblowers Act and the relevant authorities.

There should be development of relevant strategies for the civil servants to trust and have confidence in the whistleblowers Act and the relevant authorities. There should always be investigations on all whistleblowing allegations for the public servants to realize that the Act and the enforcers are concerned about their welfare than ignoring some whistleblowing allegations. Secondly, the relevant authorities should fight hard such that the behavior of disclosing the identities of the whistleblowers is stopped by for example fining those that do so such that the would be whistleblowers are not scared. There should be protection of all the whistleblowers as there has been a weakness by the authorities where most of the whistleblowers are victimized by facing malice, being threatened, humiliated and dismissed yet part V of the whistleblowers Act (2010) encourages the protection of the whistleblowers. Therefore, for the Act and the enforcers to be taken as sincere, there should be an improvement on the protection of the whistleblowers for example by thoroughly punishing individuals that victimize them.

Moral alignment should be observed by the enforcers of the whistleblowers Act. The investigations on whistleblowing allegations should be carried out expeditiously as the Act stipulates than taking long or ignoring most of the allegations. The government can make this possible by for example establishing a special investigative unit that will be recognized and considered right by independently doing the investigations. Finally, the government should endeavor to reward every whistleblower the 5% reward which is stipulated in the

whistleblowers Act in order to be considered operating with in appropriate ethical and normative framework.

RESEARCH IMPLICATIONS

Theoretical implication: according to legitimacy theory, people obey the authority or an organization because they regard it as rightful that is maintaining the belief that its policies are the most appropriate or proper ones for the society. Therefore, in order to achieve this there should be consistence in the policies developed and the implementation of these policies in the society. Policy implication: the enforcement agencies and the government should devise means for citizens to be familiar with the stipulations of the protection of whistleblowers of the whistle blowers Act (2010). Secondly, the government in general should increase on the awareness of statutory duties and the existing whistleblowing legislations among the public procurement managers as well as increased commitment on investigating any information received on unethical practices. Managerial implication: in PDEs there should be support for whistle blowing for example establishing whistleblowing teams to encourage the disclosure of unethical practices. Methodological implication: the study used a cross-sectional design. However, this might have limited the information obtained from the field. A longitudinal approach would give detailed information on different aspects for the different periods in order to make better conclusions

LIMITATIONS AND AREAS FOR FURTHER RESEARCH

First, this study utilized cross sectional survey data. The causal relationships between variables are possibly obscured; as data from all participants was collected at the same point in time yet perceptions goes on changing over time. Longitudinal survey studies or experimental field trials are procedurally fair as do offer a more effective approach for determining issues of causality. Therefore, further studies should utilize a longitudinal approach. Secondly, the study was limited to Central Government PDEs in Kampala leaving out other Central Government PDEs outside Kampala and foreign missions hence the results would have changed if whole Central Government PDEs were studied. The results of this study cannot be generalized to the private sector. This is because PDEs in the private sector have different structures, policies, and systems as compared to public procurement and in most cases they do focus more on internal whistleblowing than in public procurement where external whistleblowing is most needed.

Furthermore, future studies should extend the studies to include Local Government Entities (LGE) as they are part of public procurement and other PDEs which are outside the geographical scope of this study to be able to compare the results for better promotion of whistleblowing in public procurement. Finally, there were no constructs for legitimacy in public procurement hence we just domesticated the constructs basing on the ideas of prior scholars who are outside the field of public procurement.

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