

## A tale of two charters

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**A TALE OF TWO CHARTERS****POLITICAL CRISIS, POLITICAL REALIGNMENT AND ADMINISTRATIVE****REFORM IN BELGIUM<sup>1</sup>**

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Abstract

Charters are official commitments to quality and reform. Belgium introduced its Charter of the User of Public Services in 1993. The federal administration's *Copernicus* reform began in 1999 and had a strong external outlook. It therefore may be considered as a second User Charter. In this article we focus on the administrative and political contingencies of the introduction of the two charters in Belgium. We show that actual administrative reform and political attention for administrative reform are distinct phenomena. Variations in political attention for reform depend on crises and on political realignment. Both charters were introduced in a period of disturbed relations between citizens and politics. The introduction of a User Charter and the launch of the Copernicus reform were definitely political events, and not merely administrative ones. A charter was needed to restore citizen-government relations. The charters, as pledges for reform, served as lightning rods for political discontent.

Keywords: user charter, political crisis, administrative reform, reform rhetoric, trust in government

## **A TALE OF TWO CHARTERS: POLITICAL CRISIS, POLITICAL REALIGNMENT AND ADMINISTRATIVE REFORM IN BELGIUM**

In January 1993, the Belgian Federal government introduced its Charter of the User of Public Services. The User Charter was a culmination in a trend of gradual administrative reform in the late 1980s, and a common occurrence in many Western countries in those days (McGuire, 2002).

A number of events and crises in Belgium lead to profound discontent among citizens and required symbolic action to reassure the population: a citizen's charter between citizen and government was needed. Instead, the crises were discursively dismissed as merely a public administration-related problem, and were responded to by launching new pledges for reform. One of these reforms was formally wrapped as a user charter. As a Potemkinesque distraction the User Charter was launched as a lightning rod for public discontent, hiding the failure of political reform and redefining a political crisis as an administrative one. This redefinition of the problem, however, was only possible on a fertile soil, a soil that had been irrigated by some policy entrepreneurs that had administrative reform as part of their own political agenda.

Belgium, however, also has a *second user charter*, though one that is not generally referred to as a *charter*. We define a charter as a *pledge for quality improvement*, rather than a listing of service quality standards. The large-scale Copernicus reform project of the federal public service that started in 1999 was different from most administrative reforms because of the extensive attention for communicating and marketing the reforms. Though not taking the usual form of a charter, the *de facto*

appearance of the Copernicus project did not differ from that of most public sector user charters.

In this article we focus on the administrative and political contingencies of the introduction of the two charters in Belgium. Issuing a charter follows an administrative and a political logic. *Administrative reform* itself and *political attention for administrative reform* seem to be two different flows of innovation.

We begin this article by outlining the flows of administrative reform at the Federal level in Belgium and focus on the entrance of the concept *citizen* in the reform dynamic. Subsequently we describe the content of both charters and document their eventual disappearance. We then analyse determinants for political attention for administrative reform (both in general and in relation to the two charters) and show how political attention may influence the appearance and content of the charters. We end by indicating changes in the political opportunity structure that have facilitated or hindered the implementation and survival of the charters.

### **FROM AN ADMINISTRATIVE LOGIC TO A CITIZEN-CENTRED LOGIC: REFORM RENEWAL IN THE MID 1980S**

The mid 1980s and early 1990s were a period of great administrative renewal in Belgium (see the table in appendix 1 for an overview). This period meant a rupture with the past, because many new concepts were introduced that had not been used before in the country's administrative and political culture (Stenmans 1999: 118). The gradual changes followed a decade of deathlike silence on administrative reform. Most of the initiatives occurred against the background of stringent cutbacks of public

expenditures and the diminution of the government debt, hence the modernisation of the civil service was part of a ‘crisis management’ strategy (Bouckaert *et al.* 1999: 12). Modernisation followed a gradual and bottom-up path by installing, in 1987, Modernisation Cells/Cellules de Modernisation in each ministry. These cells had to initiate and support the reform initiatives. Between 1981 and 1989 various initiatives were launched to modernize the civil service (Pollitt and Bouckaert 2004):

- 1985: Appointment of a State Secretary for the Modernisation and Informatisation of the Public Service added to the Prime minister
- 1987: Creation of modernisation cells in the different ministries
- 1987: Creation of a modernisation secretariat
- 1989: Creation of the college of Secretaries--General (the highest civil servants of the ministries).

After 1991, the focus of the modernisation process changed. Although the public debt had largely decreased, macro-economic contingencies remained, but the focus shifted to the rewards and motivation system of civil servants. A Ministry of the civil service was created in 1995, and the old civil servants’ statutory regulations, which went back to 1937, were replaced.

### **The citizen as motive for reform**

In the mid 1980s, Guy Lutgen, State Secretary for the modernisation and informatisation of the public services (1985-7) was one of the first to stress the central position of clients in the administration. Citizens had to be considered as clients, and not as subjects (Lutgen 1986: 14). In his influential Citizens’ Manifesto

(*Burgermanifest*, 1991), liberal politician, and later prime minister, Verhofstadt called for an emancipation of the citizen from the suffocating political, administrative and fiscal powers. He was one of the first to speak about a ‘gap’ between citizen and government and urged for a *contract with the citizen* (Verhofstadt 1991). The rise of the extreme right and of anti-system parties some months later in the 1991 *Black Sunday* elections was a shock for the political establishment. Politicians offered their own definition of the situation and respective solutions, but it was the Verhofstadt discourse on the *gap between citizen and government* that prevailed (Maesschalck *et al.* 2002). The citizen became the primary focus of political discourse, both as a rhetorical device and as an expression of genuine concern for quality service delivery. From the early 90s on, the motivation for reform was no longer only to make the public sector perform better, but to remedy citizens’ distrust in government (Bouckaert *et al.* 2004). After 1991, many initiatives were started to strengthen government’s legitimacy (Bouckaert *et al.* 1999: 30). This is reflected in the nature of the reform initiatives during that period (for a detailed discussion, see Stenmans 1999):

- ❑ 1991: Law on the formal motivation of administrative actions
- ❑ 1991: Introduction of the possibility for a preliminary injunction before the Council of State (administrative court)
- ❑ 1992: New privacy regulations
- ❑ 1993: Charter of the User of Public services
- ❑ 1994: Law organising the right of access to official documents
- ❑ 1995: Creation of the Office of Federal Ombudsmen

### **The Charter of the User of Public Services**

In December 1992, the Belgian Charter of the User of Public Services was introduced, and officially published in 1993 (Belgisch Staatsblad, 1993). The introduction of the charter was motivated by concerns for the apparent gap between citizens and government. The introduction of the charter seems to have been a political reaction to the 1991 elections (Staes and Legrand, 1998: 12). In 1998, the then Minister for the Civil Service André Flahaut, in an introduction to a book about the charter, defined the charter as

a landmark in the history of federal government. At that moment there existed an important gap between the citizen and the public services. The Service Charter has emerged from a need to deepen the functioning of our democratic institutions and to give them a solid functional basis (Staes and Legrand 1998: 7, own translation).

Political need made that the charter was developed quickly, with minimal contribution by the administration. The Minister of Interior and the Public Service had the publication of the Charter immediately followed by a Circular Letter on the communication of the Charter. The Charter addressed the population in general, but particularly those actively involved in service delivery and those politically accountable. The focus of the Charter was on the federal level, although there was a

desire to extend it to all levels of government (Bouckaert 1995). The 15 principles of the Belgian charter are clustered around three main themes.

<Place table 1 here>

A reporting procedure on the progress of the initiatives was made compulsory for all ministries. The first report in 1994 concluded that further action was needed. There was a need for more coordination, an instrument for measuring user satisfaction (quality barometer) had to be designed, and a complaints procedure had to be established. The second report in 1996, evaluated the different action plans and the design of the quality barometer was launched (Bouckaert and Thijs 2003: 459).

### **What has happened to the User Charter?**

The second evaluation report made clear that attention had shifted to a new set of priorities, only marginally related to the Charter. The third follow-up report (1999) demonstrated, though not in these words, that enthusiasm for the charter had disappeared. Many ministries found the writing of progress reports burdensome, and this was reflected in the quality of the reports. The third evaluation report was the last time an integrated report on the follow up of the charter was made (Bouckaert and Vandeweyer 1999: 210). Though still in effect, little is heard about it now, and the Charter certainly does not have the same status as most foreign charters. Most, if not all, Belgian citizens do not know or have never known the Charter (Torres and Pina 2003).



### **The Copernicus reform as second charter**

With the charter gradually disappearing, Belgium was suddenly faced with a scandal that had an impact on the political world that was even deeper than that of the 1991 election. In the summer of 1996, Marc Dutroux was arrested for the kidnapping of a young girl. Two girls were found alive in his house, and a number of children's bodies were discovered. Soon it became apparent that police forces had failed. Several months later a popular magistrate was taken off the case for having a perceived bias, and popular outrage peaked. The subsequent 'White March' was one of the biggest demonstrations the country had ever seen. The *Dutroux-scandal* managed to mobilize many citizens that had never been politically active and had never participated in demonstrations before (Walgrave and Rihoux 1998). The Eurobarometer opinion polls by the European Commission revealed just 18,7% of the population were satisfied with the way democracy worked, whereas this number had been at least three times as high before.

<figure 1 here>

These shattering events stimulated the government to take action, with a reform of the justice system and the chaotic police forces as the first priority. Reforms went slow, however, and were soon confronted with opposition. In April 1998, Marc Dutroux escaped from prison. Even though he was recaptured in just some hours, the political

establishment was shocked. The events speeded up reform initiatives, but their effect soon faded.

Just before the 1999 elections, another scandal erupted. Serious forms of contamination in the food chain were discovered, and it soon turned out the administration was not prepared to handle the crisis. The proximity of elections made the ruling coalition lose power as a result of this crisis. Liberals, socialists and greens formed a purple-green coalition. Their government declaration was presented as a *project to restore citizens' trust* (Federale Regering 1999). In it, reform of the justice system, police forces and public administration were featured prominently. The scandals were not the only reason for this policy. Administrative reform had always been a key issue in the liberal party's programme, be it that the topic was often framed in a negative way: reducing red tape, freeing the citizen from administrative burdens etc. (Verhofstadt 1991).

The prime minister, Guy Verhofstadt, himself took the lead of a new ambitious administrative reform programme and he took Luc Van den Bossche—who was responsible for the successful transformation of the Flemish regional administration—aboard to implement the reforms as minister for the civil service and the *modernisation of the administration*. Another cabinet function was created tasked with administrative simplification. The reform programme was soon to be called *Copernicus*: as the astronomer Nicolaus Copernicus claimed that the earth was rotating around the sun instead of the other way round, the Copernicus reform initiative wanted to stimulate awareness that the administration is rotating around the citizen, and not, as had been the case in the past, that the citizen rotates around the

administration: Under the Copernicus plan it was made clear that *without citizens, the administration has no reason to exist*.

While in the past most of the initiatives were launched on an *ad hoc* basis, lacking overall coherence and strategy, the Copernicus reform was a modernisation plan covering many fields of the federal civil service (Piroux 2004). For the first time since the major reform in the 1930s, administrative reforms were at the centre of government policy. The initiative was built on four main trajectories:

- ❑ a modern HR Management
- ❑ a restructuring of the ministries
- ❑ a new budget- and control system
- ❑ improved external and internal communication

In spring 2000, the Federal Government organized a mass survey among the Belgian population on the administrative reforms. It was labelled a *referendum* to give it additional importance. All Belgian citizens over sixteen (8.2 million), received the two-page questionnaire. Though labelled as a *survey*, it was never the government's intention to actually survey the population, but to get confirmation for its plans. In fact, as a survey, it was heavily criticized for the enormous cost and for the way questions were formulated so that citizens could only answer in the affirmative and thus support the government's plans.

The value of the initiative was not in the survey, but in the massive scale of it. The distribution of the survey and the accompanying booklet to all citizens was probably the largest communication initiative government had ever undertaken. At the same

time, the Copernicus reform received a lot of attention in the press. While the 1993 User Charter was not or hardly communicated toward citizens, propagation of the reform plans was at the core of Copernicus (Gelders and Van de Walle 2005). The first User Charter was aimed directly at civil servants. The launch of the Copernicus reform can be considered as a *second charter*, in which it is made clear what citizens can expect from their administration. Bouckaert lists the possible functions of charters as *ideological image building*, *symbolic policy* and *real management commitment*. Charters are important as official commitment to modernisation processes (Bouckaert 1995). A report on the Finish charter lists quality promises on top of the list of principles to be included in it (Ministry of Finance Public Management Departement 1997). Rather than just propagating the reforms, the Copernicus initiative was - because of the devotion of the prime minister himself and because of the massive communication- a *pledge for administrative reform*.

### **Demise of the second charter**

Gradually, resistance against the reform plans emerged. Civil servants did not feel informed or consulted, labour unions warned against the erosion of life-long tenure, and there was growing disagreement among government coalition parties. Whereas the Copernicus reform was initially presented as a common project, political agreement on the content of this charter quickly crumbled. At the same time, media attention for the reforms diminished, and the reforms gradually faded into oblivion.

While quality newspapers still devoted some attention to the reforms, popular newspapers disregarded the reforms (Gelders and Van de Walle 2005).

A new government came into power in 2003, and the minister responsible for the civil service no longer had the suffix *modernisation of the administration* in her title, reflecting the demise of the Copernicus reforms. The resistance was not so much directed at the reforms themselves, but rather at the symbolic aura the Copernicus reforms had received. One of the first acts of the new minister was to drop the name Copernicus and to react against one of the main problems in the reforms: the excessive use of external consultants. Reforms have thus been drastically reoriented. Furthermore, by dropping the name *Copernicus*, reforms have also lost their external dimension. Together with the practically absent media-attention, this means the second Charter no longer exists.

As with the 1993 Charter, one did not manage to keep reforms on the political agenda. For the User Charter, this was because there was no agreement on whether in-depth reforms were necessary, for Copernicus because there was no agreement on the content and direction of the reforms. The strengths of the Copernicus reform -its external communication and clear *project*- soon turned out to be its weaknesses.

### **POLITICAL ATTENTION FOR ADMINISTRATIVE REFORM**

The two charter-like initiatives in Belgium in the 1990s came as a consequence of an evolution that had started in the mid-1980s. Yet, while the reforms these charters stood for or propagated were part of this general evolution toward administrative reform, the charter-like character of the initiatives were a direct consequence of a

number of crises. The two charters were formed during moments where political attention for administrative reform culminated. Political attention should not be seen as a consequence of the actual content or scope of the reforms: some reforms are launched, supported and propagated with a charter, while others are not. Political attention for administrative reform moved unevenly with actual reform. While political attention stimulated reform, an absence of political attention did not necessarily hinder reform. We can identify seven stages in the Belgian political-administrative reality from the 1980s to the present day, as the figure shows:

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A: Late 80s: After a long standstill, reform projects, such as the *Modernisation Cells/Cellules de Modernisation* are gradually implemented. These reforms have an internal focus and do not attract much political attention.

B: '91-'93: A political crisis shakes the political world. This political crisis leads to an increased political attention for administrative reform. The User Charter is introduced. Reforms continue along the same path, and are perhaps a bit accelerated.

C: '93-'94: Political attention for reform withers, and reforms slow down.

D: '95-'99: Under the new minister, administrative reform is considered a non-issue. The reform dynamic slows down.

E: '99: A number of crises have just occurred, and the liberal party comes to power. Administrative reform moves to the centre of government policy. Many reform initiatives are started.

F: '99-'03: The initial enthusiasm withers. Reforms continue, but at a lower pace. Political disagreement increases and makes the issue gradually disappear from the agenda.

G: '03: The Copernicus project is declared dead. Administrative reform, however, continues but at a lower pace, and with an internal focus, thus without the reform rhetoric.

## **CRISES AS WINDOWS OF OPPORTUNITY? REDEFINING CITIZEN CHARTERS AS CUSTOMER CHARTERS**

The occurrence of two crises in the 1990s preceded a boost in attention for administrative reform (Brans and Hondeghem 1999). The first crisis in 1991 - due to the breakthrough of the extreme-right in elections and a number of political scandals - soon gave rise to the *gap between citizens and government*, and set the scene for the introduction of the User Charter. The second crisis, a food safety scandal, coupled with the memory of the 1996 Dutroux paedophilia scandal that exposed the malfunctioning of the police and the courts, stimulated the launch of the Copernicus reform project. In this second crisis, however, the change of political personnel helped to frame the problem, as we will show in a later section on political realignment.

### **Black Sunday: how a political crisis became an administrative challenge**

The 1991 elections resulted in a breakthrough for the extreme right. The election was soon referred to as Black Sunday, and was retroactively defined as the expression of a wide gap between citizen and politics. The *gap between citizen and government* had

not been a topic for discussion before, yet moved to the core of political debate in just months. All of a sudden, an existing situation was defined as problematic. The quarterly opinion poll by the *La Libre Belgique* newspaper contains a question on citizens' trust in government: 'To solve the actual problems in Belgium, do you have confidence in the government of [name prime minister]'. Detailed results for the early 1990s are shown in figure 3.

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Levels of trust in government were rather stable in the late 80s. The November 1991 *Black Sunday* elections resulted in a dramatic rise of the extreme right. In the March and June 1992 polls (four and seven months after the elections) there were no real changes in levels of trust. The real shock would come in September 1992. This means that the crisis of confidence came into existence as a result of its entry in the political debate. Even though November 1991 is generally seen as the breakthrough of the extreme right, it was the 1989 elections for European Parliament that showed the first strong rise of the party. At that time however, these signs were not interpreted or defined as problematic. The *new* gap between citizen and politics hence is as much a social or political construction than it was a genuine innovative change (Van de Walle 2004; Berger and Luckmann 1966).

This political definition of the situation called for a response to the crisis. The crisis of distrust in Belgium emerged from a political event, but discussion rather quickly shifted to administrative reform because these reforms were deemed to be more feasible (or easier) than political reforms. The way the problematic situation had to be



understood was transformed by the central actors in this problematic situation, where the party supposed to give account started to make its own accounts by highlighting alternative aspects in the debate (i.e. the malfunctioning of the public administration) (Dubnick 2005).

The User Charter was mainly prepared in the political cabinets, without much input from the administration. As the urgency of the political crisis dissipated, the Charter was scaled back from being a political issue to an administrative issue, and prospects for reform disappeared from the political agenda. Once published, there was no administrative structure in place to do the follow-up. Absence of *organized attention* made the probability that the charter would disappear from the agenda rather high (Laegreid and Roness 1999: 310). Once introduced, attention for the charter had started to vanish, except for a small group of civil servants active in the Office for Modernisation and Organization (ABC), who would try to keep charter-related issues on the agenda, but who finally failed due to a lack of resources (Dierickx 2003). The gradual path of reforms that had started in the mid-80s would no doubt have lead to some kind of User Charter anyway, though not necessarily that early. In that case, it would have had a stronger administrative support.

### **Dioxin chickens as election agenda setters**

A second series of crises consists of the Dutroux-paedophilia crisis, exposing the malfunctioning of the police and the courts, and the *dioxin* food safety crisis, that indicated the failure of food inspection services and lead to a massive contamination

of poultry. Reform of the police forces and courts, however, was seriously hindered by political disagreement. The outbreak of the dioxin crisis just before the 1999 elections contributed to a loss of the ruling Christian-Democrat and Socialist coalition. The strong party in the new government (VLD) immediately announced that reform of the administration would be one of the main challenges.

The crises in the second half of the 1990s caused profound distrust. Politicians interpreted the massive *White March* in 1996 as an expression of profound distrust, and as a call for structural reform of the police and justice system. There obviously was a crisis, and that crisis was soon interpreted as a political crisis, calling for a new *contract* between politics and the citizen. The emergence of the food safety scandal just before elections made administrative reform a rallying point in the last weeks of the election campaign. Again, what was essentially a political crisis was just after the elections re-defined from a political crisis between citizens and politics/the state to a crisis between citizens and the functioning of the state apparatus, i.c. the public administration. The new Copernicus administrative reform programme was presented as an encompassing reform that would make Belgium 'a model-state'. Guy Verhofstadt, in an interview some months after becoming prime minister declared:

If there is one thing I have experienced over the past two months, it is the malfunctioning of the public administration. There are of course fantastic people working there, but the Dutroux-crisis, the dioxin-scandal, and many small stories you can read about every day, show how defective government works. Changing this will be the gigantic task for the years to come. (X 1999, own translation).

Both charters (the User Charter and the Copernicus reform) saw the light in the direct aftermath of a political crisis. This is not as remarkable as it may seem, as most administrative reforms in Belgian history were propelled by political events; for example the 1848 elections and the change these brought about in the political landscape stimulated the first discussions on political-administrative relations in Belgium. Ducpétiaux in his classic study on administrative reform in the 19th century used *administrative* reform to refer to reforms both in the political and in the administrative sphere (Ducpetiaux 1955(1859)). The reforms in the 1930s resulting in the path breaking civil servants statute, the *statut Camu*, were also to a large extent motivated by discontent with the organisation of the political system at large. The reforms came at the height of internationally turbulent political and economic times. The economic crisis made reform possible, since the large bureaucratic apparatus was draining much of the state funds. Increased attention for administrative reforms from the 60s on coincided with appeals for granting more autonomy to the regions. The re-appearance of reforms on the agenda in the 1980s was made possible by the pressure of large budgetary deficits.

Even though the two charters are presented as customer charters, the charters should in fact be considered as citizen charters. Where a citizen charter between citizens and politics or between citizens and the state was needed to remedy the crisis, the *citizen* charter was narrowed down to a *customer* charter between citizen/customer and administration. Attention for administrative reform should mainly be seen as an attempt to reframe the debate. General discontent had to be reframed to manageable

problems, one of them administrative reform. Tackling these newly defined problems could then serve as symbolic actions, symbols that ‘fulfil important functions in the maintenance of political order and stability’ (t Hart 1993). Such a reframing strategy is not without certain dangers, as Lock et al. suggest that the supply side of public opinion should not be underestimated: what elites are saying and doing. Political discourse is therefore central to changing citizens’ evaluation of government (Lock *et al.* 1999: 258). The malfunctioning of the administration has always been present and citizens in Belgium have always treated their public services in a condescending way. It was only in the 1990s, however, that it managed to become a public issue or a public problem. Politicians’ role in *putting it on the agenda* should not be underestimated.

The consequence of this reframing of the debate is that often-superficial action is taken. Crises in one sphere are countered by (re)actions in another. In our example: a political crisis is responded to by promoting well-published administrative reforms (e.g. the introduction of a charter, the announcement of a large-scale reform). This gives an impression of high performance, but does not necessarily create the desired results, or is not even intended to do so (Dubnick 2005). Administrative reform rhetoric, certainly after 1999, took a central position in the discourse on restoring trust, even though little was known on the actual contribution of administrative malfunctioning to citizens’ trust, a contribution that was certainly of another order than that of the functioning of the political system (Van de Walle and Bouckaert 2003). Laegreid and Roness’ observation may therefore be correct: ‘Solutions are reforms proposals that may be considered as relevant, though they may not necessarily solve any problem if implemented’ (Laegreid and Roness 1999: 305). This

shows that government and politics do not only respond to crises, but also define and constitute crises (Hay 1996: 1192).

Bringing administrative ailments to the centre of political discourse mainly served as a distraction:

In difficult times of inflation, deficits and economic instability, the political authorities in the U.S. and in European societies found themselves severely rebuked by their citizens. To ward off attacks and to deflect criticism of their incapacity to solve society's pressing problems, they turned their wrath on their own state and on the way it was being managed. (Suleiman 2003: 4)

Administrative reform not only had to distract attention. The crises also served as windows of opportunity for putting administrative reform on the political agenda. We deal with this aspect more in detail in the following section.

### **THE REALIGNMENT OF POLITICAL FORCES: THE POLITICAL OPPORTUNITY STRUCTURE FOR REFORM**

Why did a User Charter suddenly emerge in 1991, and why did 1999 see a pledge for administrative reform in the announcement of the Copernicus reform? Political crises are not the only possible explanation. In this section we will discuss the realignment of political forces that helped administrative reform conquer a prominent place on the political agenda, and thus made the *proclamation* of the two charters possible.

As to administrative reform we can currently identify two ideological antipodes in Belgian politics: the approach of the Flemish Liberal Democrats (VLD) on the one hand, the Walloon Socialist Party (PS) on the other. Both exemplify a different approach to the role and function of the public administration. As such, our 'VLD' and 'PS' in this paragraph should be regarded as ideal-types of these approaches, and not necessarily as the political parties the acronyms stand for. The first approach generally corresponds to a New Public Management approach; the second corresponds to the dominant approach toward the public administration in 1980s in Belgium, where the administration is a political instrument.

The Flemish Liberal Democrats (VLD, PVV up till 1992), are a Flemish centre-right political party. A classic liberal party, they are in favour of small government and free enterprise. *The state against the citizen* was the topic of their 1973 conference. Their support for administrative reform is mainly ideological, as reforms and administrative simplification are a first step toward a liberation of the citizen.

The PS, or the Wallonian (French-speaking) socialist party has a dominant position in Southern Belgium. It stands for a paternalistic state system in socialist tradition, and secures its power by building a web of clientelist relations in public administrations by using public sector jobs as political rewards. This has always been common practice in the Belgian political-administrative system. Representativity of the administration is another key element in their approach. Their power structure is therefore the first one to suffer from administrative reforms, notably the abolishment of life-long tenure for civil servants.

The dramatic budgetary situation and international tendencies in the 1980s had their impact on the Belgian public sector and led to the gradual emergence of reform initiatives. Despite internal reform, the dominant approach to the function of the public sector remained that we have summarized in the PS ideal-type. The policy monopoly thus had to be challenged to allow for change (Maesschalck 2002; Baumgartner and Jones 1993). Verhofstadt's citizen manifesto helped give administrative reform a place on the political agenda, as did the economic situation that called for budgetary restraint. Administrative reforms in the 1980s and early 1990s generally had an internal focus and moved only gradually, what made these reforms acceptable for the PS.

The VLD had been in the opposition since 1987, and could thus not profit from the public administration in its dominant definition, namely the administration as a political instrument. As prospects for government membership were bleak, they could opt for an alternative strategy by trying to change the dominant definition of the public administration by stressing service delivery and quality. Such an approach would not necessarily help them, but it would at least help undermine the position of the government parties. Speaking about a gap between citizens and politics is a possible strategy for pushing one's own definition.

The introduction of the User Charter and a series of customer-oriented reforms brought administrative reform on the political agenda and gave them an external outlook. This open challenge probably stimulated the PS to claim the function of

minister for the civil service after the 1995 elections, a function they had not held since 1980. The early-90s crisis had forced the party into accepting some broad reform, and forced them into a defensive strategy because reforms were also publicly announced, whereas previously they had a mere internal character. The elections in 1995 signalled the end of the reform dynamic that suffered from a lack of political interest very soon after the introduction of the User Charter.

At the same time, successful administrative reforms were being implemented at the Flemish regional level. One of the leading figures was Luc Van Den Bossche, a Flemish socialist, and minister for the civil service. At the regional level, the Flemish socialists, were able to implement reforms, while at the federal level they were dominated by their French-speaking counterpart and sister-party. This shows that party's attitudes toward the administration cannot just be reduced to ideological differences: We aforementioned the different approach of the Wallonian and Flemish Socialists; also the Liberals take a different approach to administrative reform in the Flemish and Wallonian part of the country: whereas VLD is, at least in Flanders, the main promoter of reform, its Wallonian counterpart MR has always neglected the issue and has never actively supported nor hindered any reforms.

The 1999 elections brought the Liberals to power. The Socialists also entered government (as did the Greens), but had suffered a defeat in the elections. This dramatically reduced their power and bargaining position in the government. This allowed liberals to promote their approach to administrative reform, supported by strong popular support for reform due to the recent crisis (cf. supra). Without the crisis and the loss of influence of the PS, reforms would probably have been



implemented as well, but they would not have had such a public outreach as they did now by presenting the reform as a genuine promise or charter. New prime minister was liberal Guy Verhofstadt who had a strong personal interest in administrative reforms. The new minister for the civil service and the modernisation of the public administration was Van Den Bossche, who had successfully reformed the Flemish regional administration. Only in this combination of political forces the much-publicized Copernicus reform could be presented to the public as a *new* charter. The Copernicus survey and communication initiative made it impossible for the PS to voice its protest, because a socialist (be it a Flemish one) would lead the reform. A reform project with a mere internal orientation (i.e. reforms without embedding them in a new charter) would have been much easier to sabotage (but there would have been less need to do so).

The initial strengths of the Copernicus reform –a prime minister that identified himself with the success of his project, and a straightforward-type of minister for modernisation of the administration to push through reforms- would soon prove to be its weaknesses. The style of the minister for administrative modernisation was effective though not appreciated. Criticism of the Copernicus reform was considered as an attack on the prime minister, for whom the success of the reforms became an obsession.

Discontent with the reforms increased and the PS managed to increase its power. The Copernicus reform gradually lost its charter characteristics as the first massive communication initiative was soon forgotten, and a new marketing initiative turned out to be impossible due to intra-governmental disagreement. Press attention for the

reform, that was at first rather general, declined and the Copernicus project soon became a reform project with a mainly internal focus. A number of politically motivated high-level appointments took away most support Copernicus initially had among the main opposition party.

Opposition against Copernicus increased and culminated just before the 2003 elections. The PS, and the socialist group at large, strengthened its influence, and claimed the function of minister for the civil service. One of the first acts of the new minister was to declare Copernicus dead, but in the meantime administrative reform had conquered a permanent place on the political agenda. Dropping Copernicus should therefore be seen as having a symbolic function, because, internally, reforms slowly continue. An absence of external communication and marketing of the reforms allowed the PS to save its face. Reform rhetoric and actual reform are thus clearly different. Copernicus focused on the reform rhetoric (e.g. the pledge for reform) while present rhetoric is mainly anti-Copernicus. Actual reform however has not changed dramatically.

The PS has political reasons not to put administrative reform on the agenda, as reforms would estrange part of its supporters. It is however unable to uphold its initial positions, as it will probably not manage to take it off the agenda. Therefore, its new strategy of stressing the social functions of public services seems to be an attempt not only to safeguard these social functions, but also to hinder other reforms with a heavy focus on NPM.

We can therefore conclude that if any further charters or charter-like initiatives will be introduced, their content will be different. The two charters we have discussed in this article aimed at placing administrative reform and quality of public services on the political agenda. Quality was narrowly defined as customer-service and customer friendliness. A new charter will not so much deal with *whether* administrative reform is necessary, and *whether* quality is desirable, but instead with the question *what kind of quality* we desire. *Absence* of any customer perspective in public services before the late 1980s allowed for a greater emphasis on the customer in the 1993 and 1999 charter. In the future, political discussions will focus on the compatibility of customer and citizen perspectives when engaging in administrative reform. The clash between VLD and PS in 2003 was the first visible expression of the incompatibility of their views: VLD introduced some of the new public management discourse in Belgian politics, while the PS has recently embarked upon a rhetoric that contains elements of the new public service doctrine. In general, we could regard the *new public service* movement as a reaction to the NPM discourse, and it seems as if the PS has only come to adopt and promote the entire new public service discourse (especially the emphasis on the general interest) in reaction to the VLD's NPM adherence.

Political crises had their impact on the issue salience of administrative reform. They allowed the parties involved to diverge from the traditional approach toward the administration without losing face. At the same time they allowed entrepreneurs to jump on the bandwagon and push their point as a long-term vision on administrative reform was practically absent and there thus was a vacuum to be filled.

## CONCLUSION

Has the introduction of the charters been successful? The 1993 User Charter disappeared quickly from the agenda, and the second charter (Copernicus) collapsed because of political disagreement. Yet, it looks as if administrative reform has conquered its place on the political agenda. No matter what the political constellation, many initiatives to improve customer friendliness were gradually being implemented during the 90s.

The late 1990s were characterized by several favourable preconditions for reform:

- Bottom-up pressure for reforms, both from citizens as a reaction to scandals and overall failing administrative performance, and from young civil servants who felt they could not function or pursue a career in the present civil service.
- Agreement among political parties about the necessity of reforms. Resistance could only come from the Christian Democrats as main opposition party, who were however paralysed as they were suffering from their electoral defeat, driving them from government for the first time in 40 years.
- A prime minister who declared the reforms one of the spearheads of his policy, assisted by a minister for the civil service with a hard-liner reputation when it comes to forcing implementation.
- A budgetary situation that allowed for investments and budget increases.

Both charters saw the light in a period of disturbed relations between citizens and politics. The introduction of a User Charter in 1993 and the launch of the Copernicus

reform in 1999 definitely were political events, rather than mere administrative ones. A charter was needed to restore citizen-government relations. As for the first charter, the *gap between citizens and government* had to be bridged; and for the second there was a need to make the country a *model-state*. In both cases, the primary instrument was a contract between user and administration. The occurrence of political crises had two results: administrative reform could be used as a flare for public discontent, and this strategy strengthened the position of the reform proponents. The crises served as a window of opportunity for some political actors to promote their views (Aberbach and Christensen 2001; Kingdon 1984).

Certainly, we do not claim that the charters were introduced purely for political reasons. Charters were being introduced all over Europe. Public administrations in Europe found themselves in *the age of administrative reform* (Wright 1994: 104). The choice for a charter to ward off criticism on the political system is therefore not that surprising, as Belgian policy-makers may have found their inspiration abroad and may not have wanted to be seen as less innovative than their European colleagues (Wright 1994: 108).

Even though the charters made substantive use of the 'client' and 'citizen' terminology, it does not mean the content of administrative reforms has changed dramatically over the years. The main change is one in the *motivation for reform*. During almost all reforms in the Belgian public sector, the same deficiencies have been identified, but while the reason for reform was first motivated by a concern about the ever-growing public sector and the increasing political influence,

motivations later shifted to a response to budgetary pressures (1980s) and to concerns for citizens' trust in government. So what was changing were the 'views and theories about the causes and sources of inefficiency in government, what efficiency meant, and how it was to be achieved' (Cheung 1996: 37).

While the *pledge for reform* is a central element in the attempts to put administrative reform on the political agenda, it has weaknesses at the same time: the pledge is an open and direct attack on the existing model of the public administration and does as such cause opponents to lose face. A charter that merely states a number of quality standards, is not a threat. When the charter defines the role of government and touches values of the public administration, however, it is perceived as a threat. The Copernicus reform was a much-publicized reform. A general and broad announcement of the reforms can signal that there is broad political support for the reform, and a clear model supporting the reforms. This was clearly not the case in Belgium. The marketing of Copernicus was mainly used to put opponents before a *fait accompli*: what party or trade union would dare to oppose the results of the Copernicus *referendum*? This approach helped to force the issue on the agenda, but also provoked a reaction, as was the case in 1995. In the absence of broad support and agreement on the reform model, incremental and quiet reform may be the best strategy (see e.g. the case of Canada in Pollitt and Bouckaert 2004: 224-231). And that is exactly where Belgium has landed presently: the main principles of the Copernicus reform still stand under the new minister, but much of the reform rhetoric has been dropped.

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Table 1: principles of the Belgian charter.

<p><i>1. Transparency</i></p> <ul style="list-style-type: none"><li>❑ Provision of information</li><li>❑ Consultation of Administrative documents</li></ul> <p>2. Flexibility</p> <ul style="list-style-type: none"><li>❑ Accessibility<ul style="list-style-type: none"><li>● reception and qualitative contacts</li><li>● clear and precise language</li><li>● clear legislation</li></ul></li><li>❑ Adapted service<ul style="list-style-type: none"><li>● automatic adjunction of rights</li><li>● motivated administrative decisions</li><li>● automatic transfer of documents to the competent level</li><li>● qualitative service: staff should be able to perform intelligibly, linguistically and physically</li></ul></li></ul> <p>3. Legal protection</p> <ul style="list-style-type: none"><li>❑ protection of privacy</li><li>❑ opportunity to be heard</li><li>❑ processing of complaints</li><li>❑ speed of payments</li><li>❑ contestation of decisions</li><li>❑ suspend execution of administrative decision</li></ul>
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Figure 1: satisfaction with the way democracy works in Belgium, 1973-2004, Standard Eurobarometer



Figure 2: stages in administrative reform

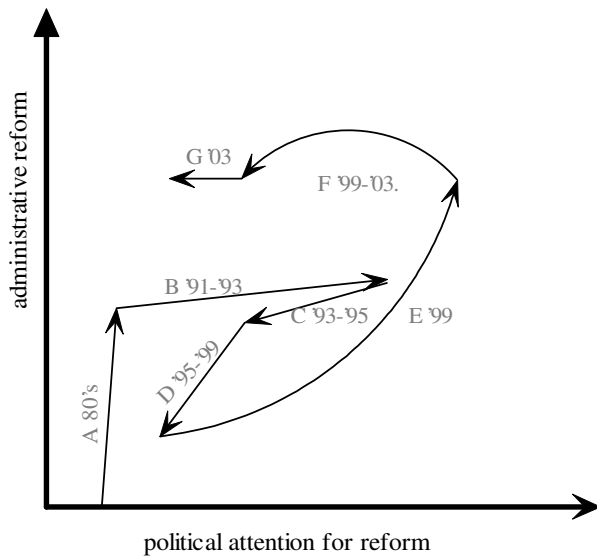
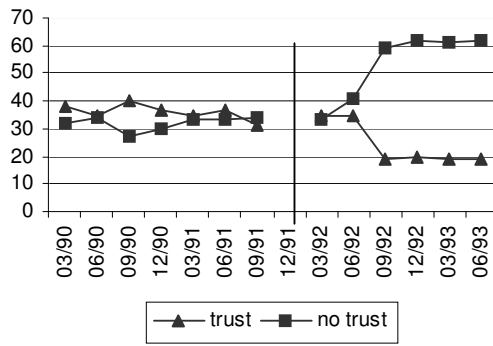


Figure 3: the birth of a crisis (% of trust in the federal government)



**APPENDIX 1: COUNTRY FILE EVENTS BELGIUM**

	General	Organization	Personnel	Finance
1981-1985	- Martens: PM (Christen-Democrats) (1981) - Economic recovery actions (1982)	-Territorial Reform. Creation of Communities and Regions (1980)	-More autonomy for communities and regions (1980)	-Restructuring of departmental budgets (1981) -Corrections to the governmental formulation process of the budget (1981)
1985-1990	-Martens: PM (Christen-democrats) (1985) -Martens: PM (Christen-democrats) (1987) -Martens: PM (Christen-democrats) (1988)	-State Secretary for modernization and information added to the Prime Minister (1985-1988) -Corps of public sector advisors (1989), later in office for organisation and management (ABC) (1995) - Report on the modernisation of the civil service (1986) - Creation of the modernization secretariat (1986) - Creation of modernizing cells in the federal administration (1987) - Territorial Reform. Extension of competences (1988-1989) - Appointment of the first minister of the Civil Service (1989) -Creation of the college of secretary-general (1989)	-Creation of a school for finance and tax law within the ministry of finance (1987) -Policy for equality for men and women established (1990)	-Program budgeting (1985) -Finance Law (1989) -Zero Base Budgeting (1990-1995)
1991-1995	-Martens: PM (Christen-democrats) (1991) - Law on the motivation on administrative actions (1991) - Law on the reform of state companies (1991) -Dehaene: PM (Christen-democrats) (1992)	-Radioscopie; Audit of the federal departments (1991-1993) -Creation of autonomous government companies (1991) -Creation of the ministry of civil service (1995) -Creation of internal audit cells (1995)	-Reform of the Office for selection and recruitment (1991) -Radioscopie, restructuring of wages, career opportunities and number of personnel (1993) -“Tobback plan”: recruitment stop, stimulating mobility -APKB: Royal Decree on General	- Law on the state accountability (1991) -Maastricht convergence criteria

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	<ul style="list-style-type: none"> <li>-Restrictions on public spending (1992)</li> <li>-Reducing public debt(1992)</li> <li>- Charter of the user of public services (1993)</li> <li>- Appointment of information officers</li> <li>- Law on the access on information (1994)</li> <li>- Dehaene: PM (Christen-democrats) (1995)</li> <li>- Appointment of the federal ombudsmen (1995)</li> </ul>		<p>Principles. New statute for civil servants (1994)</p>	
1996-1998	<ul style="list-style-type: none"> <li>-Creation Agency for Administrative simplification (1998)</li> <li>-Satisfaction barometer (common quality measurement tool for the federal public service, 1998)</li> </ul>	<ul style="list-style-type: none"> <li>-Restructuring plans for the federal ministries (2000)</li> </ul>	<ul style="list-style-type: none"> <li>-Reform of the institute for education and training of the federal civil service (1996)</li> <li>-“Flahaut plan”: instructions on recruitment, evaluation, mobility, vacation and education (1997)</li> <li>-Introduction evaluation system (1997-1998)</li> </ul>	<ul style="list-style-type: none"> <li>-Law on the social security system and the pension system (1996)</li> <li>-Commission on the normalisation of the accountability (1998)</li> <li>-Changing role of the financial inspectors (1998)</li> <li>-Creation of the office of public debt (1998)</li> </ul>

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<p>1999- 2002</p>	<ul style="list-style-type: none"> <li>-Verhofstadt: PM (Lib.) (1999)</li> <li>-Appointment of a minister of administrative reform (1999)</li> <li>-Action plan for the administrative simplification and the appointment of a government commissioner (1999)</li> <li>-Introduction of the Copernicus reform plan (2000)</li> <li>-Introducing the Common Assessment Framework in the public service (2000-2001)</li> <li>-Organization of a quality conference for all public services in Belgium (2001)</li> </ul>	<ul style="list-style-type: none"> <li>-Creation of horizontal, vertical and programmatorial ministries (2001)</li> <li>-Reduction and abolishment of ministerial cabinets (2001)</li> <li>-Creation of new structures in new ministries, management board and direction board (2001)</li> <li>-Business Process Reengineering in all new ministries (2001-2003)</li> </ul>	<ul style="list-style-type: none"> <li>-New APKB: principles for the statute of the civil servants (2000)</li> <li>-Creation of HRM cells in the federal ministries (2000)</li> <li>- Appointment of HRM-officers for the federal ministries (2000)</li> <li>-Reform of the recruitment and selection office (Selor) (2000)</li> <li>- Separation of the selection and recruitment process and the enlargement of competences for the ministries (2000)</li> <li>-Introduction of a mandate system for top managers (2000)</li> <li>-Public Management Programme: education programme for young high potentials (2000)</li> <li>-Assessment for top managers (or “top management”)(2000-2003)</li> </ul>	<ul style="list-style-type: none"> <li>-Introduction of a new budgeting and control cycle (2000)</li> <li>- Creation of the office of budgeting and control separate from the ministry of finance (2000)</li> <li>-Creation of an internal audit service at each ministry (2000)</li> </ul>
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