

10.2478/nispa-2024-0017



Taking Stock of 30 Years of CEE Transformation: Institutionalisation of Public Sector Integrity Management in Estonia

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Abstract:

The article takes an in-depth look at integrity management reforms in the context of Central and Eastern European post-communist transformation. Despite the centrality of integrity management for post-communist administrative change, there is only limited longitudinal research on the topic and no ready-made theoretical frameworks available for analysis. The article tackles both gaps. By relying on an analytical framework that combines values-based and compliance-based systems, integrity management functions, and factors of institutional change, the study examines the institutionalisation of public sector integrity management in Estonia. The article concludes that the development of the Estonian system and its evolution from an initial compliance-based approach towards a more values-based approach has been shaped by a combination of factors: the desire to overcome the country's communist legacy, pressure and examples from the international level, and the strategies of politico-administrative actors. Reliance on a system with "softer" instruments has been facilitated by radical changes in the initial phase of transformation, a decrease in the level of corruption, the constraints of a decentralised administrative system, and an increase in administrative capacity and expertise.

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Keywords:

integrity management; CEE transformation; corruption; public service; Estonia

1. Introduction

A wave of remarkable political, economic, and social change swept over the countries of Central and Eastern Europe (CEE) at the end of the 1980s and the beginning of the 1990s. The radical change of political regime from communism to democracy and from planned to market economy was accompanied by a significant social transformation as well as adjustment in the institutional structures of the states. Yet, as Randma-Liiv and Drechsler (2017, p. 597) argue, it was not structural change that presented the biggest challenge to the states but the shortage of well-qualified officials and the process of transitioning to good civil service in a situation where there was “neither good tradition nor ethos” (see also Drechsler, 2005). Thus, the institutionalisation of a functional public sector integrity management system emerged as a major task for the CEE states.

Although integrity management reforms were fundamental in the context of widespread corruption inherited from the preceding administrative systems and the post-communist countries have been claimed to form a “league of their own” in terms of corruption (Møller & Skaaning, 2009, p. 725), there is surprisingly little information available on the institutionalisation of integrity management systems and the respective longitudinal trends in the CEE region. Several snapshot analyses of national integrity systems in the CEE countries exist, indicating that the countries have tended to prefer compliance-based approaches over values-based approaches (Demmke et al., 2020, pp. 62, 95; Stevulak & Brown, 2011, p. 98). It means that the CEE countries tend to rely on detailed legislative frameworks and formal control rather than self-regulation in maintaining public sector integrity. However, there are no longitudinal studies exploring the institutionalisation of public sector integrity management in the region or investigating the factors that have shaped such developments. Furthermore, there are no ready-made theoretical frameworks available for mapping longitudinal changes in this context and explaining the systemic outcomes.

The article aims to tackle both of these shortcomings. It sets out to provide an analytical framework for the study and to explore the factors that have shaped the institutionalisation of public sector integrity management in one CEE state – Estonia. First, we propose an analytical framework that combines literature on integrity management and a historical institutional analysis of CEE transformation. To operationalise the institutionalisation of integrity management, we rely on the distinction of compliance- and values-based approaches (Lawton et al., 2013; Tremblay et al., 2017; Maesschalck et al., 2024) and the frameworks developed by the OECD (2000, 2009, 2020) and Transparency International (TI, 2012). To explain the longitudinal developments, we draw on the periodisation of the CEE transformation and employ a

“transformative” approach that presupposes institutional changes in public administration to arise in a complex interplay between conscious and planned strategies of political and administrative leaders, cultural-historical features, and reform pressures originating from the external context of organisations (Christensen et al., 2007, pp. 165–175).

Second, the study focuses on the case of Estonia. Estonia regained its independence from the Soviet Union in 1991 after 50 years of occupation. A functional integrity management system has emerged over the three decades of post-communist development. Estonia stands out with its lower level of corruption compared to the other countries of the CEE region, with Kalninš (2015) calling it the “world’s smallest virtuous circle”. According to the latest Transparency International Corruption Perception Index, in 2023, Estonia ranked 12th in the world (score 76), far higher than the other CEE countries and in a better position than Austria, France, or Iceland (TI, 2024). In terms of public sector integrity management, Estonia has evolved from a basic compliance-based approach towards a comprehensive system, embracing a combination of compliance- and values-based instruments. A clear trend is visible towards a more values-based approach in public sector integrity management. Consequently, regarding post-communist public sector integrity, Estonia represents an atypical case both because of its lower level of corruption and the strong values-based approach. The case allows exploring the factors that have led to the institutionalisation of values-based instruments and permits generalisations on the role of different factors in shaping integrity management reforms in the CEE region. The empirical analysis of the evolution of the Estonian system draws on document analysis and expert interviews with eight public officials involved in the development of the system.

The study aims to answer three research questions:

- 1) How can the institutionalisation of the CEE public sector integrity management be operationalised and studied?
- 2) What has been the role of different factors in shaping the institutionalisation of the public sector integrity management system in Estonia?
- 3) Which factors have led to the institutionalisation of values-based approach?

The study is novel in four ways. First, a theoretical framework to map and explain the institutionalisation of integrity management in a longitudinal perspective is proposed. Second, a comprehensive and in-depth account of the institutionalisation of an integrity management system in one CEE country is offered. Third, explanations about the role of historical legacies, environmental pressures, and political actors in the development of integrity management systems in the context of post-communist transformation are suggested. Fourth, factors facilitating the institutionalisation of a values-based approach in the CEE context are explored.

The focus of the article is on the systemic level. Although the organisational level is important for ensuring public sector integrity, the systemic level is crucial in guiding the activities of individual organisations (OECD, 2009, pp. 22–24). Common ethics laws

and advice systems make it possible to develop ethos across the public sector, detect any emerging issues, and handle integrity violations that fall outside the jurisdiction of single agencies. Furthermore, as our focus is on public administration, we shall not discuss instruments aimed at politicians (e.g., party financing rules) or instruments aimed at cooperation with civil society and the business sector. The article is also not going in-depth in discussing the development of merit-based civil service in Estonia and the promotion of leadership in civil service. The latter issues have been discussed elsewhere (see Randma-Liiv et al., 2022; Randma-Liiv et al., 2015).

2. Analytical framework

2.1 Integrity management

Integrity management can be defined as “activities undertaken to stimulate and enforce integrity and prevent corruption and other integrity violations” (OECD, 2009, p. 9). For decades, the classic issue has concerned the balance between rules and values in managing integrity. The discussion dates to the Friedrich-Finer debate on external and internal control in the 1930s–1940s (see Andersson & Anecharico, 2019, pp. 64–66; Lawton et al., 2013). Since then, various policies and instruments have been suggested, some focusing on establishing clear rules and external controls, others emphasising self-regulation and the development of an ethical organisation culture. Integrity management that relies on the establishment and enforcement of formal rules can be labelled the compliance-based approach and it has been argued to focus on the “ethical low road” (Rohr, 1989) or “ethical minimum” (Bowman, 2000). Its characteristics include strict adherence to detailed codes of conduct and ethics policies, regular monitoring systems to detect and prevent unethical behaviour, and clear procedures for investigating and addressing violations, with defined penalties for non-compliance (Maesschalck, 2004; Perlman et al., 2021; Maesschalck et al., 2024). The values-based approach, on the other hand, or the “ethical high road” (Rohr, 1989) or “ethical maximum” (Bowman, 2000), focuses on promoting ethical values and principles that guide behaviour beyond mere compliance. It includes instruments such as developing ethical reasoning and decision-making, and advocating the importance of integrity, which aim to instil a deep understanding of ethical principles through training, promotion of ethical leadership, and encouragement of dialogue on ethics (Lawton et al., 2013; Brewer et al., 2015; Tremblay et al., 2017; Maesschalck et al., 2024). The two approaches can be presented as a continuum from fully compliance-based to entirely values-based approaches (Maesschalck, 2004).

The trend of the last decades is to merge different instruments into comprehensive integrity management frameworks combining both rules and values (Andersson & Anecharico, 2019; Brewer et al., 2015; Maesschalck et al., 2024). As Persson et al. (2010, p. 6) point out, a “toolkit” type of approach has emerged, providing a list of “one-size-fits-all” instruments aimed at preventing corruption and promoting ethical behaviour.

While such comprehensive frameworks also draw criticism (see, for example, Heywood & Johnson, 2017; Macaulay & Mulcahey, 2017; Maesschalck, 2004), they provide a wide-ranging basis for studying national integrity management systems.

For the analysis, we combine the elements of the most well-known frameworks developed by the OECD (2000, 2009, 2020) and Transparency International (2012). Whereas the OECD framework offers a thorough overview of integrity management functions, Transparency International's National Integrity System (NIS) pays attention to the institutional setup of integrity management. So far, these frameworks have mostly been applied to provide snapshots of national integrity systems, but their elements can also be used in a longitudinal perspective to analyse the emergence of integrity management systems. The cornerstone of the following approach is the OECD 2009 integrity framework that identifies four main functions of integrity management – defining and determining integrity, guidance, monitoring, and enforcement. It is complemented with insights from NIS (TI, 2012).

- 1) The function of **defining and determining integrity** refers to establishing the legal and ethical boundaries of public officials. The focus is on rules for anti-corruption and ethics that determine the limits of acceptable behaviour. Such laws are seen as having three main goals – aspirational, guiding/advising, and regulating (Lawton et al., 2013).
- 2) The function of **guidance** comprises various training and advice systems. The main aim of this function is to ensure that officials are provided with relevant information on ethics laws as well as advice and support regarding ethical dilemmas. The OECD 2009 ethics infrastructure sees it as a part of socialisation mechanisms and the tasks of the ethics coordination body, which corresponds to the “anti-corruption agency” in NIS (TI, 2012).
- 3) The function of **monitoring** focuses on early detection of possible integrity violations and emerging corruption risks. It ensures timely and relevant information on existing or emerging integrity issues. The main instruments include ethics surveys, integrity audits, whistle-blower systems (OECD, 2009) and support by oversight institutions, such as supreme audit institutions, ombudsmen, or administrative courts (OECD, 2020). Monitoring instruments are seen as tasks for the anti-corruption agency in NIS (TI, 2012).
- 4) The function of **enforcement** is aimed at dealing with integrity violations, whether via disciplinary or criminal procedures. OECD (2020) emphasises cooperation between different institutions and electronic databases to manage the cases. NIS (TI, 2012) views it as being part of the anti-corruption agency's tasks and an element of the accountability criterion for evaluating all public institutions.

Summary of the functions, their representation in the frameworks, and examples of instruments are provided in Table 1. Both OECD (2000, 2009, 2020) and Transparency International (2012) emphasise the importance of implementation. They

share the same underlying idea: if the framework is well implemented, these institutions, instruments, and processes will lead to more honest and non-corrupt governance. Nevertheless, national systems for managing integrity in the public sector may embody different configurations of these instruments. The systems may be more values-based, focusing on guidance and monitoring, or more compliance-based, relying on detailed legislation and enforcement. To gain insight into the longitudinal development of the systems, it is necessary to analyse when specific instruments have been introduced or discontinued, which integrity management functions the changes have concerned, and whether the combination of instruments has tended more towards a compliance- or values-based approach.

Regarding post-communist integrity management reforms in the CEE, the countries have been found to tend towards compliance-based approaches with detailed legislative frameworks and an emphasis on formal control of public sector behaviour, including strict conflict-of-interest regulations (Demmke et al., 2020, pp. 62, 95; Stevulak & Brown, 2011, p. 98). Such choices are commonly explained by high levels of corruption and problems of governance systems, including weak formal institutions (Stevulak & Brown, 2011, p. 98; Batory, 2012, p. 3). The focus on strengthening formal institutions and adopting relevant legislation has also been supported by the anti-corruption efforts of various international organisations, such as the World Bank, IMF, UNDP, EBRD, and the EU (Schmidt, 2007, p. 210). Although several authors have pointed out the insufficiency of compliance-based approaches and the need to complement them with values-based instruments (Meyer-Sahling & Mikkelsen, 2022, p. 158; Batory, 2012, p. 79; Stevulak & Brown, 2011, p. 98), it is less clear what guides administrations to integrate “softer”, values-based instruments into their integrity management systems.

Table 1:
Integrity management functions based on OECD (2009), representation in the frameworks, and examples of instruments

Function	Examples
Defining and determining integrity Effective legal framework, codes of conduct in OECD (2000) Standards in OECD (2020) Integrity criterion in NIS (Transparency International, 2012)	Rules on conflicts of interest, procedural restrictions, auxiliary activities, gifts and gratuities, declarations of economic interests, lobbying, codes of ethics, oaths of office. Also, rules on freedom of information, financing of political parties; bribery and trading influence, etc.
Guidance Capacity, ethical leadership in OECD (2020) Socialisation mechanisms, tasks of the ethics coordination body in OECD (2000)	Various forms of training, methodological materials, core advisory functions; promoting ethical leadership through competency frameworks, job descriptions, assessment tools, and performance agreements

Tasks of the anti-corruption agency in NIS (TI, 2012)	
Monitoring Oversight, risk management in OECD (2020) Tasks of the ethics coordination body, active civil society in OECD (2000) Roles of the anti-corruption agency, ombudsman, national audit office, civil society in NIS (TI, 2012)	Surveys, integrity audits, whistle-blowing channels, oversight institutions (supreme audit institutions, ombudsmen, administrative courts)
Enforcement Enforcement, oversight in OECD (2020) Efficient accountability mechanisms in OECD (2000) Accountability criterion, tasks of the anti-corruption agency in NIS (TI, 2012)	Disciplinary and criminal procedures, cooperation structures, e-databases to manage cases

2.2. Factors and periods of post-communist transformation

It is necessary to understand the nature of post-communist transformation in order to explore the choice of integrity management instruments and explain the systemic tendencies towards compliance- or values-based approaches. Institutional perspectives on administrative change emphasise the importance of the temporal dimension of development and see institutional arrangements as products of “situation-specific compromises” (Olsen, 2009, p. 18). Three core types of factors are expected to combine at different points in time to produce systemic changes (Christensen et al., 2007): (1) the administrative culture and its understanding of the appropriate course of development (i.e., historical-cultural context), (2) environmental pressures, deriving both from international and national contexts, and (3) the conscious strategies of political and administrative actors. Depending on the temporal context, the factors can have different weights and combinations.

First, studies on the institutionalisation of post-communist politico-administrative systems, especially those discussing initial transformations, are dominated by the issue of communist legacies. Communist legacies appear as the central historical-cultural factor in explaining change or its absence in the CEE region and are suggested to be paramount in terms of corruption and integrity. Corruption in communist countries ranged from low-level administrative corruption (e.g., bribery to low-level officials to bend the rules, using licencing power for extortion) and asset-stripping by officials (e.g., mismanagement of public resources, corrupt public procurement, nepotism) to state capture by corrupt networks (e.g., undermining legislative and judicial processes) (Karklins, 2002, p. 24). The perspective of legacy explanations tends to be negative – the deficiencies found to be present in the administrative systems of the CEE region are perceived to be the “inheritance of the former system of governance which has proved extremely difficult to shake off” (Verheijen, 2007). Furthermore, corruption has tended to spike after the start of democratisation efforts (Zaloznaya, 2017, p. 12).

Second, although the early stage of the transition led to the acknowledgement that the values, norms, and governance patterns of the Soviet system were no longer suitable for the newly democratic states, the CEE countries lacked both a clear understanding of what a new set of values and norms should be like and how to change the system. This lack of experience with institutions necessary for democratic statehood and the need to implement major reforms in a very short time led to the assumption that it would be an exceptional opportunity for Western models and know-how to influence reforms through support and supervision provided by different international actors – the OECD/SIGMA (financially supported by the EU), the World Bank, IMF, and bilateral donors (Nemec, 2009). Later, the impact of the “conditionality” of European Union membership emerged – the need to demonstrate administrative capacity and the ability to effectively apply the *acquis communautaire* before accordance of full EU membership (Grabbe, 2003). Although the Copenhagen criteria that were set as conditions for accession to the EU in 1993 (European Council, 1993) did not mention anti-corruption policies, the achievement of goals such as the stability of institutions, protection of human rights, and a functioning market economy assumed good governance. Consequently, accession to the EU entailed high pressure to deal with integrity management (Hardy, 2010; Vachudova, 2009). At later stages, integrity management efforts can be expected to be influenced by international organisations specifically focused on combating corruption, e.g., Transparency International, GRECO, as well as OECD.

Contrary to considerable reform pressure from the international level, very low pressure from the national level is usually expected, especially in the early phases of transformation, it being related to the weakness of civil societies and the under-institutionalised mechanisms of state-society cooperation (Goetz & Margetts, 1999; Nemec, 2009). However, that may be different for the fight against corruption (for instance, Pawelke, 2010; Sadiku, 2010; Schmidt, 2007). The interest and influence of investigative media, which is not necessarily keen on administrative reforms, might be heightened in the case of corruption scandals.

Third, all explanations of post-communist transformation are void without looking at the politico-administrative actors that have functioned as enablers, carriers, or enforcers of the legacies and interpreters of the external pressures. The actors, their preferences, identities, resources, and constellations as well as their relationship to the opportunities, constraints, and incentives in the context in which they found themselves have been important (Meyer-Sahling & Yesilkagit, 2011). We can expect to see political actors either supporting the integrity management reforms or opposing them (Allina-Pisano, 2010). The political actors may initiate the reforms, contribute to their implementation through allocation of resources and adoption of effective accountability and control mechanisms (OECD, 2000). Environmental pressures come into play as factors pushing the actors towards starting integrity management reforms or keeping them going.

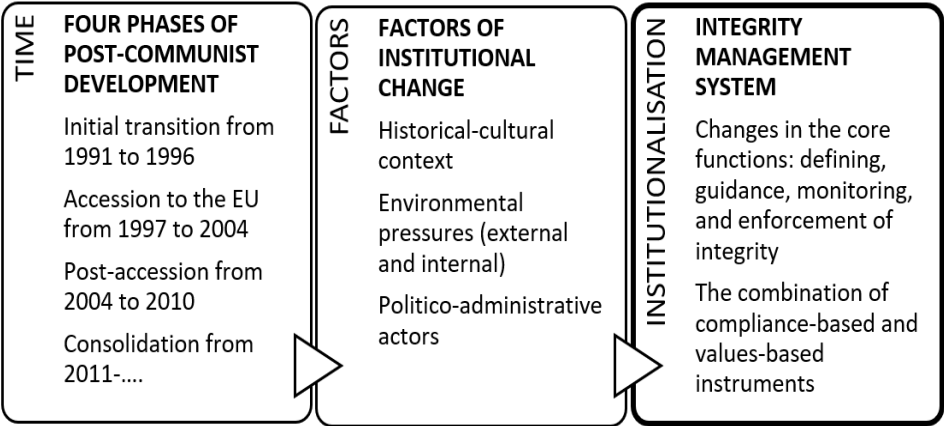
Four general phases of development emerge from the studies of reforms in the

CEE region, with their distinctive contents and drivers of change, i.e., different configurations of the above factors (see Lippert et al., 2001; Nemec, 2009; Randma-Liiv & Drechsler, 2017; Sarapuu, 2011, 2012). The phases vary to some extent in different publications and for different CEE countries but overlap in their core characteristics.

- 1) **Initial transition from 1991 to 1996.** A period characterised by a radical break with the old legal, political, social, and economic orders and the early formation of new institutions. Changes can be expected to be driven by the strategies of political elites with an aim to overcome the legacy of the previous system and shaped by the supply of international know-how.
- 2) **Accession to the EU from 1997 to 2004.** A period characterised by increasing adaptational pressures from the EU, mediated by the strategies of politico-administrative actors.
- 3) **Post-accession from 2004 to 2010.** A period immediately after the accession to the EU characterised by changes that result from a complex interplay between political strategies, historical-cultural convictions, and environmental pressures without any of them having such a defining role as in the previous two phases.
- 4) **Consolidation from 2011–....** The most recent period where specific national factors dominate and there is no reason to talk about the CEE as a region anymore in terms of shared reform pressures.

The analytical framework guiding the empirical study is summarised in Figure 1.

Figure 1:
Analytical framework for the analysis



Source: authors' own, 2024

3. Methodology

The empirical study was carried out in three stages. First, key events in the evolution of the Estonian integrity management system were mapped by document analysis. It was possible to track formal changes in the system by analysing various documents shedding light on the developments. The analysis covered institutional changes since regaining independence in 1991. More than 100 public documents, among them legal acts, coalition agreements, legislative initiatives, and their accompanying notes and records of discussion in parliament (*Riigikogu*), were analysed. The documents used were retrieved from the electronic databases of the parliament, the electronic database of the *State Gazette* (*Riigi Teataja*), printed issues of earlier *State Gazettes*, and other sources.

Second, relying on document analysis, critical events regarding the evolution of the integrity management system were determined and a timeline of events was developed. The events were analysed in terms of their nature and relationship to the integrity management function (adoption of defining, guidance, monitoring, or enforcement instruments). As much as was possible, the explanatory information on the factors behind the changes was gathered and the presence of different factors documented.

For the third step, the findings were triangulated in eight expert interviews with key public officials who had been engaged in the development of the integrity management system over the last two decades. The interviewees were selected based on document analysis and the authors' experience of following integrity management reforms in Estonia. The interviewees were contacted by e-mail. Three interviews were conducted face to face and five interviews via virtual conferencing platforms. All the interviews were recorded and transcribed. The interviewees were promised anonymity. The list of interviews is presented in Annex 1. Due to the smallness of the Estonian public administration, it is not possible to give detailed information on the role of the interviewees in the integrity management system without revealing their identity. In the interviews, the public officials were asked about their perceptions concerning the critical events in the evolution of the system and the key factors behind the changes. Also, generalisations drawn from the document analysis were tested with the interviewees. Based on the three methodical stages described above, the narrative of the institutionalisation of the Estonian integrity management system emerged.

4. Institutionalisation of public sector integrity management in Estonia

4.1. Description of the Estonian system

As of 2024, the core legal framework defining and determining public sector integrity is provided in the 2012 Civil Service Act (CSA) and in the 2012 Anti-Corruption Act (ACA). The CSA focuses specifically on public service, which is narrowly defined as

service or employment in state and local government authorities (CSA, § 2). The ACA, on the other hand, is targeted both at officials inside and outside of public service. The definition of an official in the ACA (subsection 1 of § 2) is considerably broader than in the CSA, including also politicians and other public officials performing public duties (*ametnik* in CSA; *ametiisik* in ACA). The ACA comprises provisions for conflicts of interest, procedural restrictions, gifts and gratuities, declarations of economic interest, whistle-blowing, and prohibitions on corrupt use of official position, public resources, influence, and inside information. It also establishes the obligations of individual agencies and the coordination of anti-corruption activities. The two laws are supported by the Code of Ethics for Officials and several good practice guidelines adopted by the Council of Ethics (CSA, § 12) and the Government. The same set of rules applies to municipal governments.

When it comes to the institutional arrangement of guidance, monitoring and enforcement functions, the Estonian system is decentralised. The responsibility for raising the ethical awareness of officials as well as monitoring their daily work regarding adherence to ethical and anti-corruption requirements rests with individual public organisations. There is no separate anti-corruption agency as defined in the Transparency International's (2012) NIS framework. Integrity management is seen to form an element of both the general development of public service and of anti-corruption activities.

The main responsibilities for the integrity management system are divided between two institutions – the Ministry of Finance (MoF) and the Ministry of Justice (MoJ). The MoF is responsible for the coordination of public service development as well as public service ethics. It organises ethics and anti-corruption trainings and serves the Council of Ethics for Officials that has a key role in guidance. The MoJ coordinates anti-corruption activities. Both ministries develop methodological materials and advise other agencies as needed. Both ministries also conduct regular surveys and policy analyses monitoring the situation. These serve as inputs for further policy development. Enforcement consists of disciplinary and criminal procedures, with the former being a task of individual organisations, and the latter being the responsibility of law enforcement agencies – the Police and Border Guard Board, Internal Security Service under the Ministry of the Interior, and the Prosecutor's Office under the MoJ.

4.2. Institutionalisation of the system

4.2.1. Initial transition from 1991 to 1996

The first period after regaining independence was characterised by the adoption of basic legislation, including the first CSA (initiated in 1993, adopted in 1995) and the first ACA (initiated in 1994, adopted in 1995). These laws included provisions on conflicts of interest, ancillary activities, procedural restrictions, gifts and gratuities, post-employment restrictions, oath of office, declarations of economic interests, as well as disciplinary procedures. Individual public organisations were made responsible for any

disciplinary measures, including disciplining offences against “widely recognised moral principles” (CSA, § 84). Enforcement and investigation of corruption crimes was the responsibility of the Police Board and the Internal Security Service. The adoption of the ACA in 1995 was a political initiative by a group of parliamentarians and faced considerable opposition (Mereste, 2006). The need for and the justifiability of a separate act in addition to the Criminal Code was questioned. The 1992 Criminal Code, which was an amended version of the Soviet Criminal Code, included penalties for corruption crimes (e.g., abuse of office and bribery). This was perceived to be sufficient by political and administrative stakeholders resisting the law, but these arguments were overridden by the proponents of the law in the parliament.

Consequently, the core of the integrity management system in Estonia was established in the first years after regaining independence. However, the legislation did not specify any institutional responsibility for the coordination of integrity management or anti-corruption policies, training or advising systems. There were no surveys monitoring the situation. The instruments were strictly compliance-based with enforcement via criminal investigations.

4.2.2. Accession to the EU from 1997 to 2004

The main changes in the legal framework defining and determining integrity in this period included the adoption of a new wording of the ACA in 1999 and the Penal Code in 2001 (repealed the 1992 Criminal Code). The second ACA specified the definition of “officials” and clarified the provisions regarding declarations of economic interests, including the control of declarations. Another significant addition included the adoption of the Public Service Code of Ethics as an appendix to the CSA specifying the values of public service (for detailed discussion see Saarniit, 2006). Differently from the first ACA that was initiated in the parliament, the second ACA as well as the Code of Ethics were prepared by the administration. The adoption of a values-based code of ethics can be seen as introducing the first element of values-based integrity management.

In addition to the legal framework, the need for a more comprehensive anti-corruption policy was recognised, resulting in the Government adopting the first anti-corruption strategy “An Honest State (2004–2008)” in 2003. The work was led by the MoJ, headed by the political party Res Publica that had made fighting against corruption its priority in the 2003 general election. The draft for the strategy was written by a working group consisting of public officials as well as experts from outside the public service. The priorities outlined in the strategy included strengthening the auditing of municipalities, electronic systems for submitting declarations of economic interests, establishing an ethics council for public servants, increasing the awareness of the general population about corruption, and increasing the capacity for investigating corruption crimes. The first anti-corruption strategy started a systematic anti-corruption policy and has been followed by three strategies (or working plans) over the years, with specific action plans as well as reporting and monitoring.

This period also saw the beginning of intensive international cooperation with the ratification of two corruption conventions (the Council of Europe Civil Law Convention on Corruption in 2000, the Council of Europe Criminal Law Convention on Corruption in 2001) and participation in GRECO's first round of evaluations (2000–2001). The GRECO evaluation report (2001) pointed out that corruption in Estonia was limited compared to other post-communist states and the system had “a variety of relatively reliable state control mechanisms” (p. 22). However, the report argued that the Estonian system was mostly reactive and relied too heavily on enforcement by the Internal Security Service, while not utilising the capacity of several other institutions to prevent corruption through guidance and monitoring (p. 24), i.e., the system was still mostly compliance-based.

4.2.3. Post-accession from 2004 to 2010

The 2004 amendment of the ACA (§ 23) strengthened the compliance aspect and included the obligation of officials to inform the head of their organisation, the Internal Security Service, the Police and Border Guard Board, or the Prosecutor's Office of any corrupt activities known to them and established fines for failure to do so. While the rules on disciplinary offences remained the same, the rules determining the roles of the police and the Internal Security Service and their division of responsibilities in investigating corruption crimes were specified in 2004 and in 2007. In 2009, a new draft of the ACA was submitted to the parliament, proposing several significant changes based on existing implementation issues as well as the comparative analysis of international practices, GRECO recommendations, and prior surveys and policy analysis. However, the draft act was not adopted before the general election in 2011 and the proceeding ceased.

The second round of GRECO evaluations (starting in 2003) targeted public administration ethics, specifically conflicts of interest and auditing systems, pointing out the vulnerability of local municipalities and the emerging role of the National Audit Office. It also criticised the system for issues with declaring assets and reporting corruption, while stating that the legal framework was “solid” (GRECO, 2004, p. 14; the third round starting in 2008 did not analyse integrity management instruments in public service). The second anti-corruption strategy for 2008–2012 was adopted by the government in 2008. It was more comprehensive compared to the first strategy in its coverage of topics, basis in surveys, budgeting and monitoring systems. Several new topics targeting areas most vulnerable to corruption were added, for example, corruption in the private sector, medical sector, financing of political parties, issuing of driver's licences, roadworthiness testing, and registration of vehicles.

In 2005, the position of an ethics advisor was established at the Government Office's Department of Public Service under the leadership of the then Secretary of State. The main aim of the position was to find a way “to interpret, make sense of the Public Service Code of Ethics, to bring it to the people, create a common understanding” (Int5). Some interviewees emphasised this event as a critical turning point in the development

of the system (Int5, Int6). The creation of the position resulted in the introduction of several new values-based integrity instruments. For instance, to establish a systematic ethics training programme, training materials were adapted from OECD/SIGMA's resources on public sector ethics, taking into account the specific needs of the Estonian public service. Additional study materials were added over time, including the OECD toolkit for managing conflicts of interest in the public sector, the Estonian handbook for avoiding conflicts of interest, case studies based on ethics and corruption issues presented in the Estonian media, as well as an overview of queries to the ethics advisor (Pevkur, 2008; Sihver, 2013). In 2010, the responsibility for coordinating public service, including the ethics advisor's position, were transferred to the MoF. All these programmes were continued with updated study materials, case studies, and target groups. As one of the interviewees pointed out: "without [ethics advisors] the system would have gone in a different direction"(Int5).

A new survey titled "Roles and Attitudes in Public Service" was launched by the Government Office in 2005. The survey has been conducted multiple times over the years (2009, 2013, 2017, 2023, later years by the MoF) with the same methodology and it has provided valuable insights into the values and image of public service, attitudes towards ethically questionable practices, enforcement opportunities, as well as longitudinal changes. Also, this period was characterised by the introduction of systemic corruption surveys by the MoJ, analysing different forms of corruption as well as gathering comparative information on the attitudes of the general public, entrepreneurs, and public officials (initiated in 2004, repeated in 2006, 2010, 2016, 2023). Several interviewees emphasised the crucial role of surveys for monitoring and evidence-based policy making (Int1, Int5, Int6, Int7). As an interviewee said: "We got information from these surveys and we measured our own performance with them. /.../ We got our goals from them" (Int1).

4.4.4. Consolidation from 2011-...

Several significant changes took place in the fourth period. First and foremost, the new wordings of both the ACA and the CSA were adopted in 2012 and came into force in 2013. As one of the aims was to align the contents of the two laws (including terminology, restrictions regarding integrity management instruments), both laws came into force at the same time. The adoption of the new acts led to several substantial and institutional changes.

The 2012 CSA established the difference between public officials and employees, with the requirements for ethics only applying to the former, including obligations (§ 50–51) and restrictions on ancillary activities (§ 60). The rules on ancillary activities became less strict and the Council of Ethics was created (§ 12). The new Code of Ethics was adopted by the Council in 2015, with the previous code being in effect until then. The Council of Ethics added several "good practice guidelines" on topical conflict of interest issues (officials as training providers in 2014, freedom of expression in 2016, gifts and gratuities in 2018, ancillary activities in 2023) as well as commented on specific

cases and draft legislation from institutions.

The ACA saw similar restructuring. An updated version of the 2009 draft was submitted in parliament in 2012, with an explanatory memorandum listing international agreements, the experience of other countries, Estonian anti-corruption strategies, and the priorities of law enforcement institutions as the basis for the new draft. The main institutional changes included the MoJ being appointed as the coordinator of anti-corruption policy (ACA, § 8), while individual organisations were seen as responsible for ensuring “awareness in the field of the prevention of corruption” and “supervision over performance of the obligations” (ACA, § 3), with the Anti-Corruption Select Committee of the parliament exercising parliamentary supervision over the implementation of anti-corruption measures (ACA, § 9). The 2012 ACA also reduced the number of officials obligated to submit the declaration of economic interests and established a new electronic system for submitting declarations.

International cooperation continued, including the ratification of the United Nations Convention against Corruption, with GRECO’s fourth (focusing on members of parliament, judges, and prosecutors; GRECO 2012) and fifth evaluation rounds (focusing on top executives and law enforcement agencies; GRECO 2018). As a result of the fifth evaluation round, lobbying guidelines for public officials and conflict of interest rules for ministers and their political advisors were adopted in 2021 (Government of the Republic, 2021). However, Estonia still lagged behind in whistleblower protection, failing to transpose the respective EU directive (2019/1937) by the December 2021 deadline, and adopting the regulation only in May 2024.

The main elements of advisory and monitoring systems (role of ministries, training, surveys) and enforcement instruments continued, with the police establishing a corruption investigation bureau under the National Criminal Police in 2011 and the Ministries of Justice and Internal Affairs introducing a regular format of coordination on the level of ministers and top officials. The National Audit Office contributed to the monitoring function with its 2009, 2012, and 2017 reports analysing the implementation of the ACA in local governments (NAO, 2009, 2012, 2017). Although several key objectives in anti-corruption strategies were repeated (e.g., municipal corruption, investigative capacity of law enforcement agencies, raising awareness, etc.), the focus of the last two anti-corruption strategies (2013–2020, 2021–2025) shifted to some extent by aiming more activities at raising the awareness of the general population and increasing the transparency of decision-making processes, e.g., legislation, political processes, public procurement. Several new vulnerable sectors were highlighted, including medicine, education, business, environment, and sports.

Importantly, this period further strengthened the values-based approach in public sector integrity management. Several standards in the CSA and ACA became less strict (e.g., regarding ancillary activities) or began to apply to fewer positions (e.g., the Code of Ethics, declarations of interest) and the Code of Ethics became a purely values-based instrument supported by several “good practice guidelines”. Although the 1999 Code of

Ethics was values-based, some of the disciplinary measures as well as references in legislation somewhat increased its legal power (Saarniit, 2006). These disciplinary measures were not included in the 2013 version of the CSA and the Code of Ethics became a fully value-oriented instrument.

For the timeline of the institutionalisation of the Estonian integrity management system, see Annex 2.

5. Discussion

This study aimed to find out how different factors shaped the institutionalisation of the public sector integrity management system in a post-communist context and, more specifically, in Estonia. The analysis above reveals that a combination of politico-administrative, historical-cultural, and environmental factors has shaped the institutionalisation processes. First, as a legacy of the Soviet Republic, Estonia inherited a favourable environment for corruption and a politico-administrative system whose values did not match the requirements of democracy (Mereste, 2006). Despite Estonia having been described as “less tolerant of corruption” than other parts of the former Soviet Union (Kalninš, 2015, p. 7) and showing somewhat lower acceptance of bribery (World Values Survey Wave 3, 1995–1998), corruption was recognised as a major issue after regaining independence (Mereste, 2006; Laar, 2015, p. 98). From 1992, the first democratically elected government attempted to make a sharp break with the communist past. As there were no “old” integrity management instruments to discontinue, condemning corruption formed the backbone of adopting new anti-corruption and integrity management policies.

Although the “Clean the house!” slogan used by Pro Patria Union that won the 1992 general election was not exclusively related to the problem of corruption, it led to radical economic and administrative changes. The then prime minister Mart Laar (2015, pp. 98–100) has attributed Estonia’s success in anti-corruption reforms to five main changes that were related to the sharp break with communist legacies – overhaul of the elite (political, administrative, state-owned enterprises), general liberalisation, decreasing the amount of bureaucracy, creating an efficient and well-paid public service, and general modernisation of the state. The extensive changes introduced in the first years of regained independence were pointed out as critical by several interviewees (Int1, Int3, Int5, Int6, Int8). Among them, “an important factor probably was that unlike even our closest neighbours Latvia and Lithuania, in Estonia, the public sector staff largely changed. Young people came, like extremely young people, but clearly not spoiled by the [previous] system” (Int3).

Second, the role of environmental factors has been significant. Since the late 1990s, Estonia has systematically been involved in international anti-corruption cooperation via ratifying relevant conventions (Council of Europe, United Nations) and being open to international evaluations (esp. GRECO, TI). These cases have also resulted in drafting

or adopting new legislation (e.g., lobbying rules as a result of GRECO's recommendations, drafting whistle-blower legislation as a result of the EU directive, etc.). A more general influence can be seen in EU accession negotiations and membership. Despite the EU lacking anti-corruption *acquis*, accession created a strong pressure for integrity management, among other things, for example, through strict procurement rules.

Furthermore, reliance on the legislation of other countries for inspiration for new integrity management instruments is evident from the early 1990s. The 1996 version of the CSA drew considerably on German public service legislation (Randma-Liiv et al., 2022). The explanatory memorandum of the 1995 ACA stated that "authors have taken into account the anti-corruption activities and legislation of several foreign countries (e.g., USA, Sweden)" (Ministry of Justice, 2012a, 2012b). The explanatory memoranda of the 2013 versions of the CSA and the ACA referred heavily to comparative analyses that were conducted before drafting the acts, including references to the legislation of 7-9 countries, EU regulations, and in the case of the ACA, to international agreements on anti-corruption activities. The public officials interviewed for the study highlighted the importance of contacts with other (mostly EU) countries and the opportunities for lesson drawing (Int1, Int2, Int3, Int4, Int5, Int6, Int7). As one interviewee concluded: "Neighbouring countries are usually the ones we cooperate with, and there are not that many people in this field, so everyone knows everyone" (Int3).

The interviewees believed that next to the opportunities of learning from the international arena, one of the most important roles for the international level was providing politicians with incentives for reforms (Int1, Int2, Int4, Int8). As expressed by one of the public officials, "without international input it would have been very difficult to motivate politicians or respective ministers to change or fix something; it was the moving force there" (Int2). The motivating pressure from the international level was supplemented by the stance of local media (Int2, Int3, Int4, Int5, Int6) and, despite the rather modest NGO scene, the existence of one outstanding non-profit organisation focusing on integrity issues – Korruptsioonivaba Eesti, representing Transparency International in Estonia (Int1, Int2, Int3, Int4, Int6, Int8).

In addition, two crucial factors related to the domestic environment and economic reforms were outlined by the interviewees with regard to Estonia in particular – avoidance of the emergence of oligarchs (Int2, Int6, Int8) and the influx of economic investments from the Nordic countries bringing with it the Nordic business culture and values (Int1, Int3, Int5, Int6, Int7). As argued by one of the interviewees, "the Nordic culture, their openness and transparency also put pressure on Estonian companies that wanted to be successful to adopt the same principles and values" (Int5). This potentially led to less demand for corrupt practices from the private sector as well as contributed to general awareness in society.

Third, politico-administrative actors have played a key role in the development of the system as interpreters of environmental pressures and enforcers or hinderers of the

reforms. The experts interviewed for the study emphasised the critical role played by the political and administrative elite (Int1, Int3, Int4, Int6, Int8). In addition to the early 1990s “Clean the house!” slogan, the political party Res Publica ran with a clear anti-corruption platform in the 2003 parliamentary election, pushing for institutional development especially in the MoJ. No other political party has made this issue its focus for the election campaigns. The exceptional role of the Res Publica party and its Minister of Justice in the coalition government (which lasted from April 2003 to April 2005) was highlighted by the interviewees (“the only minister who has come with his own ideas on fighting corruption”, Int1).

The role of politicians in legislative drafting has changed over time. The 1990s policy development was largely focused on the political level, with members of the parliament taking the lead in drafting the first ACA. Several interviewees emphasised the importance of the decisions made in the initial period (Int1, Int3, Int5, Int6). As one of them put it: “When I think about the president, the prime ministers, the more forward-thinking members of the parliament at the time – these were the people who had a broader worldview or an understanding what a democratic country should look like. I think a significant push came from such people” (Int5).

Nevertheless, there have also been instances where political processes have hindered adopting new instruments, e.g., in case of delays in whistle-blower protection or the 2009 draft of the ACA. Although it has been argued that Estonia has differed from other post-communist countries characterised by a lack of political commitment to integrity management reforms (Schmidt, 2007, p. 215), the interviewed experts were sceptical about the eagerness of the Estonian politicians to devote their energy and attention to these reforms. They argued that working on the issues of integrity management meant that one constantly needed to fight for the politicians’ attention and convince them of the relevance of the issues (Int1, Int2, Int3, Int5, Int6, Int8). At the same time, the interviewees recognised the importance of political will and politicians’ crucial role in the legitimisation of the reforms (“if a politician says that it is a priority, then it is a priority”, Int1).

Consequently, since the early 2000s, the development of Estonian public sector integrity management has increasingly relied on the growing expertise of public administration to draft new legislation, propose priorities, establish training and advisory systems, and make use of policy analysis as an input. This trend has contributed to the sustainability of the integrity management system. The interviewees recognised the substantial role of public officials and their cooperation with external experts in the development and functioning of the integrity management system (Int1, Int2, Int3, Int4, Int5, Int6, Int7) to the extent that the officials were not only formally responsible for the issues, but „putting their heart into them“ (Int5). As was argued in Int1, “the power of public officials has been considerable and they have used it well”.

The change from a minimal compliance-based approach to a comprehensive integrity management system with a significant role for values-based instruments has taken place as a result of a combination of these factors. Although the compliance-

oriented instruments, such as developing investigative capacity of law-enforcement agencies, have been persistently strengthened, the evolution of integrity management towards a more values-based approach is apparent. The study offers several potential explanations for this outcome of the institutionalisation process, which differs from the general CEE tendency to adopt predominantly compliance-based systems (Stevulak & Brown, 2011, p. 98).

First, the radical initial break with the old system, sweeping changes in the administrative and political elite unparalleled in the other CEE countries, and the early introduction of anti-corruption legislation have been instrumental for such development. Recognising the need to change the culture and values of public administration led to the adoption of the Public Service Code of Ethics, the first values-based instrument in the system, followed by other instruments, partly stemming from the implementation problems related to the Code. Estonia's lower level of corruption in the early 2000s compared to the other CEE countries might have also enabled the use of softer instruments and facilitated the shift to the use of preventative measures instead of punitive measures.

Second, the softer functions that rely on preventing integrity violations rather than just reacting to them, most of all guidance and monitoring, have emerged gradually since the early 2000s in parallel with increasing administrative capacity. The system has moved from several notable implementation gaps characteristic to the CEE (see, for example, Meyer-Sahling & Mikkelsen, 2022; Stevulak & Brown, 2011) to more cohesive coordination and implementation. One interviewee associated this shift with moving on "from the basic needs of having a trustworthy police force, prosecutor's office, and internal security service – which was achieved by the mid-2000s" (Int5). While the focus of international pressure and guidance tended to be on the introduction of formal integrity management rules and institutions, evidence-based policymaking based on local surveys became dominant in the mid-2000s (Int1, Int2, Int5, Int6). Although such surveys have been somewhat vulnerable to budgetary constraints, with some surveys being postponed occasionally (Int7), the integrity management system has relied on them in assessing the situation, evaluating the performance of governmental institutions and setting new goals. Increasing administrative capacity has also shaped the process of learning from international examples. As Estonian policymakers often chose to emulate countries with lower levels of corruption (e.g. the Nordics), the choice of instruments (e.g., ethics code, ethics training programmes, lack of anti-corruption agency, etc.) reflects that. An interviewee pointed out: "the group of countries [we cooperated with] were united by their goal of taking more values-based approaches" (Int5).

Fourth, the institutional setting can also explain the gradual development of a values-based system. Estonia lacks a single anti-corruption agency as defined in the Transparency International's (2012) NIS framework. This institutional choice reflects the general segmented nature of the Estonian administrative system (Sarapuu, 2011, 2012) and the decentralised nature of coordinating public service development and training (Randma-Liiv et al., 2013; Randma-Liiv et al., 2022). According to the

interviewees, such a solution has also been influenced by international examples (“there was no such agency in Finland, Sweden, or Denmark; not even in Germany”, Int3) and has been guided by the limited resources of Estonia (“we concluded that it would be expensive and we did not want to become involved in the fight for resources that usually comes with such separate anti-corruption agencies”, Int1). In accordance with the logic of the system, responsibility for integrity instruments has been gradually divided between several organisations, with the MoJ and MoF taking on coordinating roles.

Consequently, the nature of Estonian public administration has not supported the evolution of a strong central capacity for managing compliance. According to one of the interviewees, “you cannot build a compliance system with a part-time ethics advisor” (Int6). The Government Office that coordinated public service development until 2010 had no formal mandate to coordinate integrity issues. As public integrity was seen to be an element of public service development, coordination through values-based instruments was the only way to kickstart the system. The values-based approach was also promoted by the then Secretary of the State. He explained his stance in the Estonian public service ethics conference in 2011: “Desired behaviour cannot be achieved only with external pressure. Internalised values and norms that are followed are much more important” (Loot, 2011). Thus, creating an ethics advisor position in the Government Office pushed public sector integrity management further in the direction of a values-based system. A difference in “ideologies” also characterised the MoJ and the Police and Border Guard Board, with the former preferring softer, prevention centred approaches and the latter being a proponent of compliance and strong enforcement approaches (Int1, Int4). When the MoJ was formally made responsible for the coordination of the field, their approach also became more prominent: “Our aim was not to frighten people, but to educate them” (Int1).

6. Conclusion

Integrity management policies are essential in the context of systemic transformations, including post-communist reforms in the CEE. Failure to institutionalise necessary integrity management and anti-corruption instruments may contribute to the failure of other reforms and hinder economic development. However, analyses of integrity management systems are often snapshots focusing on the situation at a given moment, but largely disregarding the incremental processes of adapting and implementing integrity policies over time. Analysing the development of the Estonian public sector integrity management system over 30 years shows that such snapshot analyses are limited in their explanatory power, failing to illuminate why policies have developed in a certain way, which factors have shaped them, and how the choice of instruments has been related to the wider administrative, political, and economic context.

With the help of longitudinal institutional analysis, we outline the patterns in the choice of instruments, the development of integrity management functions, and

cumulative nature of policy decisions in Estonia. The case reveals the importance of emerging capacities – Estonia has managed to develop policy-making capacity, to use feedback from implementation as an input for further policy-development, define accountability systems, and allocate institutional responsibilities needed for the successful implementation of the integrity management system. The initial focus on compliance can be explained by the lack of formal institutions, time pressure, the high workload of other reforms, and lack of expertise. As expertise grew, soft instruments (advising, training, monitoring) emerged. The move towards more values-based instruments has occurred in parallel with the decrease in perceived corruption, emerging analytical capacity, and gradual development of new functions. The use of international role models reflects moving from a reliance on outside experience to increased local expertise, with more conscious policy learning and draft acts increasingly referring to practical implementation issues to be solved in the specific local context. Building analytical and operational capacity has taken time and has required continuous incremental changes that cannot be solved by the quick adoption of new rules.

The transformative approach with a focus on the combinations of politico-administrative, historical-cultural, and environmental factors has allowed illustrating the forces that shape integrity policy choices. The main periods of institutional reforms in post-communist transformation (with the expectation of certain factors dominating the scene) correspond rather well to the integrity management reforms in Estonia, with only minor fluctuations in the timeframe. Combining the transformative approach, periodisation, and the four functions of integrity management systems provides a comprehensive profile of integrity management reforms, including changes in the legal framework, institutional responsibilities, and policy instruments. However, this approach is still limited primarily to the administrative system, and does not discuss other elements of anti-corruption reforms, such as economic liberalisation, deregulations, judicial reforms, etc.

Several insights from the Estonian case-study deserve further research. The role and relationship of politicians and public officials in anti-corruption reforms warrants more attention. While the existing research emphasises the importance of politicians, we know little about their incentives and motivations regarding reforms in integrity management. The case of Estonia demonstrates the crucial role of stable administration not only in policy implementation but also as an initiator of reforms and a mediator between various actors on the domestic as well as international level. In the context of post-communist reforms, this directs attention to the importance of administrative and policy capacity for the sustainability of integrity management policies. Last, but not least, it should be studied in more detail how politico-administrative institutions influence the choice between compliance- and values-based approaches in integrity management and which factors can facilitate the institutionalisation of values-based approaches.

Acknowledgment

This work was supported by the Estonian Research Council grant PRG1125. The article benefitted greatly from a critical and constructive review process.

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Appendix

Appendix 1: List of interviews

Interview	Institution	Date
Interview 1	Ministry of Justice	19 December 2023
Interview 2	Ministry of Justice	14 December 2023
Interview 3	Ministry of Justice	14 December 2023
Interview 4	Police and Border Guard Board	6 December 2023
Interview 5	Government Office	6 December 2023
Interview 6	Government Office	1 December 2023
Interview 7	Ministry of Finance	12 December 2023
Interview 8	National Audit Office	12 December 2023

Appendix 2: Timeline of the institutionalisation of integrity management system in Estonia

