

**An institutional perspective on personal advisors in Belgium.
Political actors and the failure to change an institution during a critical
juncture**

Paper presented at the 14th NISPAcee Annual Conference
"Public Administration and Public Policy in Emerging Europe & Eurasia: For Professionalism, Impartiality and
Transparency"

May 11 - 13, 2006, Ljubljana, Slovenia

Christophe Pelgrims & Marleen Brans

Instituut voor de Overheid, Katholieke Universiteit Leuven

Abstract

The Belgian politico-administrative system has a long tradition of personal advisors. Since the creation of Belgium in 1830, ministers are surrounded by advisors chosen by them. These personal advisors are institutionalized in ministerial cabinets (Ziller, 1993). As institutions they are very well demarcated and defined, which offers opportunities to study them. They may therefore be interesting for comparative research on political systems in which advisors are less visible. At the turn of millennium, the reduction of the size and role of ministerial cabinets and the reintegration of civil servants in the policy-making process had a firm place on the reform agenda of the Belgian government. The government plans launched in 2000 aimed to reduce the ministerial cabinets and integrate policy-formulation in the administrative apparatus. Six years after the intention to downsize cabinets nothing remained of this proposal. On the basis of actor-centred institutionalism, we conclude that the interaction between political actors is not only crucial for change, but also for re-inventing or even re-enforcing the logic of old institutions.

1 Introduction

The Belgian politico-administrative system has a long tradition of the presence of personal advisors. Since the creation of Belgium in 1830, ministers are surrounded by advisors chosen by them. These personal advisors are institutionalised in ministerial cabinets (Ziller, 1993). Ministerial cabinets may be defined as a policy supportive body of the Minister, composed of political and policy advisors on a temporary appointment. The Minister appoints his/her staff members personally, who consecutively remain outside the administrative hierarchy (Pelgrims, 2003). These advisors fulfil both political functions and policy functions (Brans et al., 2006). The combination of the different functions implies that ministerial cabinets comprise more than only the combined functions of private secretary, political advisors and spokesperson.

Since the late 1980s, the size and scope of ministerial cabinets have suffered serious criticisms. Criticisms of the political functions of ministerial cabinets question the scope of partitocracy in Belgium, or the party political penetration of all sectors of public life, at the expense of other policy actors. Ministerial cabinets would disproportionately empower party control and privileged interest groups at the expense of parliamentary oversight. With their dominant role in the policy-making process cabinets would have marginalized the administration in policy formulation, fuelled further politicisation, ruptured the trust between Ministers and their civil servants and encumbered accepted lines of communication, all elements of which have fostered an adversarial dynamics within the formal legal model of politico-administrative relations (Brans & Hondeghem, 1999; Hondeghem, 1996; Pelgrims, 2001). But the cabinets' weight in the policy process has gone beyond playing a role at one side of the dichotomy policy-implementation only. Cabinets not only produce policy advice but have also developed into shadow administrations, taking on secondary legislation and even mere executive tasks.

The institutionalisation of personal advisors in ministerial cabinets carries distinct advantages for research. As institutions they are very well demarcated and defined, which offers opportunities to study them. They may therefore be interesting for comparative research on political systems in which advisors are less visible. As institutions are also hard to change, in Selznick's terms recalcitrant (Selznick, 1957), they offer interesting cases for the application of institutional theory in general and of institutional change in particular.

In our paper we seek to describe and explain the failure to change an institution during a critical juncture and the subsequent re-enforcements of this institution. At the turn of the millennium, the Belgian federal government launched a reform plan to modernize the federal administration. One issue of this proposal was to abolish ministerial cabinets. Six years after this intended change nothing remained of it. Budget and size of the cabinets show that the institution is even re-enforced. On the basis of actor-centred institutionalism, we conclude that the interaction between political actors is not only crucial for change, but also for re-inventing or even re-enforcing the logic of old institutions.

The first paragraphs define the theoretical framework for this paper. The next paragraphs discuss the institutional change project during a critical juncture.

2 Theoretical framework

The 'old' institutionalism emphasised the difficulties to change institutions. In the different streams of neo-institutional theory, we also find a focus on stability instead of change.

Sociological institutionalism developed out of organisation theory during the 70's. According to sociological institutionalism institutions are cultural constructions. These cultural constructions (f.e. norms and values) determine the identity of individuals and organizations. Because institutions are social constructs they become 'taken-for-granted' for individuals and organizations. "*The self-images and identities of social actors are said to be constituted from the institutional forms, images and signs provided by social life*" (Hall & Taylor, 1996). According to the sociological variant of neo-institutional theory, actors try to define their behaviour and identity in a socially acceptable way. The institutional field demands organizations or individuals to comply with institutional pressures. Therefore, legitimate behaviour is manifested rather than instrumental behaviour. Through this legitimate behaviour organizations become isomorphous. "*Isomorphism is a constraining process that forces one unit in a population to resemble other units that face the same set of environmental conditions*" (Hawley, 1968).

Because institutions structure the way actors evaluate existing institutions and contemplate reform, sociological institutionalism shows difficulties integrating institutional change (Torfing, 2001) in its explanatory framework. According to Dorado, the sociological variant in neo-institutionalism is even marked by a paradox regarding institutional change. If intentions, action and rationality of actors are

defined by institutions, it is even impossible to include institutional change in a theoretical framework (Dorado, 2005). After all, these determining institutions are object of the institutional change. Because of this paradox, sociological institutionalism came to externalise institutional change. Institutional change only occurs due to exogenous shocks in the environment. Only an external crisis can shake up the existing institutional framework. Next, institutional change requires a twofold step. First, institutional change is characterized by a process of de-institutionalisation. Second, the ‘new’ institutions need to be re-institutionalised (Peters, 1998). The normative focus leads scholars to conclude that sociological institutional theory explains resistance to change rather than change itself (Tolbert & Zucker, 1983; Thelen, 1999).

Besides sociological institutionalism, the literature marks historical institutionalism as another school in institutional theory. In short this variant typically argues that ‘history matters’. Including history in institutional analysis, historical institutionalism focuses on path dependency. “A *social process that has been created by a small or big event, is governed by self-reinforcing feedback, setting a specific pattern into motion and has gained momentum to an extent that leads at latest potentially to a lock in*” (Sydow et al., 2005). Actors adapt their strategy and behaviour to the marked path. Because of compliant behaviour, the marked path will be enforced. Therefore, continuity of the path is fulfilled by self-enforcing feedback mechanisms. The lock-in of the path creates a momentum of stability, often called a punctuated equilibrium (Krasner, 1988). Path dependency will not necessarily be created by big codifications moments. Historical institutionalism focuses both on big and small events in the process of embarking a path or a punctuated equilibrium. However, criteria to determine a path are still a point of discussion in the historical institutional literature (Sydow et al., 2005). Parallel to the punctuated equilibrium, the literature often refers to the importance of so-called critical junctures (Collier & Collier, 1991). These junctures create opportunities in which institutional change becomes possible. These change opportunities may lead towards opening up a new path. Although historical institutionalism includes moments of opportunities when change might happen, it hardly defines criteria to define critical junctures (Lindner, 2003).

Like sociological institutionalism, the historical variant needs to externalize change. Change only becomes possible when an exogenous shock creates an opportunity for change. These opportunities create conflict and power differences between actors. Institutional change becomes a process of conflict between actors. Although conflict and power are at the heart of historical institutionalism, it does not succeed to include this concept in periods of path dependency. Therefore, Peters concludes that conflict becomes a result rather than a cause in historical institutionalism (Peters et al., 2005). Consequently, historical institutionalism loose predictive capacity (Peters, 1998). Kay follows up on this by arguing that historical institutional theory becomes a label which fails to take decision-making into account (Kay, 2005). Peters and Pierre in turn claim that the need to have political actors in disagreement with the prevailing policies of the institutions is crucial for change (Peters et al., 2005).

Actor-centred institutionalism may be a way out of the inexplicability of institutional change in historical and sociological institutionalism (Scharpf, 1997). This theory does not exclude the impact of institutions on individuals but focuses on the relations between actors in changing institutions. The interaction between actors explains institutional creation and change. According to actor-centred institutionalism institutions do not determine fully the behaviour of actors. Actors' behaviour is characterized with a purpose to reach a certain outcome. Actors always have the choice not to 'obey' an institution. *"Even binding rules may be violated by actors who are willing to pay the price of sanctions' being applied or who subjectively discount their incidence"* (Scharpf, 1997). Through this actor-centred institutionalism has the possibility to include conflict and power in periods of stability; which complies with Peters' (2005) suggestion for including change in historical institutionalism.

This does not mean that we may equate actor-centred institutionalism with rational-choice theory. Contrary to rational-choice theory, actor-centred institutionalism assumes that preferences of actors are dependent of actor, time or place. Behaviour depends on the situation and the actors' perception about a specific situation. These perceptions and preferences are, however, created by institutions. Actor-centred institutionalism does not exclude institutions, but does not assign the same kind of explanatory power to them as other institutional theories do. Institutions rather construct a framework to describe influences on actors. The interaction between different actors is the focus of this theory. *"The primary business of interaction-oriented policy research within the framework of actor-centred institutionalism is to explain past policy choices and to produce systematic knowledge that may be useful for developing politically feasible policy recommendations or for designing institutions that will generally favour the formation and implementation of public-interest-oriented policy"* (Scharpf, 1997).

Actors are characterized by capacities, perceptions and preferences. Capacities are means actors own to reach a certain result. Actors are not exclusively individuals. Scharpf distinguishes between individual, collective actors and organisations (Scharpf, 1997). The possessed means are under institutional influence. Perceptions and preferences are stable or change due to learning or convincing. Actor-centred institutionalism assumes also that actors are not equal. They do not all possess the same capacities to introduce institutional change projects. As we mentioned before, actors' behaviour is intentional. According to actor-centred institutionalism a change project requires actors with sufficient means with the intention to reach a certain outcome. These actors have the capacity for change. We may say, actor-centred institutionalism meets institutional entrepreneurship (Dimaggio, 1988). *"Capacity for action and power dependencies are the enablers of radical change"* (Greenwood & Hinings, 1996).

Actors in institutional change projects are not isolated. Therefore, it is often not possible to undertake unilateral actions. Actors are surrounded by other actors which of course also possess capacities,

perceptions and preferences. Changing institutions thus create arenas where different actors encounter each other and the result of the institutional change project will be determined by a constellation of different actors. “*Constellation describes the players involved, their strategy options, the outcomes associated with strategy combinations, and the preferences of the players over these outcomes*” (Scharpf, 1997).

While actor-centred institutionalism shares with rational-choice theory that actors change institutions, it shares with institutional theory that changing institutions is a difficult process. Even when circumstances from which institutions originated and mechanisms conserving institutions have disappeared, institutional change remains a difficult process (Scharpf, 1997). The main difference with other institutional theories is that actor-centred institutionalism explains recalcitrance of institutions, path dependency by interaction between actors.

According to actor-centred institutionalism, studying a change project requires studying constellations of actors involved in the change process. The constellation of these actors will determine the outcome of the change process.

3 Belgium: the institutional framework

Although actor-centred institutionalism focuses on the interaction between actors, it remains an institutional theory. Institutions will define the context in which decision-making takes place. Institutions have the possibility to influence, simplify or hamper public management reforms. Therefore these reforms will be adapted to the political system (Ingraham, 1997). Besides, institutions influence the capacities, preferences and perceptions actors possess.

Before analysing the interactions between different political actors, we first describe the Belgian institutional framework. The institutional framework gives us the possibility to determine the political actors which will be involved in the institutional change process.

Belgium is a representative and parliamentary democracy. Only the parliament is directly elected. The Constitution of 1831 defines Belgium as a monarchy. Consequently the head of state is a King. According to the constitution the King only has a limited personal power. He is not responsible and is incapable to act unilaterally. The competences of the head of state can only be executed together with a member of government. Because Ministers are not directly elected, they are responsible towards parliament. The Belgian parliament consists of two chambers: the House of Representatives and the Senate. Together with the King, parliament exercises legislative power. This executive power is executed by the King and the Ministers. Although not explicitly formulated in the Constitution, the National Congress of 1831 preferred the separation of power on the basis of Montesquieu (Vande Lanotte et al., 2005). Based on the constitution, we could expect that parliament will fulfil an import role in policy making. However, research

showed parliament hardly fulfilled its constitutional role (Dewachter, 1995; Dewachter & Das, 1991; Dewinter, 1981). Parliament lacks power to impose its will on government (Dewachter, 1995). Executive power controls legislative power in Belgium. Concerning public management reforms, Pollitt and Bouckaert even argue that members of parliament lack time and are not inclined to give attention to public management reforms (Pollitt & Bouckaert, 2004).

Because of the power political parties possess, Belgium often gets the label of partitocracy (De Winter et al., 1996). This implies that political actors penetrate all sector of public life. They become the key actor in policy-making. In the literature presidents of political parties are often defined as central actors in the partitocracy (Fiers, 1998; Dewachter, 1995). Belgium has a multi party system. Three dimensions are noted: a socio-economic left-right dimension, a Catholic and anti-clerical dimension, and a regional/linguistic dimension. Since the last elections in 2003, ten political parties are represented in the House of Representatives. Belgium's electoral system for parliamentary elections is proportional, and hence no single party wins a majority in Parliament. As a result, elections in Belgium are always followed, by often painstaking coalition negotiations. Since WW II, coalition government has been the rule in Belgian politics.

A further two classic features to understand the Belgian political system are consociationalism and federalism. Lijphart classified Belgium as a consociational democracy (Lijphart, 1999), typically for a culturally divided society. This involves a necessary division of power between different societal groups (ethnic, religious,...) in order to 'glue' society together (Hood, 2000), and a political culture of compromise between the different groups in society to resolve conflicts. During the last three decades, Belgium changed from a unitary to a genuinely federal state in a process of state reform in four steps (1970, 1980, 1988, 1993). The federation is composed of three communities and three regions, each with legislative powers, and thus with their own parliament, government, and administration: the Flemish, Walloon, and the Brussels regions on the one hand and the Dutch-speaking, French-speaking and German-speaking communities on the other. Since the 1970ies, Belgium ceased having unitary parties: "... *one crucial feature of the Belgian party system is that there are no 'Belgian' parties any more! All parties are homogeneously Flemish or Francophone, and only present themselves in the Flemish or Francophone constituencies.*"(Dewinter et al., 2000).

According to Pollitt en Bouckaert the speed to implement reforms differs according to the type of government (Pollitt & Bouckaert, 2004). In the absence of a clear distinction between winners and losers that is typical for majority systems, Pollitt and Bouckaert argue public management reform can be expected to be less radical in coalition government, but maybe also more continuous. The radical nature of reform in majority systems makes a succession of different reforms likely. "*The form of political executives can thus affect change at several stage in the process of reform. First it influences the degree of leverage that can be*

created to launch a programme of reform. Second, it may affect the stability of reforms, once carried through (consensually based innovations are hypothesized to have a higher life expectations than single party-based innovations, which may be overturned when a rival party gets back into power” (Pollitt & Bouckaert, 2004).

Following the wide range of parties represented in parliament, government in Belgium is traditionally composed of at least 4 different political parties, which makes compromise necessary at different circles of government. Dewachter (Dewachter, 1995) distinguishes between three concentric circles in government. The first circle involves the approval by the Council of Ministers. The second circle includes the consultation bodies of the government. These consultation bodies take care of the consensus between the different coalition parties. Here we find for example the inner cabinet (see. infra). Also the negotiations between personal advisors of different ministers during the policy preparation phase can be located in this second circle. The third circle consists of the decisions by the individual Ministers. As the case in our paper deals with public sector reform, the Minister of Public Affairs is a central actor in the third circle.

In the fragmented Belgian government, the Prime Minister (PM) fulfils an important role. He chairs the cabinet, which decides by consensus. The PM needs to be a good negotiator to glue the coalition together. He needs to facilitate compromises within the coalition and fine-tune them in ways that each coalition party agree (Dewachter, 2001). The PM is also responsible for agenda setting. He is responsible for the items that will be placed on the agenda during the cabinet meeting and also for the way in which the issues will be raised. This competence gives the PM a lot of power over the other Ministers. It may be no surprise that research put the PM on top of the list of the power hierarchy in Belgium (Dewachter & Das, 1991), with Vice-PMs as close seconds. Vice-PMs are leaders of their own party Ministers in government. PM and Vice-PMs represent the inner cabinet, which is an important coalition smoothing institution. *“This inner cabinet meets quite regularly, and is a forum in which coalition parties reach major decisions on conflictual matters, decisions that the full cabinet then formally ratifies.”*(Dewinter et al., 2000) Inside government, PM and Vice-PMs are the crucial actors in the operation of the government.

The administrative system used to be based mainly on the Civil Service Statute of 1937. The aim of this statute was to create a professional civil service, protected from political interference. The Camu Statute, named after the special government commissioner, represented the Weberian model of a neutral, apolitical and competent civil service. Due to the Camu Statute, selection is based on competitive examination and promotion for length of service within the lower grades and merit within higher grades. Traditionally, Belgian civil servants are appointed for life. Therefore they hardly can be dismissed.¹ These formal rules clash with the informal organisation of the civil service. (Brans & Hondeghe, 1999). Political criteria have always played an important role in recruiting and promotion of civil servants. Due to this tension, the

¹ Recent reforms introduced a system of mandates for top civil servants.

Belgian civil service shows itself as a hybrid system between a ‘merit system’ and a ‘spoil system’. Besides, Ministers are not only assisted by civil servants in the preparation, execution and evaluation of policy. In the introduction we mentioned already the importance of personal advisors in the ministerial cabinets.

From the perspective of actor-centred institutionalism, political interaction on public management reform is crucial for understanding government reforms. The requirements that spring from compromises between different societal groups in a consociational democracy underscores the salience of interactions even further. Who than are the players in these interactions? Our overview of the Belgian institutional framework pointed out the dominance of government over parliament. We hence expect that the debate on institutional change is primarily located in government and more specifically in the Council of Ministers (first circle), inner cabinet (second circle) and Minister of Public Affairs (third circle). Given the important role of the PM in Belgium, we add this function to these three circles. Political parties and their presidents too are central actors in the Belgian institutional setting. They are not ignored in our analysis.

4 The Copernicus reform: a critical juncture

As to the government's relations with civil society and its broader political environment, it is no exaggeration to say that in the last decade of 20th Century, the Belgian political system was facing a governance crisis. This is evidenced not only by election results and survey data, but also by the growing concern of political elites about standards in public life. The 1991 electoral success of right-wing extremist and anti-political parties at the expense of the traditional parties was taken as a clear sign of dissatisfaction among citizens. A significant number of focusing events further supported the call for reform. Political sleaze and corruption dominated the first half the 1990s. In 1996 came the biggest and most dramatic blunder of all - the Dutroux case-, giving rise to a new social movement against past political practices and for drastic reform. New political culture (NPC) became the new buzzword, including a range of plans to restore public trust and raise standards in public life, including putting an end to political appointments, curbing the size of ministerial cabinets, and reintegrating top civil servants into policy-making (Maesschalck et al., 2002).

During the 80's and '90s Belgium faced many institutional reforms: the accession to the EMU, restricting budgetary deficits and the reorganization of social security. Due to these necessary institutional reforms, civil service reform had not been a priority for a long time. At the same time, it was being perceived that the succession of different crises in the 90's would lead to a serious breakdown (Van Hooland, 2003). After the elections in 1999, the newly elected government picked up the signals that an inadequately working government had a baleful influence on the country. Modernising government became one of the priorities of the newly elected government in 1999.

For the first time in Belgian political history, a purple-green (composed of Social Democrats, Liberals and Greens) came into office. After 50 years in office, the Christian Democrats were no longer part of the coalition. In many policy arena's there existed a "euphoria of change" (Maesschalck et al., 2002). A new PM came into office and had the explicit ambition to change Belgium into a "model-state" (Federale Regering, 1999). Luc Van den Bossche, who had previously 'modernised' the Flemish administration on the basis of New Public Management principles (Bouckaert & Auwers, 1999), now obtained the portfolio 'Public Affairs'. It was also fortuitous for reform that the Belgian economy was doing well. In 1999, economic growth was 3.2% and in 2000 it even reached 3.7%. After many years of budgetary austerity to reach the 'Maastricht norms' new budgetary opportunities were available.

At the turn of the millennium, the reduction of size and role of ministerial cabinets and the reintegration of civil servants in the policy-making process received a firm place on the reform agenda of the Belgian government, which we find confirmed in the coalition agreement *"In recent year, the administration has been increasingly excluded from the preparation of political choices and from the legal and regulatory documents that put the latter into practice. The excessive influence of some Ministerial cabinets has demotivated many civil servants. The administration should therefore become a partner of Ministerial cabinets again in preparing policies (own translation)"* (Federale Regering, 1999).

In February 2000, the Minister of the Public Affairs in conjunction with the PM launched a plan to modernize the federal administration. The plan launched in 2000 aims to seriously reduce the size of ministerial cabinets and integrate policy-formulation in the administrative apparatus. The Copernicus reform was established as a radical reform. The crises Belgium had faced led to the conclusion that only a radical reform of the civil service was an appropriate answer. The federal bureaucracy had to be replaced by an organisation based on modern management principles. Therefore the Copernicus reform launched proposals on almost every aspect of the organisation: a new organisational structure, a new management culture, redesigned processes and a new hr-policy. The press labelled the Federal Government's plan to modernise the federal administration the *Copernicus plan*². The government later adopted this term, as it fit the ambitious discourse of modernising government.

The unique political and economical context created the window of opportunity for drastic reform (Kingdon, 1995; Hondeghe & Depré, 2005). From the radical nature of the reform and the unique context in which the reform was embedded, we may conclude that it constructed a critical juncture in the modernization process of the Belgian government. The PM and the Minister of Public Affairs seemed to

² The plan was presented on 16th February 2000. In recent years, the Belgian governments label major deals or agreements with reference to the birthday of historical figures. Copernicus, born on the 19 of February 1473, was revolutionary in that his theory no longer conceived of the earth as the centre of the universe. Similarly, the government's plan emphasised that government was not primordial, but citizens and that government should serve citizens, not the other way around. (<http://www.copernicus.be>, 07 03 02).

have taken on the role of policy entrepreneurs. We consider them as the central actors of the reform. Their personal advisers and the private consultants they hired too played a primary role in the conceptualisation of the plan. Civil servants in turn were marginalized in the design of the reform proposals (Parys et al., 2005).

5 Changing an institutions from an actor-centred perspective

The Copernicus plan envisaged reform in four areas: organizational structure, management culture, new processes and new HR-policy. Under the heading of a new organizational structure the Copernicus reforms revised the organisational structure of the Ministries and re-allocated policy advisory roles to new units. The Copernicus plan firstly managed by words. Ministries became Federal Government Services (FGS). Secretary-Generals were replaced by Chairs of the Management Committee. Directors-Generals no longer presided over the ‘old-fashioned’ administrations but operational directorates. Secondly, Copernicus planned a number of structural measures. A new interface would be created between the Minister and the Department: the Policy Board. This interface should be responsible for a number of managerial tasks as well as for assisting the Minister in drafting and monitoring the execution of his or her policy programmes. Also a new cell policy formulation would be created, responsible for the co-ordination and integration of policy advice and evaluation.

5.1 The introduction of the policy preparation cell

The structural initiatives in the Copernicus plan had the explicit ambition to create a closer cooperation between politicians and civil servants. The policy preparation cell had the explicit task to take over tasks of ministerial cabinets. Chart 1 shows the place of the new bodies (X, 2000). Two elements are remarkable. First, the original Copernicus chart did not mention ministerial cabinets. Second, the policy preparation cell is considered as a horizontal staff service among others like: Budget and Management control, Personnel and Organization, and Information & Communication Technology. Thus, the original plan had the ambition to construct the policy preparation cell as a horizontal staff service of the highest civil servant (chair of the management committee).

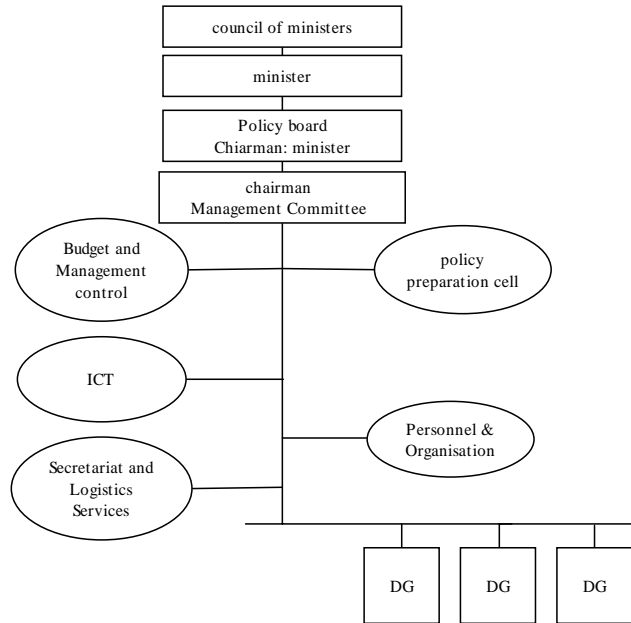


Figure 1 Copernicus Plan (X, 2000)

The composition of the policy formulation cell may be called remarkable. Based on a competence profile, designed by the Minister and after the advice of the highest civil servant, Selor (the central recruiting office for the federal government) had to organize a selection. This selection had to distinguish between competent and non-competent candidates. At the end of this procedure, the Minister had the possibility to select the most appropriate candidate.³

This might be called remarkable because selecting personal advisors is normally a privilege of the Minister (Pelgrims, 2001). Nevertheless, a note from the Minister of Public Affairs directed at the Council of Ministers foresaw in a pragmatic and realistic selection of the cell for the first time. The ‘translation’ of pragmatic and realistic could be found in article 23 of the Royal Decree of July, 19th 2001.⁴ This article foresaw a deviation from the procedure for the first time the cell was staffed. Due to article 23 the responsible Minister could transfer personal advisors directly into the policy preparation cell. We may conclude that even before the reform went into the decision-making process the note foresaw already some revisions done by the Minister of Public Affairs. One is reminded here of what are called *primo appointments*, which have traditionally been deviations from the 1937 merit principle, and indeed tools of politicisation (Brans & Hondeghem, 1999).

³ Koninklijk Besluit van 19 juli 2001 betreffende de invulling van de beleidsorganen van de federale overheidsdiensten en betreffende de personeelsleden van de federale overheidsdiensten aangewezen om deel uit te maken van een kabinet van een lid van een Regering of van een College van Gemeenschappen of een Gewest, *Belgisch Staatsblad*, 28/7/2001.

⁴ This decree foresaw the judicial bases for the reforms of the organisational structure.

5.2 Towards the approval by the Council of Ministers

On April 28th 2000 the Council of Ministers approved the reform plan. A note in the preparatory phase of this decision introduced two revisions. On the one hand, this note revised the original plan by making room for a small personal secretariat for Ministers. On the other hand, the note made an organisational link between the policy preparation cell and the Policy Board, the latter of which is presided over by the Minister of the department. The note also stated: “*In every department, a policy preparation cell will be constructed, reporting directly to the president of the management committee and the Minister (own translation)*” (Kabinet van de minister van ambtenarenzaken en modernisering van de openbare besturen, 2000). The amendments to the original plan are visible on chart 2.

The note originated from the personal advisors of the Ministers of Civil Service, who amended the initial proposal on the eve of the approval by the Council of Ministers. Although our empirical evidence is not conclusive, we speculate that the amendments to the reform proposal sprang from informal negotiations between advisors of ministers and party presidents on the eve of the formal decision.

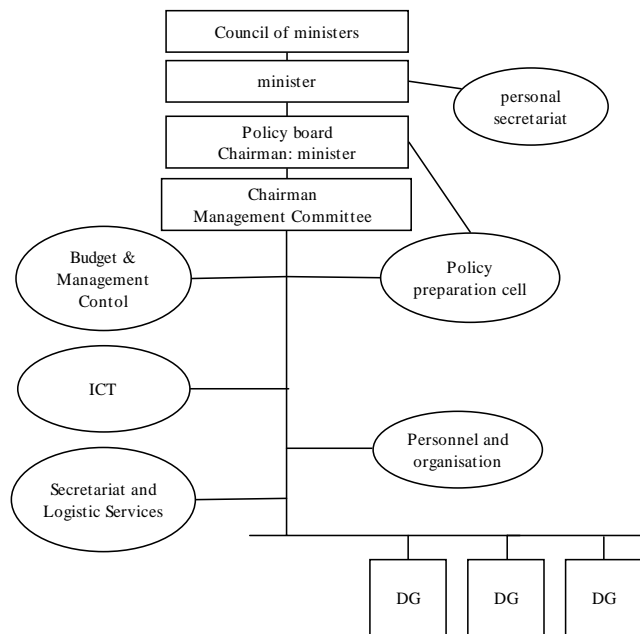


Figure 2: chart according to the note ‘Fundamentals for modernizing the federal civil service’

After the approval of the reforms by the Council of Minister of April, 28th 2000 we found evidence of a third revision. The policy preparation cell is even more distanced from the horizontal staff services for the chair of the management committee. Although there still exists a link between the cell and the chair, the policy preparation cell is promoted up the hierarchical ladder. The policy preparation cell is now no longer considered as a horizontal staff service among other such services but received a special status, closer to the Minister. This can be seen on figure 3.

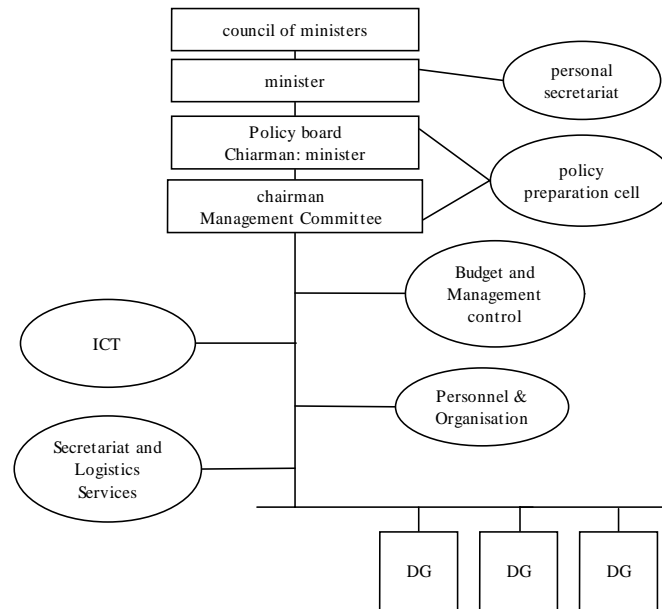


Figure 3: Government approval on 28 april 2000

Besides the structural changes we discussed above, the Royal Decree of July, 19th 2001 includes opportunities for delay. Its article 21 §1 stipulated that the decree would come into effect the latest at the resignation of government. During the Council of Ministers on February 9th 2001 it was decided that all ministers, except those with horizontal departments, could decide autonomously when to transform their departments into new structures, on condition they would do so before the end of the legislature. We know that this delay was obtained by the francophone socialist party (Parys et al., 2005). This decision gave opponents of the reforms in government the opportunity not to transform their ministerial cabinets into the proposed structures, leading to a serious postponement of organisational change. This opportunity should not be underestimated. ‘All that was delayed would become lost’ fit with some opponents’ expectations that a next government would reverse the reform. Only the two Ministers – champions of change turned their ministerial cabinet into a policy preparation cell, albeit according to article 23.

In the decision-making phase, political actors clearly reshuffled the top structure of the departments. On the eve of the decision-making in the first circle, personal advisors in the third circle already revised the original plan. According to one of the personal advisors of the Minister of Public Affairs the proposals concerning the Ministerial cabinets were a bridge too far for the Belgian politico-administrative culture. This advisor also pointed out that those plans had too much weight in the total of reforms (Interview cel Van den Bossche, 2004). The amendments made by ministerial advisors prior to the Council of Ministers’ decision were an explicit attempt to make them weigh a bit lighter. It was also clear that the policy preparation cell (which was intended to take over most of the functions fulfilled by the ministerial cabinets) was considered too important for the Ministers to be delocated in horizontal staff functions to the top civil

service. The discussion between Ministers during the Council of Ministers seemed to result in an abolition of the policy preparation cell as a horizontal staff service and a movement towards a body under control by the Minister. Strategic calculations of political actors changed the status of the policy preparation cell.

5.3 The new government

Towards the end of the legislature the opposition inside government became apparent. Resistance came most adamantly from the francophone Socialist Party and their Deputy Minister (X, 2003). This party's leader publicly announced that the next government should revise the reform (Parti Socialiste, 2003). He would be proved right. The coalition agreement of the new government⁵ stipulated that revising the reform was necessary. It was literally put in writing in the coalition agreement that: "*Henceforth the members of government, will have control over a personal secretariat and a policy preparation cell (own translation)*" (Federale Regering, 2003). This sentence reveals that Ministers would regain full control over the policy preparation cell. The newly elected government in 2003 agreed that the Copernicus plan to do away with the tradition of personal advisors was not adapted to the Belgian context. Again, it was political actors who revised or in this case rather put a hold on the reforms.

The Royal Decree's (of July, 19th 2001) procedure for recruiting members to the policy preparation cell seemed to be too complicated (Franceus, 2004). The Supreme Administrative Court too had been critical of the procedure. The time schedule for recruiting staff members of policy cells would be too tight to follow up on the formation of the new government. Government in turn argued that continuity and the transition to a new government would suffer from this procedure. To meet these criticisms, the new government enacted a new Royal Decree on July, 19th 2003, exactly two years after the first one.⁶ Article 7 of the new Royal Decree now confirms that members of the policy cells are appointed by the Minister, apart from the appointments they can make in their personal secretariat. Where past Ministers had control over personal advisors in their ministerial cabinets, they now control two organizations: a personal secretariat and a Ministerial cabinet. The Royal Decree thus clearly re-installs the feature of personal advisors, and hence rejects the alternative policy advisory systems of the Copernicus plan. The revival of an institution

Institutions are very difficult to change; they are recalcitrant, in Selznick's words (Selznick, 1957). On the basis of the 'old' institutional school one can indeed expect that changing a system of institutionalised personal advisors was not going to be a sinecure. In the next sections we argue that the institution of

⁵ The new elected government in 2003 became a purple coalition (Liberals and Social Democrats) with the same PM.

⁶ Koninklijk Besluit van 19 juli 2003 tot wijziging van het koninklijk besluit van 7 november 2000 houdende oprichting van de organen die gemeenschappelijk zijn aan iedere federale overheidsdienst, en het koninklijk besluit van 19 juli 2001 betreffende de invulling van de beleidsorganen van de federale overheidsdiensten en betreffende de personeelsleden van de federale overheidsdiensten aangewezen om deel uit te maken van een kabinet van een lid van een Regering of een College van een Gemeenschap of een Gewest, *Belgisch Staatsblad*, 25/07/2003.

ministerial cabinets was not only recalcitrant, but that they were even reinforced after the reform. This argumentation builds on the basis of evidence from budgets for and numbers of personal advisors.⁷

5.4 Refunding Ministerial cabinets

Based on budgets between 1994 and 2005, we constructed the chart below. We constructed developments in both nominal and real terms. The chart represents three periods: before the Copernicus era (1994-2000), the period during the reforms (2000-2003) and the third, post-Copernicus era (2003-2005).

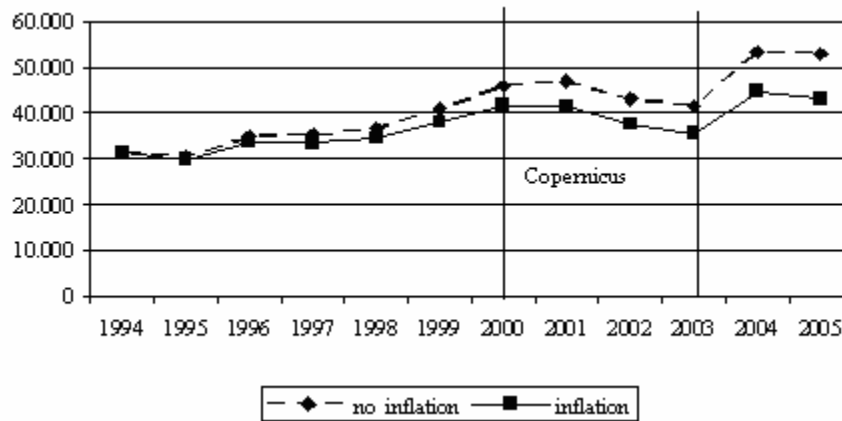


Figure 4: Budget of ministerial cabinets

During these periods we notice different developments. The period before the Copernicus reform is characterized by an increase of the budget for ministerial cabinets. At the start of the reform in 2000, budget spending on cabinets drops. This complies with the reform's intention to transfer tasks from ministerial cabinets towards the civil service, and the limitation of the Ministers' advisory staff units. During the decision-making process which encompassed the period 2000-2003, the budget for cabinets keeps decreasing, although no definite consensus was found yet.

The post-Copernicus period, starting in 2003, shows a strong increase of the budget. As described above, the Royal Decree of July, 19th 2003 of the new government did away with the intention to abolish cabinets. Also the budget information is crystal clear. Budget allocations to ministerial cabinets are substantially raised, not only to reverse the consequences of the Copernicus reform, but even to surpass the size of funding in the pre-Copernicus period.

⁷ The process of data collection can be found in Dereu S. (2005), *De hervorming van de Ministeriële kabinetten en de politiek- ambtelijke verhoudingen in het kader van Copernicus: een evaluatie*, Leuven: KULeuven.

5.5 Restaffing Ministerial cabinets

Ministerial cabinets were refunded after the Copernicus reform. What about the volume personal advisors? Our analysis of the average number of personal advisors for each Minister we can safely say the size of cabinets grew. We calculated the total number of personal advisors in the federal government and divided this amount by the number of Ministers.⁸ Although the budgets show a slight increase in the era before the Copernicus reform the average size of cabinets remains equal in this period. In comparing the average number of personal advisors in 1989 and 2005, the chart demonstrates that numbers doubled.

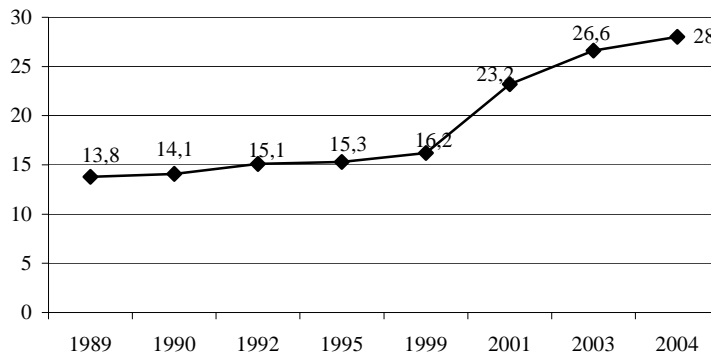


Figure 5: average amount of cabinet members per minister

Comparing the initial period of the government (1999) and one year after the approval of the reform plans by the government (2001), we do not notice a decrease of ministerial cabinet members. On the contrary, the average number of cabinet members increased. Although the budget for ministerial cabinets decreases during the Copernicus reform, our analysis shows an increase of the number of ministerial cabinet members during the period (2000-2004). Previous research has shown that personal advisors hardly work part-time (Pelgrims, 2001). The only explanation we can offer is that the number of civil servants on secondment in ministerial cabinets rose. Civil servants detached to ministerial cabinets typically do not appear on the cabinet's budget. Their salary remains on the budget of the civil service.

The results are even more remarkable when we compare the period during the Copernicus reform and the period after the reform. In 1999 Ministers have on average 16.2 members in their cabinet. In 2004 this number reaches 28, an increase by 73 %. Based on the budgets, we could already notice a revival of ministerial cabinets. The average numbers of cabinet members only confirms this conclusion. It is indeed striking to observe that the increase of the number of personal advisors in the period 1999-2004, is the most significant one in the last 15 years, paradoxically at a time when a critical juncture had created an opportunity for reducing the number and even doing away with personal advisors altogether.

⁸ For a few years, data were incomplete.

6 Conclusion

Personal advisors of ministers in Belgium are institutionalised in ministerial cabinets. This carries advantages for research as they are well demarcated and defined. Therefore Belgian ministerial cabinets may be an interesting case for political systems in which personal advisors of ministers are less visible. Besides the advantage for research, institutionalisation also makes that they are hard to change.

Since the late 1980s, the size and scope of ministerial cabinets were targets of serious criticisms. The Copernicus reform (1999) had the explicit ambition to change the relations between politicians and civil servants. One of the proposals in the reform plan explicitly intended to transform ministerial cabinets into policy preparation cells, embedded in the administration. Six years after this intention, and initial efforts to reform ministerial cabinets nothing remained of it.

Because of the unique political and economical context, the Copernicus reform was situated in a critical juncture in the modernization process of the Belgian government. From an actor-centred institutional perspective, we analysed why the institutional change project failed during this critical juncture. The outcome of the reform was indeed not merely explained by the recalcitrance institutions traditionally show. It was the particularly constellation of actor in the change process that weighted heavily on the success of the change project.

The analysis of the decision-making process shows that incremental amendments to the reform project undermined the proposals of ministerial cabinets. The reshuffling at the top structure of departments was heavily influenced by political actors, the most important of which appeared to be the Minister of Public Affairs and his personal advisors, the Council of Ministers, the French Socialist party and its president. On the basis of our institutional framework we expected that institutional change is primarily located in the three circles of government. Given our analysis of the failure to change an institution during a critical juncture, we conclude that personal advisors fulfill a horizontal task across these three circles.

Actor-centred institutionalism argues that institutional change is a difficult process. Based on budget and number of staff members we conclude that ministerial cabinets were not only difficult to change, they were even strengthened after the attempt to change them. The reconsideration of ministerial cabinets in the Belgian politico-administrative made them return with vengeance, since their position was not only reconfirmed but even reinforced.

7 Bibliography

- Bouckaert, G. & Auwers, T. (1999). *De modernisering van de Vlaamse Overheid*. Brugge: Die Keure.
- Brans, M., Pelgrims, C., & Hoet, D. (2006). Comparative observations on tensions between professional policy advice and political control in the Low Countries. *International Review of Administrative Science*, 72, 55-69.
- Brans, M. & Hondelghem, A. (1999). The senior civil service in Belgium. In E. Page & W. Vincent (Eds.), *Bureaucratic elites in Western European States. A comparative analysis of Top officials* (pp. 121-146). Oxford: Oxford University Press.
- Collier, R. & Collier, D. (1991). *Shaping the political arena: critical junctures, the labor movement and the regime dynamics in Latin America*. New York: Princeton University Press.
- De Winter, L., Della Porta, D., & Deschouwer, K. (1996). Comparing Similar Countries: Italy and Belgium. *Res Publica*, 38, 215-235.
- Dewachter, W. & Das, E. (1991). *Politiek in België. Geprofileerde machtsverhoudingen*. Leuven: Acco.
- Dewachter, W. (1995). *Besluitvorming in Politiek België*. Leuven: Acco.
- Dewachter, W. (2001). *De mythe van de parlementaire democratie. Een Belgische analyse*. Leuven: Acco.
- Dewinter, L. (1981). De partijpolitiserings als instrument van participatie. *Res Publica*, 1, 60-75.
- Dewinter, L., Timmermans, A., & Dumont, P. (2000). Belgium: On government Agreements, Evangelists, Followers and Heretics. In W. Muller & K. Strom (Eds.), *Coalition Governance in Western Europe* (pp. 300-355). Coalition Governance in Western Europe: Oxford University Press.
- Dimaggio, P. (1988). Interest and agency in institutional reform. In L. Zucker (Ed.), *Institutional patterns and organizations. Culture and environment* (pp. 3-21). Cambridge: Ballinger Publishing company.
- Dorado, S. (2005). Institutional Entrepreneurship, Partaking and Convening. *Organization Studies*, 26, 385-414.
- Federale Regering (1999). *Regeerakkoord De brug naar de eenentwintigste eeuw* Brussel: Federale regering.
- Federale Regering (2003). Een creatief en solidair België- Beter Bestuur. [On-line]. Available: www.belgium.be
- Fiers, S. (1998). *Partijvoorzitters in België of "Le parti, c'est moi"?* Leuven: K.U. Leuven.
- Franceus, F. (2004). Na Copernicus Kepler? De stand van de zon in het federaal openbaar ambt. *Tijdschrift voor Bestuurskunde en Publiek recht*, 1, 3-18.
- Greenwood, R. & Hinings, C. (1996). Understanding radical organizational change; bringing together the old and the new institutionalism. *Academy of management review*, 21, 1022-1054.
- Hall, P. & Taylor, R. (1996). Political science and the three new institutionalisms. *Political Studies*, XLIV, 936-957.
- Hawley, A. (1968). Human Ecology. In D. Sills (Ed.), *International Encyclopedia of the Social Sciences* (pp. 328-337). New York: Macmillan.
- Hondelghem, A. & Depré, R. (2005). *De Copernicushervorming in perspectief. Veranderingsmanagement in de federale overheid*. Brugge: Vandenbroele.
- Hondelghem, A. (1996). De politieke en ambtelijke component in het openbaar bestuur. In R. Maes & K. Jochmans (Eds.), *Inleiding tot de Bestuurskunde* (pp. 45-72). Brussel: STOHO.
- Hood, C. (2000). Relationships Between Ministers/Politicians and Public Servants : Public Service Bargains Old and new. In G. Peters & J. Savoie (Eds.), *Governance in the Twenty-first century : revitalizing the public service* (pp. 178-206). Montreal: McGill Queen University Press.
- Ingraham, P. (1997). Play it again, Sam; It's still not right : Searching for the right notes in administrative reform. *Public Administration Review*, 57, 325-331.
- Interview cel Van den Bossche. (21-4-2004). 21-4-2004.
Ref Type: Personal Communication
- Kabinet van de minister van ambtenarenzaken en modernisering van de openbare besturen (2000). *Fundamenten voor de modernisering van de federale administratie (goedgekeurde nota ministerraad)*.
- Kay, A. (2005). A critique of the use of path dependency in policy studies. *Public Administration*, 83, 553-571.
- Kingdon, J. W. (1995). *Agendas, alternatives and public policies*. New York: HarperCollins.
- Krasner, S. (1988). Sovereign. An institutional perspective. *Comparative Political Studies*, 21, 66-94.

- Lijphart, A. (1999). *Patterns of democracy : government forms and performance in thirty-six countries*. New Haven: Yale university.
- Lindner, J. (2003). Institutional stability and change: two sides of the same coin. *Journal of European Public Policy*, 10, 912-935.
- Maesschalck, J., Hondeghem, A., & Pelgrims, C. (2002). De evolutie naar Nieuwe Politieke Cultuur in België: een beleidswetenschappelijke analyse. *Beleidswetenschap*, 16, 295-317.
- Parti Socialiste (2003). *Réforme Copernic de l'administration fédérale* Brussel: Parti Socialiste.
- Parys, M., Pelgrims, C., & Hondeghem, A. (2005). *Veranderingsmanagement in de federale overheid: casestudie van de copernicushervorming*. Leuven: SBOV.
- Pelgrims, C. (2003). Het ministerieel kabinet als rotatiepunt en meerwaarde in de loopbaan van de kabinetsleden. Een onderzoek binnen de kabinetten van de Vlaamse regering. *Tijdschrift voor Bestuurswetenschappen en Publiek recht*, juni, 384-405.
- Pelgrims, C. (2001). *Ministeriële kabinetsleden en hun loopbaan. Tussen mythe en realiteit*. Brugge: Die Keure.
- Peters, G. (1998). *Institutional theory in political science. The 'new institutionalism'*. London: Continuum.
- Peters, G., Pierre, J., & King, D. (2005). The politics of path dependency: political conflict in historical institutionalism. *The journal of politics*, 67, 1274-1300.
- Pollitt, C. & Bouckaert, G. (2004). *Public management reform. A comparative analysis*. Oxford: Oxford University Press.
- Scharpf, F. (1997). *Games real actors play. Actor-centered institutionalism in policy research*. Oxford: Westview Press.
- Selznick, P. (1957). *Leadership in Administration. A sociological interpretation*. New York: Harper & Row.
- Sydow, J., Schreyogg, G., & Koch, J. (2005). Organizational paths: Path dependency and beyond. *Paper presented at the 21st EGOS colloquim, June,30-July,2 Berlin, Germany*, 1-42.
- Thelen, K. (1999). Historical institutionalism in comperative politics. *Annual Review Political Science*, 2, 369-404.
- Tolbert, P. & Zucker, L. (1983). Institutional forces of change in the formal structure of organizations: the diffusion of civil service reforms. *Administrative Science Quarterly*, 28, 22-39.
- Torring, J. (2001). Path-dependent Danish Welfare reforms: The contribution of the new institutionalisms to understanding evolutionary change. *Scandinavian Political studies*, 24, 277-309.
- Van Hooland, B. (2003). *Nieuw Publiek management. Van Bestuurskunde tot copernicus*. Brussel: Academia Press.
- Vande Lanotte, J., Bracke, S., & Goedertier, G. (2005). *België voor beginners*. Brugge: Die Keure.
- X (2000). *Naar een modernisering van de Openbare Besturen. Verslag van de werkgroepen Organisatiestructuur en Personeelsbeleid* Brussel.
- X (2003, August 4). PS blokkeert sluitstuk Copernicus hervorming. *De Tijd*.
- Ziller, J. (1993). *Administrations compares: les systèmes politico-administratifs de l'Europe des Douze*. Paris: Montchrestien.