

A black suit jacket with a white shirt and a red tie. The jacket is open, showing the white shirt and the red tie. The tie is a solid, vibrant red color. The jacket has a subtle texture and a pocket square is visible on the right side.

Conflicts in the polder

How ministers and top civil servants collide

Alexander Kneepkens
Universiteit Leiden

Conflicts in the polder

How ministers and top civil servants collide



Universiteit Leiden

First supervisor:

Dr. K. Vossen

Second supervisor:

Prof. Dr. R.A. Koole

Alexander Kneepkens

Master thesis

Final version

11-06-2012

S1160605

Total page count: 110

Net page count: 52

Table of Contents

List of abbreviations	6
Introduction	7
Chapter 1: The base	11
1.1. Introduction.....	11
1.2. Conceptualization.....	12
1.3. The development of the bureaucratic system.....	18
1.4. The alternatives to the Dutch bureaucratic system.....	23
1.5. Subconclusion	25
Chapter 2: The practice	28
2.1. Introduction.....	28
2.2. Questionnaire	28
2.3. Secretaries General.....	32
2.4. Ministers	36
2.5. Subconclusion	39
Chapter 3: The conflicts	41
3.1. Introduction.....	41
3.2. Docters van Leeuwen	41
3.3. Van Wijnbergen	44
3.4. Van Lieshout.....	47
3.5. Nijhof	49
3.6. Subconclusion	51
Conclusion.....	53
Bibliography.....	57
Appendix A: Questionnaires	II
Appendix B: Interviews	IV
Drs. A.H.C. (Ton) Annink.....	Fout! Bladwijzer niet gedefinieerd.
Drs. D.J. (Dirk Joost) Barth.....	Fout! Bladwijzer niet gedefinieerd.
Drs. P. (Piet) Bukman	Fout! Bladwijzer niet gedefinieerd.

Mr. Tj.H.J. (Tjibbe) Joustra.....	Fout! Bladwijzer niet gedefinieerd.
Mr. H.P.A. (Hilbrand) Nawijn.....	Fout! Bladwijzer niet gedefinieerd.
Dr. H.O.Ch.R. (Onno) Ruding.....	Fout! Bladwijzer niet gedefinieerd.
Mr. J. (Hans) van der Vlist	Fout! Bladwijzer niet gedefinieerd.
E. (Eimert) van Middelkoop	Fout! Bladwijzer niet gedefinieerd.
Dr. S.J.G. (Sweder) van Wijnbergen.....	Fout! Bladwijzer niet gedefinieerd.
G. (Gerda) Verburg.....	Fout! Bladwijzer niet gedefinieerd.
Prof.Mr. R. (Roel) Bekker	Fout! Bladwijzer niet gedefinieerd.
Appendix C: List of approached persons	V

List of abbreviations

ABD	Algemene Bestuursdienst/ Senior Public Service Office
AG	Attorney General
ARAR	Algemeen Rijksambtenarenreglement
AW	Ambtenaren Wet
BBRA	Bezoldigingsbesluit Burgerlijke Rijksambtenaren
CDA	Christen-Democratisch Appèl
CU	ChristenUnie
D66	Democraten 66
DG	Director General
DS'70	Democratisch Socialisten '70
GL	GroenLinks
IND	Immigration and Naturalization Service
LPF	Lijst Pim Fortuyn
PAO	Programma Andere Overheid
PPR	Politieke Partij Radikalen
PvdA	Partij van de Arbeid
PVR	Programma Vernieuwing Rijksdienst
PVV	Partij voor de Vrijheid
SG	Secretary General
SP	Socialistische Partij
TMG	Top Management Groep
ToN	Trots op Nederland
VVD	Volkspartij voor Vrijheid en Democratie

Introduction

On the third of June, 2011, a top civil servant at the Dutch Ministry of Infrastructure and Environment quit her job. At first glance this is not newsworthy. However, what is fascinating is that she quit because she was ashamed of the influence the PVV¹ has on policy formulation in the Netherlands. Although she did not experience any troubles carrying out policy in her own segment, Annemiek Nijhof's 'gut feeling' told her that the government was going down the wrong path due to the PVV (Pré, 2011). Binnenlands Bestuur, a Dutch magazine on public administration, had already picked up several negative signals within the civil service concerning the Freedom Party. This party was predicted to have a relatively high number of seats in Parliament in the 2010 elections (Allepeilingen, 2012). The combination of the negative signals within the civil service and strong support for the PVV prompted an opinion poll by Binnenlands Bestuur. The magazine investigated how civil servants felt about the PVV and if they would quit their job, were the PVV to join a government coalition. Out of the 3300 respondents, 12% indicated they would look for a new job if they would have to serve under a PVV minister. Moreover, 26% would think about changing jobs if this situation occurred (Bekkers, 2010).

The idea of civil servants not wanting to work for their ministers sparked my interest, as I had always thought of the civil service as a non-political organization working for the interest of the entire country and all its inhabitants. This view turns out to be somewhat like Max Weber's approach to the civil service and bureaucracy. He theorized about an ideal type of bureaucracy, stating it is a professional, efficient and honest way to govern, while at the same time it prevents nepotism and arbitrariness (Weber, 1972). I became curious and wondered whether there have been conflicts between ministers and the top of their civil service. The Dutch bureaucratic system does not allow a new government to replace the entire top of the civil service, which is the case in some alternatives to the Dutch bureaucratic system. The top level bureaucrats remain in office for seven years. Only in exceptional cases can the minister of Internal Affairs and Kingdom Relations remove a bureaucrat before the seven years are over, or lengthen his/her term one year at a time (ARAR, 2010). In my thesis I investigate the conflicts that have occurred between ministers and top civil servants in the past fifteen years and how they have been resolved.

As this question is quite broad, a number of subquestions are used to narrow it down. What the bureaucratic system in the Netherlands actually is for the top of the civil service serves as the first subquestion. We will also discuss two alternatives and briefly examine why the Dutch have kept the system they have. The second subquestion is based on the practice of public administration. Interviews and a small questionnaire provide insight into the experiences of former ministers, former Secretaries General and current Secretaries General. These people are currently participating, or have participated,

¹ Partij voor de Vrijheid; Freedom Party

in the Dutch bureaucratic system. Their experiences and viewpoints show strengths and weaknesses of the bureaucratic system.

The first and the second subquestion reveal a number of weak and strong features of the Dutch bureaucratic system. Next, we incorporate this insight within an examination of the four main conflicts that have occurred in the past fifteen years. The article in the *Volkskrant* about Annemieke Nijhof refers to two previous cases where top civil servants had to leave because of a clash with their ministers. In 1999 Sweder van Wijnbergen was the Secretary General of Economic Affairs and he clashed with his minister, Annemarie Jorritsma (Alberts & Koelewijn, 1999). In 2002 Peter van Lieshout was Director General of Health care and he clashed with his minister, Eduard Bomhoff (Staal, 2002). To complete this small list of conflicts between ministers and the top of their civil service, the 1998 clash between Attorney General Arthur Docters van Leeuwen and his minister Winnie Sorgdrager has to be added. In this case, Docters van Leeuwen was fired (Editors, 1998). These four cases not only illustrate the system and its strengths and weaknesses, but they can also indicate a trend or a pattern.

This thesis has three goals. The first of which is to make a small contribution to the knowledge of the development of the Dutch top civil servant system. This goal includes the minister-top bureaucrat relations, relations which are based on professionalism illustrated by the uniform of both ministers and top civil servants; the suit and tie, hence the cover page of this thesis. The literature in this area is very limited and often already outdated. The second goal is to provide an academic overview of the four well-known conflicts. Furthermore, I will combine the already existing knowledge with debates of that time and, with the benefit of hindsight compare them. In chronological order each of the four conflicts will be covered. By using news articles, interviews, opinion articles, literature and applicable publications by actors in the conflict, each conflict is thoroughly described. A good example of existing literature is a book Eduard Bomhoff (2002) wrote about his experiences as a minister. Although Bomhoff does not focus solely on the conflict he experienced, he did dedicate a chapter to his view of the conflict between him and one of his top bureaucrats. An analysis of the debates in the Second Chamber concerning the conflicts ensures a broader perspective. Sometimes the conflict sparked specific debates and other times the conflict lead to general debates about the system and the relations. Finally, the differences and similarities of the conflicts are shown and linked to the strengths and weakness of the system.

The third goal of this thesis is to contribute to the debate over whether the Netherlands can continue with the current top civil servant system. Other countries have other bureaucratic systems and have other approaches to the top of the system and their relations to the politicians. The best known example is the spoils system in the United States of America. When a party other than the current governing party wins the elections, many civil servants are replaced by supporters of the new government party. This encourages members and voters to strongly support the party, as they might be awarded with a job. A less known alternative to the Dutch system is the one used in Canada. The

Canadian system concentrates power in the prime minister and his clerk. This clerk is the head of the civil service and nominates candidates for the position of deputy minister, a position similar to Secretary General in the Dutch system.

A research question can be formulated, along with three subquestions.

Research question:

Which conflicts have occurred between ministers and top civil servants in the past fifteen years and how have they been resolved?

Subquestions

- 1 What is the bureaucratic system used in the Netherlands for the top of the civil service, why is this system used and what are the alternatives?*
- 2 How do ministers and top civil servants perceive the bureaucratic system and what do they consider to be its strengths and weaknesses?*
- 3 Which are the most outstanding conflicts in the past fifteen years and is there a pattern in these conflicts?*

Method

This thesis uses a qualitative research method. A combination of in depth interviews and case studies ensures a thorough research and a proper base for analysis. The description and development of the system in Chapter 1 is the first case study. Each of the conflicts in Chapter 3 is a small case study as well. For the case study in Chapter 1, and for those in Chapter 3, a combination of media/news sources, interviews, parliamentary transcripts and letters are used as primary sources.

Although the method used for the interviews and questionnaires is precisely explained at the start of the applicable section, some light should be shed on the matter. A total of 68 interview invitations were sent to former ministers, former SGs and current SGs. Along with the invitation, these people received a small questionnaire. The invitation stated that if the person did want to participate in this research but did not have the time, they could fill out the questionnaire and send it back in the accompanying envelope. This questionnaire is divided into two groups, politicians and bureaucrats. Each have their own questions applicable to the situation. The original questionnaire forms can be found in Appendix A. Eleven people agreed to an interview and seventeen others filled out the questionnaire. Of these eleven interviewees, two are active Secretaries General and four are former Secretaries General; of these four one is the main actor in one of the conflict cases. The other five interviewees are former ministers; one is from the LPF², another is from the CU³ and four are from the

² Lijst Pim Fortuyn; List Pim Fortuyn

³ ChristenUnie; Christian Union

CDA⁴. Apart from these three parties, ten of the invitations were sent to D66⁵. Although three of the former D66 ministers filled out the questionnaire, none of them agreed to an interview.

As the interviews were specifically targeted to the individual interviewees, the questions asked are not exactly the same. A small table, such as the one presented in Chapter 2 with the answers from the questionnaire, is therefore not possible for the interviews. Each interview is processed separately and added in Appendix B. However, the recorded interviews lasted for a total of close to ten hours and not all of it was applicable to this thesis. Therefore, the transcripts of the interviews in Appendix B are not the complete interviews but a selection of relevant questions and answers from these interviews. Although the interviews and the questionnaire are meant for the discussion in Chapter 2, the analysis of the conflicts presented in Chapter 3 benefit from them as well. The interview with Sweder van Wijnbergen, an actor in one of the later described conflicts, is especially applicable to the section on his case in Chapter 3.

Considering the extensive use of case studies, the subconclusions play an important role in the creation of a cohesive thesis. Each of the three chapters ends with a subconclusion which fuses the most important findings in the different sections of that chapter. Apart from creating internal coherence, they are also the steppingstones towards the final conclusion.

⁴ Christen-Democratisch Appèl; Christian Democratic Appeal

⁵ Democraten 66; Democraats 66

Chapter 1: The base

1.1. Introduction

As the title indicates, the aim of this chapter is to create the base for the thesis. The base in this instance is a solid understanding of a number of concepts and bureaucratic systems. The importance of this chapter should not be underestimated, as people often have the wrong impression of bureaucrats. Civil servants are, for instance, the subject of many jokes. Most of the times these jokes either suggest low working ethos and slow work (“Why don’t civil servants stare out the window in the morning? If they did they’d have nothing to do after lunch”) or they refer to a bureaucrat’s assumed ability to create an administrative chaos out of nothing (“How many civil servants does it take to change the light bulb? Forty-five: one to change the bulb and 44 to do the paperwork”).

Although many professions are the subjects of jokes, the civil servant jokes illustrate the reputation of the servants. The goal of the first section of this chapter is therefore to eliminate any wrong impressions the reader might have. What actually is the bureaucratic system used in the Netherlands for the highest civil servants? What are the alternatives and why is the Dutch bureaucratic system used? To answer these questions, the conceptualization starts off with a discussion of the most important bureaucratic notions. These explain what a civil servant actually is, what the structure of the Dutch bureaucracy is and who the actors are.

Following the overview and the explanation of the most important concepts when it comes to bureaucracy, the most important literature in this field is discussed. The classic concepts of Weber are mentioned in the conceptualization. However, there are several authors who focus specifically on the Dutch bureaucratic system. Authors such as Lemstra (1993), Nieuwenkamp (2001), Visser (2008) and Bekker (2009; 2012) have made significant contributions to the field. The approach of each of these authors is briefly discussed, providing an image of what has already been done. This section ends with the placement of this thesis in the framework of the previously mentioned Dutch authors.

With the conceptualization and the most important authors established, the Dutch bureaucratic system itself is discussed. Seeing as there are hardly any publications yet on the history of the Dutch bureaucratic system, this paper does not aim to take an extensive historical approach. Thus, only the development of the system from 1995 onwards is described. In 1995 the ABD⁶ was founded and it embodied a new approach to the top of the civil service. This is the starting point of the exploration of this thesis. The changes made to the system and their motivations are discussed only briefly before the development of the system after 1995 is discussed in more detail. As the Dutch bureaucratic system is far from the only bureaucratic system in the world, two different systems are presented to illustrate other approaches to bureaucracy. Out of the many systems that exist, the one in the United States of America, ‘the spoils system’ is probably the most well-known. A far less known system is used in its neighboring country, Canada. An overview of these two systems is provided, including the most

⁶ Algemene Bestuursdienst; Senior Public Service Office

important reasons why these systems are used. At the end of the chapter, a subconclusion is presented, connecting the different sections of the chapter.

1.2. Conceptualization

The start of this section focuses on some basic concepts and notions which have to be clarified before one can move on to explorations of the Dutch bureaucratic system and the conflicts in the system. The first of these is the term 'bureaucrat'. In the general introduction, as well as in the introduction of this first chapter, I have already mentioned bureaucrats and ministers quite often. Nevertheless, these actors have to be defined. Although Wikipedia is not a scientific source, the website does offer a good indication of what the general public conceives a bureaucrat to be. The definition the website provides is very broad and it states that a bureaucrat is anyone working for the government or a government institution (Wikipedia, 2012). In the Dutch case this would include a very large number of workers, as the Dutch have many self-controlling institutions. According to the academic definition provided by Frits van der Meer and Laurens Roborgh (1993), bureaucrats are the core of the government. They are the government employees with the desk jobs doing the main governmental work (Van der Meer & Roborgh, 1993, p. 25). This is the narrow definition of the broader term 'public administrators'. Van der Meer and Roborgh make this distinction as the broader concept entails all government employees with the exception of political directors (ibid, p.21). All bureaucrats are therefore public administrators, whereas public administrators are not necessarily bureaucrats. In addition to these two terms, 'civil servant' is another frequently used term. Civil servants are all public administrators, excluding any military personnel. As the words 'bureaucrat', 'public administrator', 'public servant' and 'civil servant' are frequently used interchangeably, it seems only right to use the strictest definition of the three. Therefore, whenever one of the three terms is used in this thesis, the narrow definition of bureaucrats applies to it.

The Dutch government itself also defines public administrators in a law from 1929 called the AW⁷, which applies to these public administrators. The definition it provides is even more general than the broad definition of public administrators. Public administrators, according to this law, are all personnel appointed to work in public service, including all companies, services and public bodies governed by the State (St-AB.nl, 2012). The law is used to define who is entitled to the special protection and other benefits government employees still have in the Netherlands. Bureaucrats, as defined for this thesis, are therefore included in the AW; nevertheless, this does not change the definition.

As Max Weber and his concept of bureaucrats is sometimes mentioned by interviewees and in several other sources, it is important to briefly describe what this concept entails. Van der Meer and Roborgh deal extensively with this concept and base their book on the ideal type bureaucrat coined by

⁷ Ambtenaren Wet; Civil servants Law

Weber. This ideal type requires that bureaucrats are part of a strict hierarchical system where they have to follow orders without a second thought. They have strictly outlined responsibilities and powers, they are recruited based on their competency and receive a fixed wage (Van der Meer & Roborgh, 1993, p. 34). The notion that bureaucrats are to follow orders without a second thought is even stricter in Nieuwenkamp's book. He interprets Weber's ideal type as the way that the political leaders of the bureaucrats force their opinion onto the system, which acts as an inert machine (Nieuwenkamp, 2001, p. 35). Nieuwenkamp does immediately make the side note that this is ideal type cannot be found in the general practice of the Dutch system.

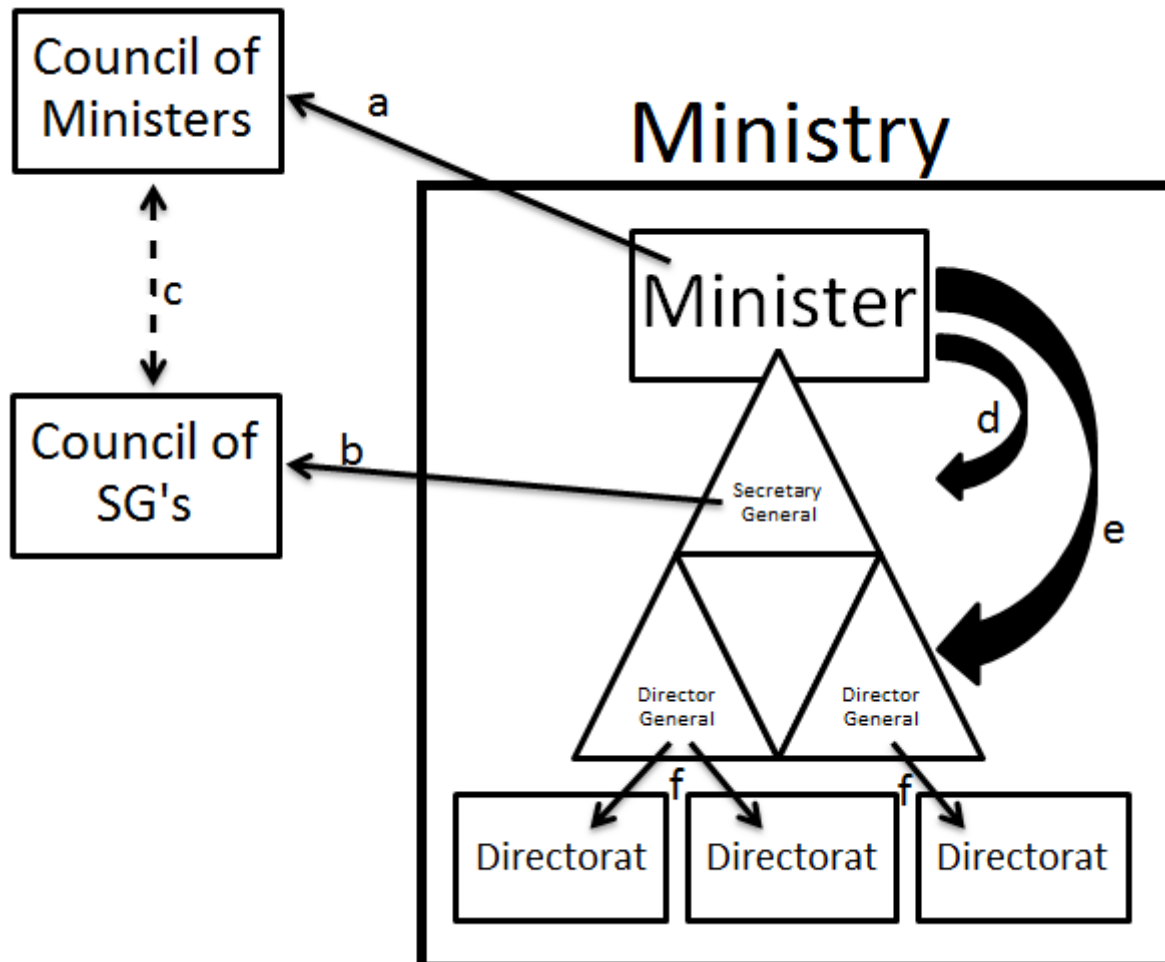
In the Netherlands, bureaucrats function in so-called ministries, of which there are currently eleven. Each of these ministries, also known as departments, is politically led by a minister and bureaucratically led by a Secretary General (SG). Apart from the bureaucratic leadership, the SG is also the first advisor to the minister and is often a funnel through which the information from the department goes before reaching the minister. Last but not least, the SG is the coordinator of policy in the department and responsible for integration between policy areas (Lemstra, 2008, p. 261). The Secretary General is the highest ranking bureaucrat in the department and his wage is in the highest governmental category (Breeman, Noort, & Rutgers, 2010, p. 75). The SG is responsible for the general management of the department, whereas Directors General (DG) are at the head of specific parts of a department. These specific parts are often a policy area within the department but can also be an agency like the Tax and Customs Administration (*ibid.*, p. 58). The SG and DGs are in the same wage category, with the SG receiving a bonus for his work. The SGs of all eleven ministries are united in the Council of Secretaries General. The role of this Council is still an informal one; there are no publications on its activities and hardly any information on it.

A minister can be the political leader of a ministry, but there are also ministers who are not at the top of a department. Nevertheless, in principle, ministers are the political leaders of a department of public administration. Ever since the Constitution was amended in 1938, ministers can also be appointed who are not in charge of a ministry, as stated in Article 44 (DeNederlandseGrondwet.nl, 2012). These ministers are in charge of a specific policy area, and the government thereby emphasizes the importance of this policy area. Both the ministers in charge of departments and the ministers without departments have a vote in their united Council of Ministers (Breeman, Noort, & Rutgers, 2010, p. 36). As there has to be a limit to the scope of this thesis, Secretaries of State are not taken into account. There is therefore no need to elaborate their position in the Dutch bureaucratic system.

Figure 1 shows a schematic visualization of the top of a ministry and the position of the Council of Ministers and the Council of Secretaries General. The minister is at the top of a ministry and arrow 'a' shows that this minister also has a seat in the Council of Ministers, similarly arrow 'b' indicates that the SG of a ministry has a seat in the Council of SGs. Arrow 'c' illustrates the interaction between both the Councils, as that of the ministers can steer that of the SGs and the SGs influence the ministers. Arrow 'd' shows that the minister interacts with the SG and 'e' that the

ministers also interacts with the DGs. While ‘f’ shows that the DGs are at the head of the separate Directorates. Figure 1.1 is the most commonly found model and only serves as an illustration, the other possibilities are not of importance for this thesis.

Figure 1.1: Civil service



The chapter in this thesis on conflicts not only focuses on ministers, and SG and DGs, but it also deals with an Attorney General (AG). Attorney Generals are united in the Council of Attorney Generals, a body at the top of the Public Prosecutor. Although the Public Prosecutor is included in the Ministry of Justice, it has an independent position. The Council of Attorney Generals has a direct line to the minister of Justice, without the Secretary General of the Ministry of Justice as a middle man. This Council consists of five Attorney Generals, as there are five main Courts of Justice. Although the usual wage categories of the government do not apply to these AGs, their wage is approximately at the same level as that of the SGs and DGs (InOverheid.nl, 2010). As SGs, DGs and AGs are all approximately in the same wage group and at the top of the bureaucratic system, these are the civil servants that are referred to in this thesis as ‘top civil servants’. These top civil servants are the focus of this thesis, with a special focal point on SGs.

Having established the actors and the definitions of their functions, I turn to two concepts; ‘political primacy’ and ‘ministerial responsibility’. These two concepts are of great importance to the

Dutch bureaucratic system because they enable the system to function. Political primacy entails that government and parliament determine the policy, after which the public administration carries out the political wishes (Nieuwenkamp, 2001, p. 15). The idea being that the parliament is elected by the people and the government is dependent on the trust of the parliament. This way the popular sovereignty is ensured. Contributing to this concept is the notion that the public administrators are not elected politicians and can therefore not ensure popular sovereignty (ibid., p. 16). In recent years some politicians have argued that political primacy has to be reinforced, as they claim that it has declined over the years. According to an interview by Mark Frequin with Prof. Dr. In 't Veld, this is only because politicians are afraid that they cannot make policy changes and therefore try to interfere with the bureaucratic implementation (Frequin, 2006, p. 45).

The idea of ministerial responsibility is that formally the minister of a department owes political responsibility to the parliament for all civil servants in his department. As the civil servants' competence is derived from the competence of the minister, the minister is responsible for all actions within this derived competence. This means that when mistakes are made in a department, it is the minister who has to go to parliament to elaborate on it and take responsibility, not the civil servants who made the mistake (Nieuwenkamp, 2001, pp. 18-21). Parliament can therefore rescind their trust in the minister, effectively making him resign for a mistake he did not make. Opinions differ on whether parliament should do this if the minister had no knowledge of the mistake. There are many cases where the minister did not resign, but a bureaucrat was relieved of his duties. A former Secretary General states that increasingly civil servants have to resign, instead of ministers (Frequin, 2006, pp. 54-55).

The concepts of ministerial responsibility and political primacy can also be found in ideal models for the relationship between ministers and top civil servants. Guy Peters developed five ideal models; the formal judicial model, the village life model, the functional model, the resistance model and the bureaucratic primacy model. The formal judicial model is basically a pure form of political primacy, where the public administration only functions executively. The political leaders, namely, the ministers, make all the decisions and develop the policy. The village life model assumes that ministers and top civil servants have the same norms and values and aim to improve the functioning of the government. The actors work together to improve the government, while at the same time they defend it from outside influences. Ministers and top civil servants work together on policy development, making this a hybrid model (Nieuwenkamp, 2001, p. 49). The functional model is very similar to the village life model. Where the village life model has the top bureaucrats and ministers working together, the functional model has all bureaucrats in a specific policy area working together with the minister in that area. At the same time there are strong connections with Members of Parliament in the same policy area, as well as with interest groups. This compartmentalization results in fewer connections with other bureaucrats or ministers (ibid., p. 50).

The remaining two models are more focused on the public administrators. In the resistance model the minister and the top civil servants are fighting for the power over policy development. Civil servants either follow their own path, without paying attention to the minister, or simply refuse the minister's orders. The bureaucrats feel as if they have to defend their policy area against uninformed others. The model is prone to conflicts on policy development, on the development of the department itself and on party political grounds. The latter is often the case when a certain party has had the minister of a department for a long time. The bureaucratic primacy model entails that the civil servants dominate the system due to the increasing complexity of policies and the increasing workload. In this model the ministers are less specialized than the bureaucrats, the latter therefore have an advantage in information and knowledge. Ministers are therefore steered by the top civil servants, who also have the power to increase or decrease the speed at which policy is developed (ibid., pp. 50-51).

As any bureaucratic system can experience conflicts where a top civil servant has to leave his position, Roel Bekker introduced five categories of conflicts:

1. Obvious mistakes. The possibility of obvious mistakes in governance or implementation which came about due to the actions or the lack of actions of the top bureaucrat.
2. Inability. The possibility of inability, where the top civil servant is no longer up for the task of his position. This inability can be due to a number of reasons ranging from increased complexity to physical problems.
3. Mismatch. The possibility of a simple mismatch between the person and the position.
4. Tension. The possibility of tension between the top civil servant and the minister, colleagues or employees.
5. Other. Other possibilities, that is, situations where it is not really clear what the problem is are incorporated in this category (Bekker, 2012, pp. 371-372).

Existing knowledge

The significance of this section on existing knowledge was heightened when, on April 12th, 2012, Roel Bekker published his book on top civil servants. At first glance the book seems to cover everything that would be in this thesis, making the thesis irrelevant. As there are several authors with publications about civil servants, SGs, top bureaucrats and minister-top civil servant relations, this thesis has to focus on the niche they did not cover. A short description of the works of seven authors, including their approaches and their coverage will allow us to place this thesis in their framework.

The first work to be discussed is the dissertation by Van der Meer and Roborgh (1993) called *Ambtenaren in Nederland*⁸. These authors provide a very general overview of bureaucrats in the Netherlands. They focus on what bureaucrats are, how many of them there are and the

⁸ Civil servants in the Netherlands

institutionalization and representation of the civil service. The dissertation offers a good source for general definitions and clarifies much about bureaucrats of all levels of government. Although most of this work is not applicable for the thesis at hand, it is a good introduction to bureaucracy and civil servants. Van der Meer and Roborgh also develop an image of the ordinary bureaucrat, taking into account demographics such as education, social background, religion and political orientation (Van der Meer & Roborgh, 1993, pp. 2-6). The second work is a dissertation by Wolter Lemstra (2008) called *De Secretaris Generaal*⁹. As the title indicates, it focuses on the function of the Secretary General. Lemstra stresses that the position of the SG is not well defined in the Netherlands, as the legal position of the SG is unclear as well as his exact competence. Although there is trend of universalizing the position of the SG, the position still differs between departments. The very recent book by Roel Bekker (2012) complements Lemstra's dissertation and goes a step further. Bekker not only looks at the formal position and function of the Secretary General and other top civil servants, but he even portrays 44 of them. From these portraits he derives general abilities and character traits possessed by successful top civil servants. These findings will be described and used in the later chapters of this thesis. Furthermore, Bekker generally discusses the possibilities of conflicts and other reasons why top civil servants might have to resign. This book contributes immensely to the understanding of the workings of the top of the Dutch bureaucratic system. It does, however, have one main weakness. The author has himself been an SG and later got a special function as SG in charge of renewal of the bureaucratic system. In his book, Bekker is generally very positive about civil servants, to such an extent that he seems biased.

Whereas Van der Meer, Roborgh, Lemstra and Bekker focus nearly completely on bureaucrats, the final three works also deal with political leaders. Mark Frequin (2006) wrote a book about the teamwork between ministers, secretaries of state and top civil servants. It is called *Ja minister – Nee minister*¹⁰, inspired by the TV-show *Yes Minister*. As Frequin is an active top civil servant himself, he provides an inside look into the interaction between the political leaders and the bureaucratic leaders of departments. The author has interviewed several colleagues, former ministers and former bureaucrats. He combines these interviews with his own experiences and observations to form an enjoyable book. Robert Visser (2008) takes a different approach, while also taking both the bureaucratic and political side of the Dutch bureaucratic system into account. In his dissertation called *In het algemeen belang*¹¹, Visser deals with all actors in the system. Everyone from the King to self-controlling government agencies are all placed in a framework with a special focus on ministerial responsibility. The final work focuses on political primacy in the Dutch system. This dissertation by Roel Nieuwenkamp (2001) called *De prijs van het politiek primaat*¹², focuses on three departments.

⁹ The Secretary General

¹⁰ Yes minister – No minister

¹¹ In the Public Interest

¹² The price of the political primacy

Nieuwenkamp interviewed ministers, secretaries of state, SGs and DGs from the department of Economic Affairs, the department of Housing, Planning and the Environment and the department of Justice. After the author developed a framework, he used the interviews to determine whether there is still mutual trust and loyalty between top bureaucrats and ministers.

Where the book by Frequin shows a very personal view of the Dutch bureaucratic system and the relationship between ministers and top civil servants and Visser a very formal one, this thesis aims to position itself in between these two extremes. By using interviews I can introduce the personal experiences and observations of actors into this thesis, whereas parliamentary debates and the previously mentioned literature are a good source for the formal framework and general information. The approach taken in this paper is quite similar to that of Roel Nieuwenkamp; however, more than a decade has passed since the publication of his dissertation. The effects of the establishment of the Senior Public Service Office in 1995 were still very fresh. Furthermore, this thesis focuses on conflicts between the top civil servants and ministers, not on political primacy.

1.3. The development of the bureaucratic system

The description of the development of the Dutch bureaucratic system could easily start at any moment in history. It could start with the bureaucratic model implemented by the French when they ruled over the Netherlands after the French Revolution. It could start with the coronation of King Willem I in 1813, who continued the bureaucratic system introduced by the French in the years before. The 1814 constitution established the system of a decentralized unity state, where the power of the unity state is allocated to the King and his ministers (Stekelenburg, 1999, pp. 31-34). In 1984 the BBRA¹³ was introduced, adapting the ARAR¹⁴ which was established by Royal Decree on June 12th, 1931 (St-AB.nl, 2012). The ARAR established the formal position of civil servants, which was simplified with the adoption of the BBRA and this was the last major change before 1995. This thesis, however, does not have a historical approach as its main goal and there are hardly any publications which deal with the early development of the Dutch bureaucratic system. Therefore, only the more well-documented development since 1995 is taken into account in this thesis. This section of the chapter can be divided into two parts. The first is on the establishment of the ABD and the changes it introduced or embodied and the second part is on the development after the establishment of this agency in 1995. With a full understanding of the Dutch bureaucratic system it is possible to compare the Dutch system with other systems, as is done in the next section of this chapter. The descriptions of the bureaucratic system focus on the civil service itself and do not include the development of other concepts such as ministerial responsibility.

¹³ Bezoldigingsbesluit Burgerlijke Rijksambtenaren; Civil Servants Pay Decree

¹⁴ Algemeen Rijksambtenarenreglement; General Civil Service Regulations

The ABD established

Before the introduction of the Senior Public Service Office the bureaucratic system was a ponderous machine in a country with a massive welfare state. Slowly the idea arose that the government should focus on its core tasks, which resulted in more independent government agencies and even privatizations (Van Twist, Van Der Steen, Karré, Peeters, & Van Ostaijen, 2009, pp. 24-25). A separation between policy and implementation became a goal, supported by the report of the Wiegel commission in 1993. The report stressed the need for core departments. Core departments would ensure the possibility for the civil service to react quickly, which was not the case then due to the large numbers of bureaucrats and the variety of their tasks (politiekcompendium.nl, 2012). These suggestions were adopted into the coalition agreement of cabinet Kok I, which aimed to create a smaller and more agile civil service that cost less (Kok, 1994). The report of the Wiegel commission also suggested the establishment of the ABD. The idea behind the ABD, according to this commission, is that civil servants should not owe allegiance to one department, but to the complete civil service. By instigating a Senior Public Service Office the high civil servants would be able to transfer from one department to another. Transfers like these were of importance as the Dutch bureaucratic system was a very compartmentalized system, with each ministry being almost a private kingdom (Van Twist, Van Der Steen, Karré, Peeters, & Van Ostaijen, 2009, p. 74). In 1993 the Secretaries General also published a report in which they welcomed the possibility of a Senior Public Service Office. They saw this as a good option to increase the general quality of the top civil servants and their management abilities (ibid., p. 82).

On the first of January 1995 the ABD was officially established as an office under the jurisdiction of the Ministry of Interior and its SG. Benita Plesch was appointed DG of the ABD and she had to report to the minister of interior and the prime minister. The DG of the ABD was also appointed an advisory seat in the Council of SGs (Kuijken, 1995). The official notification which established the office states that its task is the development and implementation of the personnel policy (ibid.). The 15-year-anniversary booklet published by the office looks back at the start and states that with this task the goal was established to promote interaction in governance and reduce unnecessary bureaucracy. It was no longer desirable for each part of the civil service to have its own facilities. Not only was the ABD going to counter the hyper-compartmentalization within the entire government, it also reduced the amount of hierarchical layers. All civil servants in the three highest wage levels of government became part of the office, which added up to 350 people at the start. Mobility was also an important feature of the ABD. No longer would it be natural to remain on one post for a very long time, nor was it likely that one would be able to build a civil service career in one department (Simonis (ed.), 2010, p. 8). At this time the Senior Public Service Office did not want to force job rotation. Top civil servants were still appointed permanently but the office promoted a change of jobs every five years. By change of jobs, the ABD did not necessarily mean a promotion; the office especially encouraged horizontal mobility. Therefore, top civil servants remained in their

wage level and moved to a job of similar stature as their original job (Van Twist, Van Der Steen, Karré, Peeters, & Van Ostaijen, 2009, p. 58). Although there was no coercion to rotate, after two years 20 percent of the top civil servants falling under the ABD had changed jobs. Interestingly, nearly half of them, 49 percent, had moved to another department (Simonis (ed.), 2010, p. 9).

The system since 1995

The establishment of the ABD did not magically create the perfect bureaucratic system; the system has developed further since then. The first major change came in the year 2000, when the time in office of civil servants in the highest wage level became officially limited to seven years. In exceptional cases they could stay longer, but the principle became that they had to rotate to another position. This other position was preferably in another department, creating a rotation system (Simonis (ed.), 2010, pp. 10-11). The increased emphasis on mobility introduced with the establishment of the ABD and reinforced by the official introduction of the rotation system, resulted in shorter periods in office for top civil servants, as was intended. Table 1.1, which is an illustration of the increased mobility, takes all Secretaries General into account since the Second World War with the exception of the current SGs, as most of them are only recently appointed.

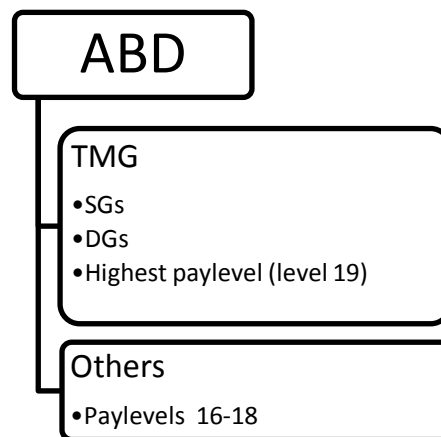
Table 1.1: SGs years in office

Years	Average years in office
1945-2012	7.2
1945-1994	8.0
1995-2012	4.8

Data source: parlement.com

This table very clearly shows that SGs who were appointed after the introduction of the ABD remained in office for a much shorter time than in the fifty years before. It does must be noted that the two SGs who have been in office the longest since 1995 are still in office and are therefore not taken into account. Joris Demmink has been Secretary General of Justice for ten years now and Ton Annink has been Secretary General of Defense for nine years. Another side note has to be made; each appointment of an SG is counted as a new SG. Out of the 110 SGs since 1945, seventeen have had two or more SG positions of which three are still in office. The average before 1995 would therefore be higher if the average per person was calculated instead of the average of the years spent in a single position. As the ABD incorporated many more civil servants than the absolute top, a Top Management Group (TMG) was established in 2000. This TMG only covers civil servants in the highest wage level, which includes 65 top civil servants (Algemenebestuursdienst.nl, 2012). In 2001 the coverage by the Senior Public Service Office was extended to cover another wage level. The four highest wage levels are now incorporated, resulting in a total of 670 top civil servants in the system of the ABD (Simonis (ed.), 2010, p. 12). Figure 1.2 shows the current situation of the ABD.

Figure 1.2: ABD



Since 2001 a number of steps have been taken which are nicely illustrated by two programs (2003, 2007) and two SG reports (2006, 2007). The first program is the Programma Andere Overheid (PAO)¹⁵ (2003), which is embodied by the appointment of the first minister of governmental renewal. The idea was that the government was interfering too much in the lives of the citizens. A smaller central government was therefore needed. This smaller government was to be realized by reducing overlap between ministries, decreasing hired work from outside the government and increasing interaction and coordination between ministries (Epractice.eu, 2012). In general, the government was to become more efficient. This push for efficiency resulted in a profile sketch of the desired civil servant. The emphasis was placed on flexibility, openly oriented, results oriented and very capable of teamwork (Simonis (ed.), 2010, p. 14). The general flexibility of the TMG was also increased in the following years. In 2006 the top civil servants in this group officially became bureaucrats in the Ministry of Interior, which in turn ‘lends’ them out to the different ministries. Only the Ministry of Foreign Affairs is exempt from this, as it has its own rotation system with ambassadors (TMG, 2011).

The two reports by the Secretaries General are the next step towards the current bureaucratic system. The first report is called *In dienst van het Rijk; Naar een volgende fase van vernieuwing van de Rijksdienst*¹⁶ (2006), the second is called *De verkokering voorbij; Naar een slankere en effectievere Rijksdienst*¹⁷ (2007). A remarkable aspect of these reports is the recognition of the influence of the media on the functioning of the civil service and politics. The SGs state that the civil service has to learn to deal with the media, for instance, by improving communication. Another important point is the improvement of the relationship between the political leaders of the departments and the civil service. The top civil servants were told to put extra effort into their relationship with the political

¹⁵ Program Other Government

¹⁶ In public service; towards the next stage of renewal of the Public Service

¹⁷ Past the compartmentalization; towards a slimmer and more effective Public Service

leaders (Kuijken, 2006). The second report was actually a suggestion by the SGs to the negotiators of a new cabinet. As massive budget cuts were predicted, the SGs presented a plan in which large budget cuts were made while at the same time improving the civil service. The SGs suggested a leaner public administration with smoother collaboration between departments (Van Twist, Van Der Steen, Karré, Peeters, & Van Ostaijen, 2009, pp. 85-86). The new cabinet adopted the suggestions by the SGs which resulted in a decrease in personnel of 15,000, while at the same time they received 500 million to invest in the improvement of the civil service (Francissen & Mies, 2011, p. 6).

The next step, the Programma Vernieuwing Rijksdienst¹⁸ (PVR) (2007), is a result of the promised improvement after the two SG reports. The goal of the program is to increase efficiency while at the same time dropping some government tasks. The PVR was led by a special SG, the first SG without a department. This special SG, Roel Bekker, was to lead the desired changes that resulted from the SG reports (BZK, 2007). The changes instigated by Bekker are all-encompassing. They vary from small changes, like a single logo for the entire public service, to large changes, like the merger between two planning bureaus (Francissen & Mies, 2011, pp. 6-7). There have also been practical changes, like the creation of a digital work environment which increases flexibility in where the civil servants work (BZK, 2011). In 2010 the ABD was expanded, adding the top of the police force to the office (Simonis (ed.), 2010, p. 26). The PVR was followed by the current Programma Compacte Rijksdienst¹⁹ (2011), a result of a new cabinet with new budget cuts. This most recent program continues the operation started with the PVR and has the same goals; making the civil service more compact and flexible, increasing coordination between departments, and at the same time cutting costs and decreasing personnel (BZK, 2011). As a result of the policy of the new cabinet the number of ministries has been reduced from thirteen to eleven.

The PVR and the Programma Compacte Rijksdienst embodied the most recent changes to the Dutch bureaucratic system. The most important features of the top civil service are therefore the ABD and the TMG. The appointment and recruitment of top civil servants is based on the rotation system, ensuring a maximum of seven years in office for a single function. This system promotes flexibility and general management skills, as the top bureaucrats have to be able to function at any position awarded to them within either the TMG or ABD. Although the top civil servants that make up the TMG are all employed by the Ministry of Interior, they still owe allegiance to the minister of the department where they work. The minister of a department decides together with the minister of interior on the actual appointment of top civil servants, after the ABD has made a recommendation (Bekker, 2012, pp. 387-389). The fact that the decision still lies with the political leaders can be seen as an extra stimulus for loyalty, while at the same time preserving a separation between politics and civil service.

¹⁸ Program Renewal Public Service

¹⁹ Program Compact Public Service

1.4. The alternatives to the Dutch bureaucratic system

Having established the main characteristics and the recent development of the Dutch bureaucratic system, we now will examine what the alternatives to this system are. As there are many different systems with different combinations of characteristics, a selection has to be made. The first example of an alternative system is the spoils system, which was used in the United States of America (US). This system is the extreme example of a system where politics completely controls the bureaucracy. This bureaucratic system is based in a country with a presidential political system that is very different from the Dutch system. The second alternative used as an example is the Canadian system. This bureaucratic system is based in a country with a prime minister and it is the opposite of the spoils system. In the Canadian system the bureaucrats have a high level of independence. The short descriptions of both systems below provide an overview of their basic qualities.

Spoils system

Throughout most of the 19th century the US had a bureaucratic system called the spoils system. Although this system is no longer used to its full extent in the US, it is an interesting system to compare to the Dutch system. The name stems from the saying ‘to the victor belong the spoils’, which immediately indicate the basic idea of this system. Elections resulted in a winning party, which had then had the right to replace any civil servant, from the lowest ranking to the top of the civil service. The victorious party could place a person of their choice at any position in government or even replace all civil servants. The seventh president of the US, Andrew Jackson, was a firm believer in this system. He assumed that the work of the civil service was general to such an extent that it could be fulfilled by any intelligent person. Furthermore, the system entails a belief that continuation in policy or a long period in the same position is of less importance than a strong democratic resonance in the civil service. The idea here is that the party that won the elections should be able to fully implement their proposed policies as this is the will of the citizens (Hughes, 2003, pp. 18-19). One benefit of this system is the openness that there is a link between politics and the civil service. The interaction between them is very clear for, unlike in some other systems, the civil servants themselves acknowledge politicians as their leaders (ibid., p. 67). As there were general elections every five years, the position of the appointees in the spoils system was very uncertain. The civil servants could easily lose their job if their party lost the elections (Sancino, 2011). Jackson believed that this insecurity was not a problem. Civil servants who were relieved from their duties had the same chances of finding a new job as any civilian who was never in office in the first place (Hughes, 2003, p. 19).

The system turned out to have several weaknesses, which is the reason it is no longer completely applied in the US. The first weakness is the disruption of the civil service when bureaucrats were replaced. Work would stop temporarily and chaos would take over until the new

civil servant had been incorporated. Another weakness is the actual appointments. Not only were the ones who decided on appointments swamped by requests, but there were also many conflicts about replacements. As a result of the weaknesses, the general public thought negatively of the civil service and found it to be incompetent. In 1881 president James Garfield was killed by an angry citizen who thought he should have been appointed into the civil service but was not (*ibid.*, p. 20).

It comes as no surprise that, as a result of the weaknesses, changes were made. The Pendleton Civil Service Reform Act was introduced which limited the appointments on the base of political favors or spoils. Civil servants were to be appointed on the basis of merit. This resulted in 10% of the US civil servants being appointed on the basis of merit, where it is more than 90% now (*DigitalHistory.uh.edu*, 2012). Woodrow Wilson, the 28th US president, advocated a complete separation between politics and civil service. He wanted to abandon the spoils system altogether; he was, however, unsuccessful in this pursuit (*Hughes*, 2003, p. 32).

In comparison to the Dutch bureaucratic system, the spoils system is much more focused on immediate and sudden changes. Whereas the Dutch system relies on loyalty and continuity, the spoils system relies on party politics and a high democratic level in the civil service. The spoils system can be seen as the most extreme case of political influence on the composition and policies of the bureaucratic system. The Dutch have a more middle route, incorporating a single political appointment in the form of the political assistant and indirect influence on general appointments with a fairly independent civil service.

Canadian system

At the other end of the scale is the northern neighbor of the US. In the Canadian system a large portion of the power lies with the chief bureaucrat. Canada has a clerk of the Privy Council, a person at the top of the Canadian civil service who serves directly under the prime minister. Not only does the clerk support the general cabinet affairs as a secretary, but he is also deputy minister to the prime minister. Deputy ministers are similar to the Secretary General in the Dutch system; the Clerk of the Privy Seal is the leader of all deputy ministers. The role of the clerk does not stop there; “his or her task is to transmit the directives of the political executive, help orchestrate consensus so that the files keep progressing, and, of course, advise the first minister on a myriad of topics, crises, and issues” (*Dutil* (ed.), 2008, pp. 2-3). Furthermore, the clerk ensures continuity in government policy after a change of cabinet (*Bourgault*, 2008, p. 44). Apart from these policy-related tasks, the clerk is also the official head of the civil service. The Clerk of the Privy Seal nominates the other deputy ministers for appointment. At the same time, he nominates deputy ministers for dismissal. As the clerk is the absolute leader of the deputy ministers, he also monitors performance and takes action when this is not to his liking (*ibid.*, p. 73). The power of the clerk is a direct result of the power of the prime minister; within the cabinet the prime minister has undisputed authority as the master of the cabinet in Canada (*ibid.*, p. 68). To ensure a constant stream of competent deputy ministers and other high civil servants,

the Canadian system has an emphasis on training personnel. Not only does the Clerk of the Privy Seal support new deputy ministers and make sure they follow trainings, but there is a Canadian Management Centre with special responsibility for training (Berenschot, 1998, pp. 26-27).

One of the weaknesses of the Canadian system is at the same time one of its strong points: the recognition of the clerk as the head of the civil service. Since the power is concentrated in one person, the impact of the character and traits of this person can be very large. One secretary was even given the nickname 'godfather' because of his shady controlling style (Bourgault, 2008, p. 73). Yashar Kemal, Peter Foster and Edouard Roditi (1993) wrote a book called *The sorcerer's apprentices: Canada's super bureaucrats and the energy mess*. The book focuses on the influence of the clerk and the story of the person occupying this position. Another weakness is that the Canadian system is under increasing pressure as it does not cope well with the increasing complexity of the working field of the civil service (Bekker, 2012, p. 41). The system also creates the possibility of a deputy minister being appointed to a minister without consulting the latter. These deputy ministers, furthermore, do not owe allegiance to the minister they work with. Their loyalty is to the Clerk of Privy Seal and the prime minister, creating the possibility for distrusting ministers.

Similar to the Dutch system, the Canadians have continuity and loyalty as two main traits of the civil service. Their loyalty, however, is not directed towards the minister they work with, which is very different from the situation in the Netherlands. The continuity is guarded in the Canadian system by the clerk and his appointed deputy ministers. Nonetheless, when the prime minister wants quick changes he can give direct orders to the clerk. The position of deputy ministers and top civil servants is therefore less certain than in the Netherlands, where only with great effort and solid reasoning can a top civil servant be dismissed. The final major difference worth stressing is the fact that the Dutch put great importance in collegial management, seeing the prime minister in the Netherlands as 'the first among equals'. The Canadians have a more centralized power system, with strict divisions of authority.

1.5. Subconclusion

As previously stated, the aim of this chapter is to take away any wrong impressions the reader might have concerning the civil service by answering three questions. What is the bureaucratic system used in the Netherlands for the top of the civil service? What are the alternatives? Why do we have the Dutch bureaucratic system? Although these questions have been answered throughout the chapter, a short summary of the answers is useful for clarification.

The description of the bureaucratic system in the Netherlands is a combination of the first two sections of this chapter. The combination of descriptions of the basics concepts and the historical development together answer the first question. The term bureaucrat as used in this thesis entails the core employee of the government, works in one of the ministries and has a so-called desk job. In this

thesis the term 'top civil servants' refers to the bureaucrats in the highest wage level of the government. Effectively these are the Secretaries General, Directors General and some other directors. The Secretary General is the bureaucratic leader of a department and the first advisor to the minister. The SGs are united in a Council of Secretaries General, countering compartmentalization. The Director General is the bureaucratic leader of a specific policy area or agency within a department. These top civil servants are part of the Top Management Group, which is an element of the Senior Public Service Office. These bureaucrats can remain in one position for up to seven years, and then they have to rotate to another position. The appointment of the top civil servants is done by the ministers, after a nomination by the ABD.

There are many alternatives to the Dutch bureaucratic system. Bekker very briefly mentions six of these in his book (Bekker, 2012, pp. 39-43). Two are used as illustrations, the spoils system, which was formerly used in the US, and the Canadian system. The spoils system entails the possibility of replacing any civil servant when the government changes, which ensures extreme policy flexibility. It does not emphasize continuity or expertise, but emphasizes loyalty to the party. The Canadian system entails a strong head of the civil service, who personally nominates the Canadian versions of SGs. The system focuses bureaucratic power in one person, as it also focuses political power in the prime minister. Quick personnel changes can be made, promoting flexibility and loyalty to the head of the civil service and the prime minister. The Canadian bureaucrats are completely a-political, but the lack of a link between a minister and his deputy minister is grounds for distrust. The Dutch bureaucratic system for top civil servants promotes flexibility, loyalty, continuity and expertise. Political primacy and the ministerial responsibility are based on this. Political primacy is the notion that the politicians have the final decision and at the same time the final responsibility, as is ensured by ministerial responsibility. Because of these desirable traits of the Dutch bureaucratic system, it has not been completely changed.

Apart from the desirable traits of the Dutch system, changing the system would be undesirable due to the costs of such a change. The concept of path dependency, therefore, has to be taken into account. This concept states that institutions and systems tend to develop in a continuous way and decisions from the past set the course for the future. Although the situation might have changed, the decisions in the past still restrict possible new decisions. Therefore, major changes come at a cost. When the costs of change do not outweigh the benefits, no major changes are made (Hall & Taylor, 1996, p. 938). Within path dependency there are two subconcepts, one concerning the idea of a critical juncture and one concerning reactive sequences. The critical juncture concept states that a path is set and followed by decisions in the past but at certain moments in time there is an important choice to be made, a critical juncture. This juncture creates the possibility to set a new course. The reactive sequences concept entails the idea that a single action or choice creates an almost uninterrupted chain reaction. This chain reaction is the path that is followed by an institution (Page, 2006). One

political party, ToN²⁰, advocated major changes to the Dutch bureaucratic system, these proposals are dealt with in the final conclusion. In the Netherlands the system has seen numerous changes. However, they were all only adjusting the development of the system, a sort of small critical junctures. The benefits of other systems have never been perceived to be large enough to outweigh the costs of changing. Of course the Dutch bureaucratic system is not perfect, the imperfections and problems are dealt with extensively in the following two chapters of this thesis. The interviewees and conflict cases have provided perceived problems, whereas the literature focuses on already solved problems.

²⁰ Trots op Nederland; Proud of the Netherlands

Chapter 2: The practice

2.1. Introduction

The focus of the first chapter has been on the theoretical side of the bureaucratic system and its development, there has been no input from individual actors. To come to a complete understanding of the system, the experiences of actors who have been part of the system are invaluable. The second chapter therefore provides an insight into the practice of the Dutch bureaucratic system. The aim of the chapter is to answer the question how the ministers and top civil servants themselves perceive the bureaucratic system and what they consider to be its strengths and weaknesses.

To reach an answer a combination is presented of a small questionnaire and interviews among former ministers, former Secretaries General and present Secretaries General. Seeing as there have been 114 ministers in the last 30 years and 110 SGs since 1945, a selection had to be made. All the current SGs received an interview invite. Additionally, five former SGs were invited to get an idea of the bureaucratic system before the current SGs started. As for former ministers, a distinction on the base of parties has been made, resulting in an invite to the former ministers of the LPF, CU, D66 and CDA. A more precise explanation of the reasons for this choice is presented in the section on ministers. Out of a total of 68 interview requests, eleven people accepted the request. Another seventeen people did not agree to an interview but did fill out the questionnaire, which they received together with the interview invitation. This chapter is therefore based on the input of 28 people, which is a positive response rate of nearly 40%. Apart from these people who either agreed to an interview or filled out the questionnaire, nearly all others responded. Many of these non-cooperative people indicated that they are currently in a position from which they cannot or should not give their opinions on politics and the bureaucratic system. Several of the former ministers are currently employed by the Council of State; others have high positions in businesses. Others simply did not have time to participate.

This chapter is divided into three parts; the first part is on the questionnaire, the second is on the interviews with civil servants and the third is on the interviews with ministers. Each of the chapters starts with an elaboration on the collection of the empirical data, which provides much more detail than the short description of the method in the general introduction of this thesis. Following this elaboration, the actual input is discussed and analyzed. Each of the sections stands on its own, after which a connection is made in the subconclusion at the end of the chapter. The subconclusion also provides an overview of the perceived short comings and benefits of the Dutch bureaucratic system.

2.2. Questionnaire

Each person selected for an interview received a letter and a short, one page, questionnaire. Within the letter they were requested to participate in the research for this thesis by agreeing to an interview. If the person was willing to participate but did not have the time for an interview, the letter asked them to

fill out the questionnaire. As the position of a Secretary General is very different from that of a minister, I created two different questionnaires. These questionnaires can be found in Appendix B. The seven questions asked in the ministerial questionnaire are very direct yes/no questions, thereby preventing politically correct answers or grey middle grounds. The seven questions in the SG questionnaire are also direct, but most are open questions instead of yes/no.

Although the original version of both questionnaires can be found in Appendix B, the questions are presented here as well. The questions as stated below are translated from Dutch, as the questionnaires were originally in Dutch. The seven questions asked in the ministerial questionnaire are:

1. Have you felt supported by the (often) extensive experience of the top of the ministry applicable to you?
2. Have you experienced the top of the civil service as helpful and effective?
3. Have you ever felt consciously manipulated by the top of the civil service of the ministry applicable to you?
4. Have you ever experienced passive resistance from civil servants when it came to plans presented by you?
5. Have you ever experienced active resistance from civil servants when it came to plans presented by you?
6. Have you ever experienced active resistance from the Secretary General of your ministry when it came to plans presented by you?
7. Have you ever had the wish to replace the top of the civil service in the ministry applicable to you?

The ministerial questionnaire has been filled out by fourteen former ministers; three of them were D66 ministers and the others were CDA ministers. The answers are added up and presented in Table 2.1, showing unanimity on questions 1, 2 and 6. All fourteen former ministers agreed that the top of the civil service is helpful and effective as well as supportive with their expertise. None of these respondents have experienced resistance from their Secretary General. When it comes to questions 3 and 5 almost all respondents state that they have never felt consciously manipulated nor have civil servants actively resisted their plans. The same goes for question 7, where nearly all the former ministers state that they did not feel the urge to replace the top of their civil servants. Former Minister of Social Affairs and Employment Bert de Vries does indicate that he did not feel this urge but did replace some top civil servants whom he felt were not functioning properly.

Tabel 2.1: Answers ministerial questionnaire

Question	Yes	No
1	14	0
2	14	0
3	1	13
4	7	7
5	2	12
6	0	14
7	1	13

The only question that received a mixed response is question number 4, where seven former ministers indicated that they have experienced passive resistance by civil servants. Former Minister of Transport Hanja Maij-Weggen is one of the respondents with this experience; she also answered yes on question 5 concerning active resistance. She added a comment to the questionnaire regarding both questions. This respondent states that the resistance she met was isolated to one particular incident. A single civil servant opposed the plan to create a central Council for Transport Safety, as he wanted to remain with the former four sector councils. Judging from other comments on this question from the respondents who answered 'yes', the resistance they encountered was also in isolated incidents and it did not occur often.

The results from both small questionnaires must be presented before a link to the theory can be made. Similar to those on the ministerial questionnaire, the seven questions of the SG questionnaire are:

1. What is your general experience with ministers, Positive or Negative?
2. Do you think the Dutch bureaucratic system, where the top of the civil service is not replaced with a change of cabinet, is positive?
3. Have you ever consciously resisted a minister? If yes, why?
4. What is more important according to you; continuity in government policy or loyalty to the minister?
5. Have you experienced a large difference between politically very experienced ministers and technically very experienced ministers? Which is better to work with?
6. If the minister was to present a plan which you thought was harmful. Would you try to change the minister's mind? If yes, why?
7. Would you, as a last resort, turn to the media, interest groups or other politicians to prevent a harmful plan from becoming reality?

As mentioned before, all eleven active SGs and five former SGs received an invitation for an interview and the questionnaire. However, out of the five former SGs, four agreed to an interview and the other did not fill out the questionnaire. The results of this small questionnaire are therefore only based on the current SGs, of whom three out of eleven filled out the questionnaire. The five SGs who did not agree

to an interview or fill out the questionnaire almost all indicated that the SGs that did respond are a good representation of the experiences and feelings of all current SGs.

The results of the closed questions numbers 1, 2, 3 and 7 show unanimity among these SGs. Generally their experiences were positive and they all support the idea that the top of the civil service should not be replaced when a cabinet changes. Furthermore, they all indicate that they have never consciously resisted a minister and they would never turn to others to prevent a harmful plan.

Tabel 2.2: Answers SG questionnaire

Question	Yes/Positive	No/Negative
1	3	0
2	3	0
3	0	3
7	0	3

The other four questions are more or less open questions. The answers to these questions are very similar. The SGs indicate in question 4 that continuity of government policy and loyalty to the minister go hand in hand; a choice doesn't have to be made. Question 5 shows that the respondents can work with both types of ministers. Nevertheless, Secretary General of Ministry of Infrastructure and the Environment Siebe Riedstra indicates that he prefers a combination of both, with the side note that it is easier to support a minister on technical and policy matters than in political areas. In the final open question, number 6, the SGs all state that they would present the minister with advantages and disadvantages of the hypothetically harmful plan. They would show the possible consequences and make sure the minister has all the information. Secretary General of the Interior and Kingdom Relations Roos van Erp-Bruinsma ends his answer by stressing that the decision remains with the minister.

When linking the results of both the ministerial questionnaire and the SG questionnaire, it becomes clear that from both sides the political primacy is respected. The former ministers have not met systematic resistance and the SGs indicate that they aim to provide the minister with all applicable information and abide by the decision of the minister. When the respect for the political primacy is combined with the answers to question 7 from the ministerial questionnaire and question 5 from the SGs, an image arises resembling the village life model²¹. The degree of specialization of a minister does not matter to the SGs, which is similar to the wide approach in this model. The fact that the ministers do not feel the urge to replace the top civil servants echoes the idea of collegiality in the village life model. However, as the total number of respondents of the questionnaire is not high, only seventeen, the results cannot be presented as reliable findings. The results will, however, support and illustrate the overall analysis of this chapter in the subconclusion.

²¹ See the ideal models by Guy Peters as described in Section 1.2 Conceptualization

2.3. Secretaries General

Having presented the results from the small questionnaires, the focus shifts towards the interviews. As this section and the next will deal extensively with the empirical data from the interviews, a more elaborate explanation of the selection of the interviewees is useful. As mentioned before, I selected a total of 68 people as shown in Table 2.3. Appendix C contains a list of all 68 people and shows whether or not they participated in an interview or filled out a questionnaire.

Table 2.3: Interview invitations

Type of person	Number of persons invited	Number of persons participating in interview	Number of persons participating in questionnaire
CDA minister	29	3	11
D66 minister	10	0	3
LPF minister	4	1	0
CU minister	3	1	0
Current SG	11	2	3
Former SG	5	4	0
Other	6	0	0

The reasoning behind the selection of ministers follows in the section on the interviews with ministers, at this moment the reasoning behind the selection of Secretaries General is of importance. The choice to focus solely on Secretaries General, instead of including Directors General and other members of the Top Management Group, was quickly made. The SGs are an only a small group as there are only eleven of them, whereas the TMG has approximately 65 members. By limiting the interviews to the SGs, the absolute top of the civil service is covered without creating an unnecessary or overwhelming amount of work. The next logical step was to send an invitation to all eleven of them, with the goal of receiving input on the current status of the public service.

Of the current SGs the longest serving Secretary General, Geert van Maanen, has been an SG since 1999 and has served as SG in three different departments. Of the SGs currently in office, Joris Demmink has served the longest in one department; since 2002 he has been Secretary General of Justice (and Security). As this thesis focuses on the time since the establishment of the Senior Public Service Office in 1995, the input of older SGs could shed a light on the changes that occurred while they were in office. Furthermore, the former SGs are no longer restricted by being in office. They are therefore less likely to provide politically desirable or politically correct answers. This reasoning resulted in the selection of three former SGs: Tjibbe Joustra, Dirk Barth and Harm Bruins Slot. These people served as SGs while the changes of the ABD and the TMG took place. The selection of the two other former SGs was based on other grounds. Roel Bekker served as SG for nine years, after which he became SG in charge of renewing the public service. He could therefore not only shed a light on his experiences as an SG, but also serve as a source of information about the more recent changes and the direction of the development of the public service. The final former SG, Sweder van Wijnbergen, is one of the actors in a case study in the third chapter of this thesis. An interview with him would therefore result in input for the case study, as well as input on the bureaucratic system.

Out of the six people in the group 'other', four are also actors in a case study in Chapter 3. I selected them to gather firsthand information and discuss the impact of their conflict on the Dutch bureaucratic system. However, three of them did not respond at all and the fourth, Arthur Docters van Leeuwen, did not agree to an interview. The fifth person in the 'other' group is Rita Verdonk, a former minister of the VVD²² and the founder of ToN. Verdonk suggested large changes to the bureaucratic system, one of which is automatic discharge of the top of the civil service when the minister leaves (ToN, 2010, p. 9). Although Verdonk did not respond to several attempts to contact her, the electoral program suggesting the changes is taken into account in the final conclusion. The final person in the 'other' group is Lenny Verloop - van der Spek, the Secretary of the Council of Secretaries General. She could have shed a light on the general perceptions and development of the position of Secretary General as well as the development of the Council of SGs. Unfortunately, however, she has chosen only to provide suggestions as she feels it is inappropriate to provide input because of her position.

Although each of the interviews proved interesting and provided valuable information, it is not desirable to deal with them one by one. Therefore, three common themes are distinguished which are used both in this section on SGs and in the later section on ministers. The three themes are: personal connection, resistance and renewal of the bureaucratic system. Within each area the results of the interviews are discussed and in the subconclusion at the end of this chapter they are linked with each other and with the specific section of the questionnaire.

Personal connection

All six interviewees stressed the importance of a good personal rapport; however, the extent of this personal rapport differs. Secretary General of Defense Ton Annink states that a good rapport is useful but does not mean that there has to be friendship between the minister and SG; the relationship merely has to be a work relationship (Annink, Appendix B, p. IV). All SGs and former SGs agree to this. Former SG Dirk Barth, however, goes a step further. According to him, it is impossible to work with a minister if there is no personal rapport (Barth, Appendix B, p. IX). Annink does state that a proper working relationship does not develop without effort; both sides have to invest in it (Annink, Appendix B, p. IV). This is closely linked to the SG reports of 2006 and 2007, which officially set the goal to invest in the relationship between ministers and top civil servants and thereby improve it (AZ, 2007). On the question of whether the political party affiliation of the minister had any influence on the relationship or the work of the SG, the interviewees were unanimous; party affiliation does not matter. Former SG Barth did not even realize that all the ministers he served as SG were from the VVD. The differences between those three VVD ministers were greater than the differences between ministers of other parties he had served before becoming SG (Barth, Appendix B, p. IX). Current

²² Volkspartij voor Vrijheid en Democratie; People's Party for Freedom and Democracy

Secretary General of Education, Culture and Science Hans van der Vlist expressed that the role of the SG is simply a-political, a notion that was repeated in all the SG interviews (Van der Vlist, Appendix B, p. XXVIII). The answers to the questions asked to the SGs and former SGs about the personal rapport illustrate how closely they work with the ministers. Former SG Tjibbe Joustra indicated that as long as the minister was in office, he would not have the minister over for dinner in his home. But a bond is formed by the close proximity and the stress the SG and minister endure together. Joustra, therefore, still keeps in touch with many of 'his' ministers and has them over for dinner sometimes (Joustra, Appendix B, p. XVII).

The importance of a personal connection between ministers and SGs is endorsed by a chapter in Roel Nieuwenkamp's book (2001). Personal chemistry, as Nieuwenkamp calls it, improves efficiency and teamwork. When the personal chemistry is strong it prevents frictions and can even prevent conflicts over different policy views, whereas a lack of personal chemistry or even bad personal chemistry can lead to friction and disrespect (Nieuwenkamp, 2001, pp. 200-204). Mark Frequin even states that a lack of personal chemistry often leads to replacement and sometimes even to the dismissal of the top civil servant (Frequin, 2006, p. 102).

Resistance

The well-known comedy TV-series 'Yes Minister' which ran from 1980 until 1984 provides a comical view of the bureaucracy in the United Kingdom, portraying a minister and his struggles with the top civil servants (IMDB.com, 2012). The top civil servants claim to fully serve the minister but they sometimes steer him, covertly resist his wishes or delay policy development. When the interviewees are asked about any 'Yes Minister' practices or full-on resistance there is a difference between the responses of the current SGs and the former SGs. The current SGs indicate that there is no resistance to the wishes of ministers, covertly or openly. Van der Vlist states that he has never met resistance or 'Yes Minister' practices; the public service is 'damned' loyal and he is proud of that (Van der Vlist, Appendix B, p. XXX). Both Van der Vlist and Annink see it as part of their job to make sure there is no resistance. They claim that they would not tolerate any resistance.

The input from the former SGs is not as uniform as the input from the current SGs. Former SG Barth has had the same experiences as Annink and Van der Vlist. However, Joustra paints a different picture. Although the loyalty of the civil service is not in question, small acts of resistance do sometimes occur. When the civil service does not agree with a plan, it takes a very long time before it passes through the department. When each bureaucrat gives priority to a different plan, the undesirable plan is slowly delayed (Joustra, Appendix B, p. XIX). The former SGs do support the idea that the civil service is very loyal, but they do not completely rule out small acts of resistance or delays. The difference between the responses of the current SGs and those of the former SGs could have three causes. The current SGs could have provided politically correct answers, instead of admitting to a

more controversial reality, as they are currently in office. Another possibility is that resistance has simply vanished, possibly because of policies countering this resistance. A final possibility is that the interviews focus on the personal experiences of the interviewees and the experiences of people can simply be different.

Even if the input provided by the current SGs is politically correct and the input by the former SGs is the actual situation in the practice of the bureaucratic system, there still is hardly any resistance mentioned by either group. Nieuwenkamp came to the same conclusion in his book, stating that the general loyalty of the civil service is strong. He did make the side note that there are exceptions to this loyalty and resistance can sometimes be found in the civil service, but this is not systematical (Nieuwenkamp, 2001, pp. 154-155).

Renewal of the bureaucratic system

The renewal and improvement of the bureaucratic system is a major concern of the current SGs, as is illustrated by the SG reports presented in Chapter 1. The former SGs have experienced many changes firsthand, like the establishment of the ABD and the TMG. Part of the interviews with both the current SGs and the former SGs was therefore focused on this theme. The questions concerned the reality of the ABD and the forced rotation as well as hypothetical changes or alternatives to the system.

The current Secretaries General Annink and Van der Vlist both perceive the rotation system as a positive feature of the bureaucratic system. Annink even indicated that he came up with the principle (Annink, Appendix B, p. V). Joustra, however, does not perceive the current rotation in the bureaucratic top as a positive feature. He states that this reduces expertise. More generally, he does support the principle of rotation, but this rotation should be combined with thorough knowledge of both the people in the rotation pool and the vacancies (Joustra, Appendix B, pp. XVIII-XIX). Similarly, Barth supports the general principle of rotation with the preconditions of Joustra. Barth refers to a Dutch writer for the reason why the principle of rotation is beneficial. He indicates that Harry Mulish, in his book *De ontdekking van de hemel*, described the SG as a kind of god in his department. Ministers come and go, but the SG remains in office and does not openly exert his enormous power. The rotational system got rid of this image and resulted in general managers as SGs (Barth, Appendix B, pp. XI-XII).

Alternatives to the current system are not considered to be desirable by either the current SGs or the former SGs. A step towards the spoils system, such as the removal of the top of the civil servants when the government coalition changes, is deemed very unwise. Barth indicates that this would damage the Dutch system because it would introduce a large political element into the public service (*ibid.*, p. XII). Former SG Sweder van Wijnbergen stresses that the removal of the top would result in a massive destruction of knowledge (Van Wijnbergen, Appendix B, p. XXXVIII). An alternative in the completely opposite direction is not considered to be desirable either, for instance, if

the Council of Secretaries General would decide on appointments in the top of the civil service instead of the ministers and the Council of Ministers. This would be a step towards the Canadian system, where the bureaucrats are more independent from the political leaders. Barth states that this system would prevent political appointments and nepotism but would be unacceptable for ministers. Ministers would be very uncomfortable and may even distrust their top civil servants (Barth, Appendix B, p. XII). Generally, the interviewees are content with the current bureaucratic system, with some exceptions when it comes to the forced rotations. The two suggested alternatives to the bureaucratic system are considered to be less desirable than the current system, which is felt to be the middle way.

2.4. Ministers

Similar to the section above on SGs, this section starts out with an elaboration on the selection of interviewees. As shown in Table 2.3 a total of 46 former ministers from four different parties received an invitation for an interview, not counting two former ministers in the ‘other’ group. The first step in the selection process was to focus solely on the ministers, thereby ignoring Secretaries of State. The number of ministers is already very high; there have been 114 in the last thirty years, which ensures enough possible interviewees. Furthermore, the position of the Secretary of State would only unnecessarily complicate the thesis. The position of the minister is clearly defined and recognized as the political leader of a department or a specific policy program. Ministers are therefore the political top, just as the SGs are the bureaucratic top.

The decision to include ministers from four different parties is based on the amount of times parties participated in government coalitions and thereby participated in the cabinet. Since the Second World War, Dutch government coalitions have almost exclusively been formed out of the CDA, the PvdA²³ and the VVD, or their direct predecessors. Therefore, one of these is included in the selection, the CDA. They are a party that is very much used to government coalitions and providing ministers. Between 1945 and 2000 there have been two exceptions to the three main parties, where parties entered the government coalition once in their existence. Cabinet-Biesheuvel (1971-1973) contained DS’70²⁴ and Cabinet-Den Uyl (1973-1977) contained PPR²⁵ (Rijksoverheid.nl, 2012). D66 is the only party which has participated several times in government coalitions since its establishment. With four participations in government coalitions, however, it has not been in government as regularly as the three main parties mentioned above (ibid.). Nevertheless, it is the middle ground between parties which only participated once and the three main parties. It is therefore adopted in the selection. The final two parties included in this study are the LPF and CU; both of these parties participated once in a government coalition. They therefore had no governing experience, nor did the bureaucrats have experience with ministers of their own party. The selected parties are therefore: the CDA as an

²³ Partij van de Arbeid; Labour Party

²⁴ Democratisch Socialisten '70; Democratic Socialists '70

²⁵ Politieke Partij Radikalen; Political Party of Radicals

experienced government party, D66 as a somewhat experienced government party, the LPF as a newcomer to the government and CU also as a newcomer.

As the CDA has an abundance of former ministers, a division had to be made. As most of the CDA ministers from the last thirty years are still alive and mentally present, these are the one that received an invitation. It is possible to go further back but a line has to be draw somewhere and this thesis focuses on the past decades. The ministers from the other three parties all received an invitation with the exception of four deceased D66 ministers. Although ten D66 ministers received an invitation, none of them agreed to an interview. Therefore, this chapter covers the CDA, the LPF and CU.

Former ministers were selected based on the amount of times their party participated in government because of the assumption that the civil servants in a department where a minister is appointed from a traditional government party are more at ease than with newcomers. Civil servants would not know what to expect from these newcomers, as the bureaucrats have not experienced ministers from that party before. However, the first result from the interviews with former ministers is that this assumption is false. Eimert van Middelkoop (CU) indicated that a minister is appointed to a department and that this person is simply accepted. The civil servants always have to get used to a minister, to his personal habits and wishes, but there is no hesitation to accept ministers from newcomer parties (Van Middelkoop, Appendix B, p. XXXIV). Similar to the section on the interviews with SGs, the presentation of the input from the interviews with ministers is divided into three parts; the personal connection, possible resistance and the renewal of the Dutch bureaucratic system.

Personal connection

Four out of the five former ministers interviewed indicated that they had a proper business relationship with the SG and generally had positive experiences with the interaction between SG and minister. A personal connection was not important to these ministers, as indicated by former minister Piet Bukman. The work environment was simply functional and a personal connection was therefore not needed (Bukman, Appendix B, p. XIII). The only minister with a generally negative experience is former minister Hilbrand Nawijn of the LPF. He was Minister for Immigration, Integration and Asylum and was therefore linked to the Ministry of Justice and the Immigration and Naturalization Service (IND). Nawijn used to be director of the IND but had to resign (Trommelen, 1996). After six years he returned as the minister responsible for the IND, Nawijn indicated that this resulted in resistance and resentment. His appointment hit his former colleagues like a bombshell (Nawijn, Appendix B, p. XII).

Apart from the exceptional case of Nawijn, the general opinion of the former ministers on this theme can therefore be summed up as being indifferent towards personal rapport. The ministers stressed a healthy working environment, thereby promoting mutual respect. Nieuwenkamp acknowledges this need for respect but he states that there is sometimes a lack of respect from the top

civil servants for the work of the minister. Nevertheless, ministers and top civil servants need to have the feeling that they are respected; otherwise changes in personnel are often made (Nieuwenkamp, 2001, p. 208). The interviewees in Mark Frequin's book stress that ministers think of the relationship with the top civil servants as being an intense work relationship. Friendships cannot develop while the minister is in office, but the working relationship is based on trust (Frequin, 2006, p. 102).

Resistance

Similar to the personal connection, there is a distinction between the experiences of the three CDA ministers and the CU on the one hand and the experiences of the LPF minister on the other hand. Van Middelkoop stated that even though the civil servants provided counter arguments and were not afraid of discussions, they were quite accommodating. The civil servants presented their counter visions when the opportunity was there to do so constructively, but all abided the eventual decision of the minister (Van Middelkoop, Appendix B, pp. XXXII-XXXIII). The CDA ministers had these same experiences. In a side note, Bukman explains that he simply counted on the loyalty and cooperation of the civil servants but if this trust proved to be misplaced, consequences followed (Bukman, Appendix B, p. XIV). These ministers did not experience resistance.

In contrast to the positive experiences of the CDA and CU ministers, Nawijn's experiences are different. Nawijn stated that in his time as director of the IND he learned many tricks in cooperation with his colleagues to promote policy they supported and to prevent policy they opposed. However, he had always lived by the notion that the political leader should make the final decision, not the bureaucrats. (Nawijn, Appendix B, p. XXV). When he became minister he wanted the top civil servants to think like this as well. Furthermore, he still knew the tricks and used this knowledge to make sure his desired policy was carried out. In his experience as a minister, even when a decision was officially made by the minister, the civil servants might still resist it.

The general result from this theme is that most of the time the ministers did not experience resistance. They only experienced desirable resistance in appropriate and constructive ways in meetings. Since the civil servants abide by the decisions the ministers make, the political primacy is respected. The experiences of Nawijn are an exception to this. Nevertheless, this exception can possibly be explained by a grudge that was held by both sides, as a former colleague that left on bad terms returned as their direct boss.

Renewal of the bureaucratic system

The opinions regarding possible changes to the bureaucratic system differ per interviewee; however, they all agree that the principle of rotations is positive. Former CDA ministers Ruding and Bukman state that they do not want to change the system at all. The current system is functioning properly and alternatives are not viable as the Dutch have coalition politics. The fact that the government is not

made up of one dominant party prevents the introductions of alternatives like the spoils system (Bukman, Appendix B, p. XVI). The former CU minister Van Middelkoop also does not want to make changes to the system or introduce a system where top civil servants are replaced. However, he also states that he never wanted to introduce his own political people as he does not have political people who would be suitable for such positions. He stresses that because of the small size of his political party there is no incentive for him to support a system change. Such a change in fact would be negative for the smaller parties (Van Middelkoop, Appendix B, p. XXXV).

Former CDA minister Verburg does want to make changes; she suggests an experiment where a minister gets to replace the top ten of people in a department. This would increase the maneuverability and impact of the minister. However, she does state a precondition: a proper transfer guideline would have to be introduced to prevent predecessors from creating chaos. At the same time, Verburg acknowledges that the system would be a handicap for the first few months in office, but after this the system would be beneficial (Verburg, Appendix B, pp. XLI-XLII). Former LPF minister Nawijn is also a supporter of system change but he simply wants to be able to replace the entire top of the civil service. When a new minister arrives, he should to be able to pick his own top bureaucrats. Nawijn indicates that he himself was an example of a bureaucrat who stayed in his position for too long (Nawijn, Appendix B, p. XXIV).

The opinions on possible changes in the bureaucratic system differ; three ministers want to keep the current system and two want to change the system. As the idea of a system with appointments done by the Council of Secretaries General did not occur to me from the start of the interviews, I have not been able to suggest this system to the former ministers. Therefore, no comments can be made on this possibility.

2.5. Subconclusion

The two small questionnaires and the two types of interviews and their results have been separately presented. This chapter set out to examine how the ministers and top civil servants themselves perceive the bureaucratic system and what they consider to be its strengths and weaknesses. To answer this question a link has to be made between the different sections of this chapter.

The ministerial questionnaire showed a generally positive image of supportive civil servants. The interviews with former ministers provided a similar image of support and positivity. The more negative sides of the questionnaire and the interviews are also comparable. Both show a small deal of resistance. Both show an exception where a minister met active resistance. When it comes to the opinion on changes in the bureaucratic system, nearly all the respondents and three out of five interviewees show no desire to change it. Two interviewees and one respondent do want to change the system. Nevertheless, the ministerial questionnaire and interviews with former minister are very much aligned. The SG questionnaire and the interviews with the current SGs and former SGs show a high

level of similarity as well. They consider a personal rapport to be helpful. They do not tolerate resistance to the political will and do not have the urge to change the bureaucratic system. Three former SGs did express worries about the high level of general managers at the top of the civil service. They fear that in the long run the forced rotation system will result in the appointment of pure general managers and thereby a great deal of knowledge will be lost.

Altogether this shows that ministers and SGs are quite positive about the current bureaucratic system. Most of them see the current system as the desirable middle way between the more political spoils system and the more bureaucratic Canadian system. They believe the Dutch bureaucratic system promotes loyalty, continuity and, with the rotation principle in place, flexibility as well. However, there are some concerns. Both decisiveness and the flexibility of the system may not be high enough. Some think that the maximum of seven years in office for the members of the TMG is still too long. Others think that the system was better off before the introduction of the rotation system, as expertise is no longer promoted.

Figure 2.1 illustrates the results from this chapter. It shows that the former SGs think that a personal connection is important (++), former ministers are neutral (0) and current SGs think it is relatively important. In the resistance theme the current SGs indicate they have not encountered it (--), whereas both the former SGs and the former ministers have encountered it to a certain extent (+). When it comes to renewal of the Dutch bureaucratic system the current SGs are positive (++), they want to update the system constantly and work towards a better civil service. The former SGs are not negative about changes but are already quite satisfied with the current bureaucratic system (+). The former ministers are divided (0), some opt for changes whereas others want to maintain the current balanced bureaucratic system.

Figure 2.1: Opinions on the three themes

	Current SGs	Former SGs	Former Ministers
Personal connection	+	++	0
Resistance	--	+	+
Renewal	++	+	0

The input from the questionnaires and the interviews are also used in the next chapter, which deals with four conflict cases in the Dutch bureaucratic system. This means that not only the conclusions from this chapter are used, but statements and comments are directly used when applicable.

Chapter 3: The conflicts

3.1. Introduction

Whereas the first two chapters focused on the functioning of the bureaucratic system and its strengths and weaknesses, this third chapter focuses on conflicts within this system. The chapter seeks to investigate which conflicts have challenged the bureaucratic system in the past fifteen years and whether there is a pattern in these conflicts. But first, what constitutes a conflict? The approach by Bekker can be applied perfectly here. He states that a situation is a conflict when a top civil servant is forced to leave his position (Bekker, 2012, p. 370). Although this thesis deals with both the ministers and the top civil servants, in none of the four selected cases has the minister been forced to resign. The approach by Bekker therefore does not have to be expanded to incorporate the option of resigning ministers. According to Bekker, there have been about thirty to forty conflicts in the past forty years, during this time there have been approximately 360 people appointed to 470 TMG positions. He states that the amount of conflict is therefore not very high (ibid., p. 371). Seeing as a large portion of those conflicts never became public and Bekker does not provide a list of conflicts, the reader has to trust his insider knowledge.

In chronological order four cases from the last fifteen years are covered. Three of the conflicts have been selected because they are the best known conflicts. The most recent conflict has been selected as it illustrates a politically relevant situation. Each of the small case studies has a clear structure. The case studies start out with a description of the events leading up to the conflict and the conflict itself. The second part describes the political debate about the conflict, based on reports from parliament and letters from ministers. The third part links the conflict to the conceptual base from Chapter 1 and the input from Chapter 2.

The first conflict is Attorney General Arthur Docters van Leeuwen versus Minister of Justice Winnie Sorgdrager in 1998. The second is Secretary General Sweder van Wijnbergen versus Minister of Economic Affairs Annemarie Jorritsma in 1999. The third is Director General Peter van Lieshout versus Minister of Health, Welfare and Sport Eduard Bomhoff in 2002. The final conflict focuses on Director General Annemiek Nijhof in 2011. For the sake of clarity, the four conflicts are each named after the top civil servant in the case as in the final conflict there was no conflict with a minister. Each of the conflicts is covered in a separate section, after which the conclusion compares the cases and links them together.

3.2. Docters van Leeuwen

In 1995 Arthur Docters van Leeuwen was asked by Minister of Justice Winnie Sorgdrager to become Attorney General and right away act as president of the Council of Attorneys General. He used to be in charge of the Dutch Secret Service, but accepted the position. Sorgdrager wanted him to reorganize the Public Prosecution and he was known as an intelligent, creative man. He was also a member of

D66, the same party Sorgdrager was a part of. The president of the Council of Attorneys General used to be the SG of Justice, but Docters is granted the position and thereby a direct line to the minister. He therefore becomes the first Super Attorney General and his power within the Public Prosecution grows. Eventually he even becomes known as the 'under minister' of Justice ('T Hart & De Zwart, 1998).

The conflict concerning AG Docters van Leeuwen started out with the Steenhuis case. Dato Steenhuis was a colleague Attorney General. The AG Steenhuis was the subject of a report by Dick Dolman, who investigated allegations of a conflict of interest due to Steenhuis' paid advisor job at the investigation bureau Bakkenist. On Thursday January 22nd, 1998, Steenhuis requested that minister Sorgdrager delay the publication of the report by 48 hours. He wants to take this time to read the report which was due to be sent to Parliament that evening (Vinckx, 1998). Sorgdrager refuses his request, after which Steenhuis investigates the option of a summary proceeding together with Docters van Leeuwen. This summary proceeding would be an indication of resistance to the minister by the AGs. The Council of Attorneys General, made up out of the president Docters van Leeuwen and members Steenhuis, Réne Ficq and Hans Blok, meets with minister Sorgdrager to prevent this open act of resistance from happening ('T Hart & De Zwart, 1998).

That evening representatives of the media gather outside the building where the meeting takes place; they have heard that there is mutiny going on by Council of AGs. Inside the AGs assure the minister that they completely abide by her authority. Although the press-officer of the Ministry of Justice suggested a press conference with all the AGs and the minister together, the AGs leave the building first. Docters van Leeuwen makes a short statement, saying the authority of the minister is paramount. After they left, Sorgdrager left the building and soothingly addressed the press (Vinckx, 1998).

The Council of Ministers dealt with the case the next day. Sorgdrager reports to the other ministers and does not feel like Docters van Leeuwen should resign. Docters has now become the center of criticism as the president of the Council of Attorneys General. The Council of Ministers does want to dismiss Docters van Leeuwen. He has become a problem because of the possibility of a summary proceeding and the already existing bad name of the Ministry of Justice. However, prime minister Wim Kok agrees with Sorgdrager that Docters should not be forced to leave. The Council agrees that Kok will smooth over the conflict in a press conference ('T Hart & De Zwart, 1998). In the actual press conference the prime minister does no such thing, he accuses the AGs of childish behavior and states that their actions were bizarre (NRC.nl, 1998).

Due to the words of the prime minister the conflict escalates further. Only if Docters van Leeuwen publically apologizes to the minister can the conflict end without the resignation of the AG. However, Docters does not think he should apologize; he feels offended and victimized. After a meeting with the other AGs and several public prosecutors, he seems to have decided that he wants to apologize. Sorgdrager has invited him for a private meeting the next day, but Docters calls in sick ('T

Hart & De Zwart, 1998). The minister consults government lawyers on what the options are. As Docters does not end his sick-leave, she creates a deadline. Docters has until February 16th, 4 o'clock, to make a decision if he wants to talk about a voluntary departure or if he will be forcibly dismissed. Sorgdrager indicated that if he were to voluntarily leave, he would receive about four million guilders. However, Docters does not agree with the dismissal, let alone with voluntary departure. Instead, he suggests an open meeting, to discuss possibilities. On February 17th the minister decides to take the forced dismissal route; eventually Docters received 2.5 years of wages as compensation for his dismissal (Trouw.nl, 1998).

Political debate

The conflict between Arthur Docters van Leeuwen and Winnie Sorgdrager was quickly picked up by the parliament and sparked a lively political debate. The parliament received the report about Attorney General Steenhuis on Friday, the 23rd of January and determined a debate about the report would take place on the 28th. This did not mean that the parliament would also deal with Docters van Leeuwen on that day; from Monday the 26th of January onwards the cases were dealt with separately. On this Monday the parliament receive a letter from minister Sorgdrager concerning the conflict with Docters van Leeuwen. From then on the parliament was kept up to date with letters from the minister. The initial letter on the 26th of January and those that would follow were mainly descriptions of the conflict, without the opinion of either one of the actors in the conflict.

In a debate on February 5th the parliament supported the minister in her wish to take action against Docters van Leeuwen. However, some side notes were made. Mohamed Rabbae, member of parliament for GL²⁶, for instance, questioned the position of the minister due to the crisis. He expressed the concern that the minister might not be the right person to rehabilitate the Public Prosecution, a concern shared by several other parties in the opposition (Rabbae, 1998). On February 26th there is an actual debate in Parliament where minister Sorgdrager has to justify her actions. The CDA is worried as the reputation of the Ministry of Justice, as well as the reputation of the minister are damaged. The PvdA is surprised of the speed of the actions of the minister. They thought a stern conversation with the AG could have solved the problem, whereas the minister forced the AG to make a choice. In the end, the Parliament supported the minister in her actions and they did not fulfill the request of Docters van Leeuwen to conduct an investigation (De Zwart, 1998). In the same debate the parliament supported a motion by Mohamed Rabbae to have the cabinet investigate if an adaptation of the ARAR could prevent large payments to dismissed civil servants (Rabbae, Motie Rabbae, 1998).

²⁶ GroenLinks; GreenLeft

Theory

Mark Frequin described an image of the situation outside of the building on the night of the conflict, January 22nd. He says that despite the intense cold dozens of journalists and camera teams are waiting in front of the door for a statement by the Attorneys General or the minister. They were already waiting there before the actors went into the building, thereby pressuring both the AGs and the minister. When Docters van Leeuwen made his press statement saying that the authority of the minister was paramount, he had to read the statement from a paper because of the stress (Frequin, 2006, pp. 55-56). This is an indication of the influence of the media, which is made even clearer by the press conference by Wim Kok the next day. According to Nieuwenkamp, the media have the tendency to enlarge frictions or conflicts. They often also push for a reaction or contact civil servants themselves, instead of the minister. Furthermore, the media pressured members of parliament to publically achieve their goals and get involved with the details. This increases the likelihood that civil servants get blamed, whereas it used to be the minister who was blamed due to ministerial responsibility. The negative influence of the media as greatly contributed to the exodus of expert bureaucrats (Nieuwenkamp, 2001, p. 313). The opinion of Nieuwenkamp about the influence of the media is quite extreme but is generally supported by some other authors like Mark Elchardus. Elchardus wrote a book on the influence of media on politics, stating that their influence is very strong as the media are the gate keepers of public opinion (Elchardus, 2002). Nevertheless, others agree that the media have an influence on politics, but this influence is only limited. The media are only one of the many factors in the current political arena (Kleinnijenhuis, 2003). Although Kleinnijenhuis deals with politics, specifically with elections, his view can be compared to Nieuwenkamp's opinion. The all-important influence of the media is therefore not undisputed and should not be considered a fact.

Although the influence and the power of the media are not necessarily of great importance, they are a factor in the bureaucratic system. The SGs were well aware of this, as demonstrated by the goal in the SG reports from 2006 and 2007 which states that the civil service has to get better accustomed to dealing with the media (Kuijken, 2006). Nevertheless, the ministerial responsibility is decreased due to this trend. Ministers blame mistakes more often on a lack of information or wrong information they received from their civil servants. The Parliament accepts this as a justification as long as a civil servant is punished as a scapegoat. Not only does this change the minister – top civil servant relations, it could indicate a trend towards responsibility by civil servants. Civil servants would become responsible to the Parliament and thereby also lose their apolitical status (Nieuwenkamp, 2001, pp. 27-28).

3.3. Van Wijnbergen

The case of Van Wijnbergen versus Jorritsma starts with the minister of Economic Affairs before Jorritsma. The predecessor, Hans Wijers, convinced Van Wijnbergen to become the Secretary General at the department in April 1997; before that Van Wijnbergen was a successful economist at the World

Bank and professor (FD, 1999). Wijers gave his Secretary General a lot of room for his own opinions and visions; the SG was to be a strong voice and he should participate in the public debate. The appointment of Van Wijnbergen was a calculated risk, as the man was already known for his controversial statements and his crude management style. Nevertheless, this SG was exactly what Wijers wanted to shake up his department and introduce big changes. The first trouble was not far away when the taxation plans of the cabinet were presented. Van Wijnbergen wanted a bigger reform. This was one of the examples where this Secretary General believed he should participate in the public debate, but it did result in a reprimand by minister Wijers (Berbers, 1999). When the new minister was appointed in August 1998 a different situation was created. Jorritsma did not appreciate Van Wijnbergen's attitude. She was stricter than Wijers in the opinion that civil servants should not participate in public debate. Van Wijnbergen was very critical about the economic side of the new coalition agreement, which led to an agreement that the SG would inform the minister from then on when making public statements (Alberts, 1999). Nevertheless, interviews published in the economic magazine FEM Business from June 5th 1999 show that Van Wijnbergen did not change his style. In the interview the SG vented criticism concerning minister Jorritsma. He acknowledges that his minister has not made big achievements yet and that she does not have a lot of economic knowledge. The latter is not a problem, as he states that he refines issues down to a simple choice for the minister (Baltesen, 1999).

The increasingly tense situation led to the final eruption in September 1999. In the evening edition of the NRC from September 23rd the Secretary General suggested the privatization of the Office of Public Prosecutors (Alberts & Berkhout, 1999). This was communicated to minister Jorritsma before publication. However, due to the high amount of critical reactions, the minister did reprimand the SG. This increased the tension, which erupted the day after that when the Telegraaf published an article about a speech by Van Wijnbergen (Sebes & De Vries, 1999). The Secretary General attacked the newly presented taxation plans by the cabinet with very critical statements. He made his comments in a speech at a TMF Trust Office in front of a group of tax consultants and experts from the office of Arthur Andersen. Van Wijnbergen had been invited by Serge Bakker of TMF to deliver a critical academic speech; they wanted a sharp analysis. Before agreeing to the speech Van Wijnbergen spoke to Andersen, who promised him that it would be a private event. To make sure that Van Wijnbergen could speak freely, Andersen promised him that there would be no press present. Nevertheless, a journalist from the Telegraaf did attend the event, which resulted in a front page article the next day. Van Wijnbergen stated that he spoke from an academic point of view, not from his position as Secretary General (Alberts & Koelewijn, 1999).

Friday morning, April 24th, Jorritsma and Van Wijnbergen had a meeting to discuss the situation. Later that day the council of ministers also discussed the situation and at the end of the day it was clear that Van Wijnbergen had to leave, one way or another (Telegraaf, 1999). Jorritsma suggested that the SG call in sick on Monday, to get some more time to find a fitting solution for the

situation. Van Wijnbergen did not agree to this and decided there were three possibilities: he would stay, or he would leave, or the minister would kick him out. As he did not consider staying an option, the only question was if he would leave voluntarily or if he had to be forced. On Sunday evening, April 26th, just before the eight o'clock news, the SG announced that he resigned voluntarily. He did not believe that he had crossed a line, but he did acknowledge that he had become a political problem for the minister (Alberts & Koelewijn, 1999). Van Wijnbergen and Jorritsma agreed that he would officially be linked to the department as an adviser for another year, thereby continuing his wage for a year (FD-Binnenland, 1999).

Political debate

The description of the political debate is easy in this case, as there simply is no political debate about it. In some other debates, however, small comments are made that use Van Wijnbergen as an example. In the debate on the budget of Ministry of General Affairs for instance, Van Wijnbergen is used as an example of a problem of the minister of Economic Affairs (Rehwinkel, 1999). The parliament did not deal with the case, nor did members of parliament ask questions about the case.

Theory

Roel Nieuwenkamp does not specifically deal with this conflict but he does briefly mention it several times. According to Nieuwenkamp, the media are the reason why the relationship between the minister and the SG became tense and the media were the direct cause of the conflict. The media portrayed Van Wijnbergen as a brilliant and idiosyncratic top bureaucrat who, despite the opinion of the cabinet or minister, voiced his vision (Nieuwenkamp, 2001, p. 1). Van Wijnbergen himself stated that people saw the Ministry of Economic Affairs as 'the ministry of Van Wijnbergen', not as the ministry of Jorritsma. He indicates that this was because of his appearances in the media. If the media were not so keen on enlarging conflicts, the critical comments made by Van Wijnbergen would have been confined to the often small groups with whom he spoke (Van Wijnbergen, Appendix B, p. XXXVII).

Frequin is more likely to attribute the conflict to the lack of a personal connection between the SG and the minister. Wijers and Van Wijnbergen had a personal rapport and a proper working relationship, but with Jorritsma this was not the case (Frequin, 2006, p. 63). Van Wijnbergen knows that he has strong opinions and that he wants to discuss these with the minister, even if his opinion differs from both the opinion of the minister and of the department. Under Wijers the SG had the opportunity to let a civil servant that wrote a report present it to the minister, after which Van Wijnbergen could give his personal opinion to the minister. Jorritsma simply wanted one report from the department as such, including Van Wijnbergen (Van Wijnbergen, Appendix B, pp. XXXVI-XXXVII). He therefore did not get the audience he wanted, nor did he get the opportunity to be critical

within the walls of the department (Frequin, 2006, p. 63). Instead he turned to others, expressing his opinions and critique to other experts and people in the field.

To place this conflict in Bekkers conflict categories, it is a combination of the category of mismatch and the category of personal tensions. Van Wijnbergen's actions were already frowned upon before Jorritsma arrived, as minister Wijers had to reprimand him several times. This indicates a mismatch, which is when a person is not a good fit in a specific position (Bekker, 2012, p. 372). Van Wijnbergen had proven his capabilities as a professor and as an economist, but being a public servant is completely different. At the same time, Wijers could cope with Van Wijnbergen, whereas Jorritsma could not, indicating a lack of personal rapport (*ibid.*). This conflict could also be seen as a challenge to political primacy, as the top civil servant voiced criticism on the policy and on the minister. However, Van Wijnbergen never went so far as to challenge the right of the minister to make the final decision; he did not cross that line. He wanted a different opportunity to voice his opinions than the minister provided and he wanted the opportunity to give advice one way or another. Van Wijnbergen readily admits that, in his eyes, the source of the conflict was the lack of possibility to provide internal advice (Van Wijnbergen, Appendix B, pp. XXXVII-XXXVIII).

3.4. Van Lieshout

In 2000 Peter van Lieshout became Director General of Healthcare in the department of Health, Welfare and Sport. He served under Secretary General Roel Bekker, minister Els Borst and Secretary of State Margo Vliegthart. However, Els Borst would not return as minister after the elections of 2002. These elections resulted in a stormy entrance of the LPF, who right away became part of a government coalition with CDA and VVD. The LPF provided four ministers; Eduard Bomhoff was one of them and he became the minister of Health, Welfare and Sport. Before he was appointed minister, he had a meeting with the SG of the department on July 15th (Staal, 2002). Bomhoff informed Bekker that he was not planning to work with DG Van Lieshout. He stated that Van Lieshout had been reading at a speech by Bomhoff instead of paying attention. Bomhoff also claimed that the DG kept away from other discussions that covered his field of specialty. These objections turned out to be false. Bomhoff used these arguments to request Bekker to arrange the dismissal of Van Lieshout, as the minister-to-be did not want to work with uninterested and arrogant civil servants (Bekker, 2012, pp. 392-393).

On July 17th, 2002, Bomhoff had a meeting with prime minister-to-be Jan Peter Balkenende to inform him of his request to Bekker. Bomhoff claims that Balkenende supports him, as long as Balkenende can stay out of the conflict (Bomhoff, 2002, p. 102). Although this claimed support is not confirmed, it is not denied either. Van Lieshout had criticized the coalition agreement and thereby lost the support of Balkenende's CDA (Bekker, 2012, p. 393). On July 23rd the cabinet is officially sworn in and afterwards minister Bomhoff has a meeting with the head of the ABD, SG Bekker and attorneys. They manage to persuade Bomhoff to have a meeting with Van Lieshout, as up until then

Bomhoff had refused to meet the DG altogether. The meeting is later described by Bekker as the weirdest meeting he had ever attended; Bomhoff and Van Lieshout sat silently across the table from each other (Castricum, 2010). Two days later in the council of ministers the request by Bomhoff is discussed and it is decided that Van Lieshout will be transferred to a newly created DG position in the Ministry of Social Affairs and Employment (Bekker, 2012, p. 393).

The motivation for the replacement of Van Lieshout according to Bomhoff at the time of the conflict has already been mentioned; however, Bomhoff published a book in 2002 in which he adds arguments. Not only had Van Lieshout offended Bomhoff personally, Bomhoff states that the DG was also the wrong person for the changes that had to be made. He stressed that Van Lieshout was a planning socialist with a strong desire for central coordination. This would be incompatible with Bomhoff's plans (Bomhoff, 2002, p. 104). The plans entailed a healthcare system which is more aimed towards the market than towards the government. According to Bekker, the medical and pharmaceutical lobby had a great influence in the LPF and opted for change. The LPF figured that Van Lieshout would be a massive obstacle in realizing these changes. Therefore, he had to go (Bekker, 2012, p. 393). Although Bekker seems very sure of the influence of the lobbyists, he does not provide any evidence or even a source. It therefore is safer to state that the alleged political stance of Van Lieshout was the major problem for the enthusiastic new LPF.

Political debate

The conflict concerning Peter van Lieshout and minister Bomhoff was one of the main topics in the parliamentary debate, which officially focused on the opening statement of the government coalition. The LPF, Bomhoff's party, did not want to discuss the conflict but the opposition did ask questions. Femke Halsema, leader of GL, states that it is despicable that Van Lieshout has to leave because he does not have the confidence of the minister. She reminds the Parliament of the fact that a minister is not the Sun King. Furthermore, she states that it seems like the top civil servant has to leave because of his political preference, not because of some small grievances towards the minister (Halsema, 2002). The leader of the SP²⁷, Jan Marijnissen, agrees with this and states that it is the first crack in the armor of the cabinet (Marijnissen, 2002). Thom de Graaf, leader of D66, asks the prime minister to distance himself from the situation and condemn it. He stresses that it impeaches civil servants and it damages the loyalty of the civil service which must, can and wants to function under ministers of every party (De Graaf, 2002). The parties pressure the prime minister to take a stance. The Parliament concludes that in this conflict party political considerations played a role in appointments in the bureaucratic system. Eventually the prime minister and the entire parliament, with the exception of the LPF, agree that it should never happen again (Bekker, 2012, p. 393). The opinion of the LPF, as voiced by Mat Herben in the debate, is that the minister was right to make this decision. He states that

²⁷ Socialistische Partij; Socialist Party

it should be possible to remove civil servants installed in previous cabinet periods, as these civil servants adhere to the previous policy too much (Herben, 2002). This opinion cannot be found in the electoral program of the LPF of 2002, nor in one of their later programs. The possibility to remove civil servants has therefore not been adopted by this party. It seems more likely that the LPF chose this position temporarily to defend their minister.

Theory

When placing this case into one of the conflict categories of Bekker, a combination of two categories appears. The alleged grievances from Van Lieshout towards Bomhoff indicated the personal tension category. What is interesting here is that the tension already existed before the two started working (ibid., p. 372). Nevertheless, it still qualifies as a lack of personal connection. Bekker indicated that it was clear that the two would not be able to work together but it would have been wise to try it before removing Van Lieshout. By trying it first, the minister would have shown a sign of goodwill, which would have resulted in less hurt feelings among the other civil servants (Bekker, Appendix B, p. XLIV). The second distinguishable category is that of inability, or in this case future inability (Bekker, 2012, p. 372). The minister was convinced that the civil servant could not advise him on the matter of the plans because the civil servant would have been unable to understand the proposed plans. The political views of the civil servant would have interfered with his ability to appreciate the plans.

3.5. Nijhof

Annemiek Nijhof became Director General of Water in the Ministry of Infrastructure and the Environment in 2008. From 2008 until 2010 she served under minister Camiel Eurlings and after that she served under minister Melanie Schultz van Haegen-Maas Geesteranus. The Secretary General until late 2009 was Wim Kuijken, followed by Siebe Riedstra. The description of the conflict is very short, as there is no conflict between a minister and a civil servant. With the minister-civil servant conflicts a number of meetings usually take place and the media try to pick up every shred of information. In this case it was a conflict a top civil servant had with herself. It only became public after she had made her choice (Pré, 2011).

On the first of June, 2011, Annemiek Nijhof decided that she would not renew her contract as a civil servant. She did not feel like she could work for the government anymore as the influence of the PVV had become too strong. This influence was not just the influence the party had in Parliament but additionally, due to the supporting construction of the coalition government, the PVV had a say in the creation of actual government policy. It was this general influence that created a harder and rougher society, according to Nijhof. She states that the 1.6 million people in the Netherlands that voted for the PVV in 2010 are marked as fundamentalists because of the actions of the PVV. Although she had no trouble with the policy area in which she operated, she morally could not work for a

government supported by this party. Nijhof did not immediately quit when the PVV influence started, but left the government when she had to make a choice between staying for another five years or leaving right away (Versteegh, 2011).

Nijhof does stress that this has nothing to do with her political preference or her membership with D66. She also indicates that she talked her decision over with colleagues, who could understand her point of view but did not make the same decision (ibid.). Hero Brinkman, at that time a member of Parliament for the PVV, reacted by stating that he is fine with Nijhof's decision. He is convinced that the former DG thought her decision over carefully. If other DGs want to follow her, the PVV would be fine with that. Femke Halsema from GL indicated that she thinks Nijhof is a strong woman (Pré, 2011).

Political debate

The move by Annemiek Nijhof to leave the government has not instigated political debate. She has been briefly mentioned by a member of parliament of the PVV, Richard de Mos, in a debate about the Deltacommissioner. In this debate De Mos argues that the Deltacommissioner should not be able to be a member of a political party. He states that the decision by Nijhof to leave the government because of the PVV was weird and an indication that independence should be ensured (De Mos, 2011). When reading between the lines, one can only conclude that De Mos wants to ensure independence in the civil service by banning party membership.

Nijhof has not been mentioned in any other parliamentary debates and her action has not led to debate in the general society.

Theory

The reason for covering the Nijhof case in this thesis, even though it is not an official conflict, is that there was no forced resignation of the top civil servant. She left for political reasons, whereas the theory states that civil servants are apolitical or otherwise hurt the system (Nieuwenkamp, 2001, pp. 28-30). Nijhof is the first civil servant to openly leave because of the influence of party politics on policy. She can therefore not be placed in a category thought of by Bekker. She did not make mistakes nor was she unable to function; there was no mismatch and no tense relationship or frictions (Bekker, 2012, pp. 371-372). The situation with the former DG does not even fit the category for conflicts where it is unclear what the problem is, as the cause of the action is very clear in this case.

On the website of Delta Magazine, a journal on waterworks in the Netherlands, opinions can be posted. In the opinion section some people stated that Nijhof left because of the reorganization of her department, which was announced five days after her public decision (Redactie Delta Magazine, 2011). In this reorganization the number of Directorates General would be reduced from five to three. Which would mean that she saw the reorganization coming and decided she would rather leave on her

own terms and take the opportunity to make a controversial statement, then to leave quietly. Nevertheless, according to ‘sources around the department’, Nijhof was very likely to become one of the remaining three Directorates General (Versteegh, 2011). Furthermore, due to the ABD system, if she did not become one of the 3 DGs, she would have simply been transferred to a new position. Or she would have had to wait, while still being paid, for a position to open up elsewhere. There is therefore no reason to doubt the motivation of her departure in such a way.

Further links to theory are not applicable, as she is the first of her kind. However, for the sake of the final conclusion she is of importance.

3.6. Subconclusion

Each of the four conflict cases has been described, thereby answering part of the question this chapter set out to answer. The question was which conflicts have challenged the bureaucratic system in the past fifteen years and whether there is a pattern in these conflicts. Out of the estimated thirty to forty conflicts, the three best known and one special conflict are covered. A quick summary of the cases will make it easier to answer the second half of the question. Attorney General Arthur Docters van Leeuwen gained too much power within the Public Prosecution and elevated a problem with a single AG to a problem for the entire Council of Attorneys General. He thereby challenged the authority of minister Winnie Sorgdrager and did not apologize, which resulted in a trust conflict and the forced dismissal of Docters. Secretary General Sweder van Wijnbergen was very used to voicing his opinion to the minister and the public, but when a new minister was appointed she did not allow him as much room for his opinion. After two consecutive public missteps, he could not stay in office and voluntarily left. Director General Peter van Lieshout had too much of a reputation as a planning socialist and personally offended newly appointed minister Eduard Bomhoff. Even before Bomhoff officially became minister, he requested the replacement of Van Lieshout. Director General Annemiek Nijhof had the choice of working for the government for another five years or leaving. She chose to leave because she could not live with the influence of the PVV on government policy.

The second part of the question, whether there is a pattern in these conflicts, has to be answered positively. In three out of the four cases the personality and the personal connection of the top civil servant and the minister played a role. Only the case of Nijhof was free from personality or personal connection issues. She voiced a concern which becomes increasingly relevant due to electoral growth of the PVV. Nevertheless, the personalities, or one could say the egos, of the civil servants and ministers can be very harmful to the working relationship. Both Bekker and Niewenkamp use the term ‘incompatibilité d’humeur’ to indicate a contrast in characters or egos that harms the working relationship. They also indicate that when the characters or egos of the minister and the top civil servant are incompatible the ARAR provides a possibility for forced resignation of the civil servant (Bekker, 2012, p. 384; Niewenkamp, 2001, p. 202). Docters van Leeuwen has a strong opinion on the cause of the conflict with his minister Sorgdrager: the minister was not confident enough while she

had a very confident Super AG with a very big personality (Docters van Leeuwen, Appendix B, p. XXXVII). However, the conflict also has a bit of *incompatibilité d'humeur* in it, as the two actors' characters conflicted from the start. Van Wijnbergen was already known for his willingness to make controversial statements. Wijers could handle this with skillful diplomacy. Jorritsma, however, was more straightforward and did not appreciate his style. The concept of *incompatibilité d'humeur* certainly adheres to the Van Lieshout case, where Bomhoff wanted to get rid of Van Lieshout as he saw a crisis coming due to the incompatibility of their characters and the incompatibility of their political preferences.

There are two more factors which can be found in the Docters van Leeuwen case and in the Van Wijnbergen case. The first is the fact that both these civil servants were high profile men. They both had a reputation of making controversial statements and having a strong opinion, were well-known in the media and well-known in society. This conflicts with Weber's vision of the ideal civil servants, who were docile experts without their own fame as they are unknown to the public. Therefore, both the ministers and these top civil servants were high profile and had to think of their own goals and reputation. The second factor is that both these civil servants were men with considerable egos, whereas the minister with whom they conflicted were both female. Docters van Leeuwen and Van Wijnbergen both worked under female bosses, which could mean that the gender factor played a role. The opinion of Van Wijnbergen that Jorritsma was not confident enough as a minister may be evidence of this gender problem, as Jorritsma was generally known as a strong member of parliament before she became minister.

Another factor in the conflicts which has been suggested is the minister's relative lack of knowledge in contrast with the specialized top civil servants. The bureaucrats would have so much more knowledge and expertise that the minister might not understand what they are doing (ProDemos.nl, 2012). This factor cannot be found in the four conflicts discussed in this chapter. In the interviews performed for this thesis, I asked the interviewees whether a large difference in knowledge between the minister and top civil servants is a source for conflict. Both the former ministers and the top civil servants stressed that this factor is not a source of conflict. They stated that the top civil servants are there for their knowledge, while the minister is just there to make the decisions based on the knowledge they provide (Van Middelkoop, Appendix B, p. XXXII).

The combination of the four conflicts and the interviews therefore provide a good idea of the pattern in conflicts between top civil servants and ministers. The final conclusion uses this pattern and combines it with the findings from other chapters.

Conclusion

Coming to the end of this thesis three things have to be done: a short summary has to be presented, the findings have to be connected with each other and the limitations of the thesis have to be discussed.

The first chapter set out to examine what the bureaucratic system used in the Netherlands for the top of the civil service actually is. Further, it was to determine what the alternatives are to the Dutch bureaucratic system and why it is still in place. The top bureaucratic system turns out to be a system where each department has its own bureaucratic leader, who is the first adviser to the department's minister. The top civil servants have to rotate at least every seven years and bureaucrats are nominated by the Senior Public Service Office after which they are appointed by the Minister of Interior and the department's minister. Ministerial responsibility and political primacy are the building blocks of the system. There is an abundance of alternatives, of which two extremes are presented. The American spoils system, which allows political appointments throughout the civil service upon the change of a president, and the Canadian system, where the power is centralized in the prime minister and his clerk. The clerk is the head of the civil service and nominates deputy ministers for appointment and dismissal. The Dutch bureaucratic system is situated between these extremes, which is the reason why it is still in place. Additionally, the costs of a system change are conceived to be bigger than the benefits. This reasoning adheres to the theory of path dependency.

The second chapter set out to investigate how the ministers and top civil servants perceive the bureaucratic system and what they consider to be its strengths and weaknesses. By using interviews and small questionnaires the conclusion was reached that in general the former ministers and the current Secretaries General are very content with the system as it is. Its combination of apolitical civil servants, rotations, ministerial responsibility and political primacy works properly. There are some exceptions to the general satisfaction about the system and some former SGs and ministers want changes. With the former SGs the rotations principle is not appreciated, it results in too much loss of expertise. The former ministers opting for change want to introduce political appointments to make the civil service more flexible and responsive.

The third chapter set out to examine which conflicts challenged the bureaucratic system in the past fifteen years and whether there is a pattern in these conflicts. Out of thirty to forty conflicts, three well-known and well-documented conflicts are presented. The conflicts about Arthur Docters van Leeuwen, Sweder van Wijnbergen and Peter van Lieshout are covered. A fourth case is added, which is not really a conflict like the others. The case of Annemiek Nijhof is not well-known or well-documented, but she is the first top civil servant to openly leave the government because of the influence of a political party. In the three 'normal' conflicts a pattern can be distinguished, as the large personality of the actors is most often the direct or indirect source of problems. The Nijhof case does not have this similarity.

Connecting the dots

The way in which conflicts have been resolved has resulted in a remarkable section in the electoral program of Rita Verdonk's party Trots op Nederland. Whereas D66 is known to be the party for renewal of the government, they have never suggested adaptations of the bureaucratic top system in their electoral programs. ToN, however, suggests some large changes. They want every minister to appoint his own top civil servants to ensure maximum flexibility. ToN also wants to ban top civil servants from party membership, ensuring neutrality of the civil service (ToN, 2010, p. 18). Although the LPF made some statements about replacing bureaucrats in a debate concerning the Van Lieshout case, ToN stands alone with its suggestions. Having examined the electoral programs of the parties that made it into the parliament for the past decades, none of them suggested the massive changes ToN desires. The same goes for the debates about the conflicts covered in this thesis; no party proposes large changes to the bureaucratic system. Some parties, including the VVD and D66, want to slim down the government and thereby reduce the amount of civil servants. However, this is not a change in the system (Bruijn, 2010).

The resolving of conflicts has led Roel Nieuwenkamp to make some predictions about the public service, predictions he made in 2001. He states that the influence of the media will increase on politics and via politics on the civil service. Furthermore, Nieuwenkamp thought that tensions in the system would increase with every conflict between ministers and top civil servants and those conflicts would keep coming. Conflicts would continue to appear due to ministerial responsibility, where one person is responsible for thousands of others, in combination with more problems being blamed on civil servants. At the same time the rotational principle would decrease expertise knowledge in the top and instead create general managers (Nieuwenkamp, 2001, p. 352).

More than ten year later, the rotational system is fully active and it seems to have taken away the grounds for many conflicts. As the selection of top civil servants now takes the fact into account that the top has to be able to function in any department. On top of that, service to the political leaders has become a more prominent aspect of the life of top bureaucrats. Thereby the prediction of more general managers has become truth, but these general managers often lack the certainty through knowledge that specialists have (Bekker, 2012, p. 367). The shorter time in office itself does not seem to have an influence on conflicts, as Sweder van Wijnbergen was only in office for two years and already got into a conflict.

The development of the bureaucratic system and the laws concerning it continues, as the parliament is currently considering a law proposal. The proposed law states that civil servants will no longer be protected by the special ARAR, the General Civil Service Regulations. If this proposal is accepted by the parliament, it would mean that bureaucrats will be equal to employees in the private industries. The proposal was instigated by the VVD and D66. The parliament started the consideration on March 29th, 2012, and the first debate was on May 30th. If passed, the law would come into practice in two to three years (Tweedekamer.nl, 2012). It is not clear yet whether the proposal will be passed or

rejected, but it illustrates that some changes in the bureaucratic system are supported by a few political parties.

Nevertheless, the possibility of conflicts is still there as the top civil servants are still appointed for a long time but at the same time are being appointed by politicians. When looking to prevent conflicts from happening, a change to the system could perhaps prevent more conflicts. The civil service is generally seen by specialists as an effective and loyal machine, producing advice for ministers and, when the minister asks for it, also producing policies. If appointments were done by a nonpolitical organ of bureaucrats like the Council of Secretaries General, the machine would become completely independent. The Council of SGs could, as one body, report to the Council of Ministers and receive direct orders from them. At the same time each SG is still connected to his minister and the minister still makes all the decisions. Thus, only the appointment and functioning of the civil service would change. This would create a unique situation. The SGs, who know the strengths and weaknesses of the bureaucrats the best, would be able to direct them into appropriate functions. At the same time, the SGs are very well aware of the requirements of each function and would gain experience in placing bureaucrats in the right positions. This would take away the power of the Council of Ministers to install top civil servants, a council which is often populated with ministers who lack thorough knowledge of the departments. The Council of Ministers would only be able to set the course for the Council of Secretaries General, thereby creating the framework within which the Council of SGs would work. This suggested change to the system would mean more collegial functioning and is somewhat similar to the system in the European Union. In the European Union the Commission owes responsibility to the European Parliament. This Parliament can either accept the entire Commission or reject the entire Commission, there is no possibility to change only part of the Commission. This is only a suggestion; nevertheless, I am convinced that it could take many problems and sources of friction away.

Limitations and further research

This thesis has several limitations. First, the limited number of interviews and the limited amount of time are the two most important limitations. Although the eleven interviews performed for this thesis are a nice source of information and serve as empirical data, the amount and variety of interviews could be a lot higher. With more interviews the study would still keep its qualitative aspects while at the same time enjoy the benefits of quantitative studies. With a higher number of interviews the chances of receiving valuable information also rises. Not just because of the higher volume of interviews, but also because of the greater chance of speaking to interviewees that are really open. In several of the interviews for this thesis I noticed that the former ministers were very aware of my 'low' status as a mere student, they therefore did not completely open up for my questions and they often

gave only limited answers. Others were very open and the interviews almost became normal conversations.

The limited amount of time is linked to the limited amount of credits received for this thesis. The procedure for the thesis only provides a couple of months for the research and formulation of the thesis, whereas this research would have benefited from longer attention. This is linked to the suggestions of further research, as I have run into several niches in academic knowledge. If there was more time, the development of the Dutch bureaucratic system could serve as a thesis subject itself, or even a PhD study. The same goes for the development of the Council of Secretaries General, as nothing has been published about this body. Thus, a thesis or PhD study could also shed some light on this.

Two other limitations are noteworthy, the first of which is the limitation concerning political parties. In the coverage of the conflicts, and the patterns derived from those conflicts, the lack of political will to make large changes to the bureaucratic system led back to political parties. The electoral programs of the parties show the political course of a party and the debates in parliament show the practical side. However, they do not show possible internal discussions. The possibilities to investigate internal discussions of the past and the present are very limited. This would call for a completely different approach like the examination of congress reports and party magazines. The claim that ToN is the only party opting for massive changes is, therefore, only based on the official positions of parties in the electoral program.

The last limitation is the covered time period. As is indicated in the research question, this thesis focuses on the past fifteen years. This is roughly as long as the Senior Public Service Office has existed and it covers the start of the Top Management Group. It also covers the three most recent major conflicts and the special Nijhof conflict. However there is much more to investigate by going further back in time. The conflict between Secretary General Albert Molder and Secretary of State Glastra van Loon in 1975 is an example. The minister of Justice, Dries van Agt, had to choose between the two and he chose to support the SG (Nieuwenkamp, 2001, p. 19). The examination of a longer time period would allow the researcher to cover more conflicts. These conflicts could find additional weaknesses in the system, if these weaknesses have not already been improved.

Bibliography

- Alberts, J. (1999, September 25). De messen zijn geslepen. *NRC Handelsblad*.
- Alberts, J., & Berkhout, K. (1999, September 23). Voorstel: privatiseer openbaar ministerie. *NRC Handelsblad*, p. 1.
- Alberts, J., & Koelewijn, J. (1999, September 27). 'Als je een last wordt, moet je weg'. *NRC Handelsblad*, p. 3.
- Algemenebestuursdienst.nl. (2012). *Top Management Groep*. Retrieved April 27, 2012, from [Algemenebestuursdienst.nl](http://www.algemenebestuursdienst.nl):
<http://www.algemenebestuursdienst.nl/organisatie/Topmanagementgroep>
- Allepeilingen. (2012, March 14). *Peilingen politieke partijen*. Retrieved March 14, 2012, from [Allepeilingen.com](http://allepeilingen.com):
http://allepeilingen.com/index.php?option=com_content&view=article&id=52&Itemid=56
- ARAR. (2010). *Algemeen Rijksambtenarenreglement*. Den Haag: BZK.
- AZ. (2007, January 18). *Notitie SG-Overleg; De Verkokering voorbij*. Retrieved April 22, 2012, from [Rijksoverheid.nl](http://www.rijksoverheid.nl): http://www.rijksoverheid.nl/documenten-en-publicaties/notas/2007/01/18/Notitie+SG-Overleg+_x0027_De+Verkokering+voorbij_x0027_.html
- Baltesen, F. (1999, June 5). Sweder van Wijnbergen: Het wensenlijstje van een secretaris-generaal. *FEM De Week*.
- Bekker, R. (2012). *Marathonlopers rond het Binnenhof; Topambtenaren bij het rijk 1970-2010*. Den Haag: Boom Lemma uitgevers.
- Bekkers, H. (2010, February 23). *Moeite met PVV Bestuurder*. Retrieved March 14, 2012, from [Binnenlandsbestuur.nl](http://www.binnenlandsbestuur.nl): http://www.binnenlandsbestuur.nl/Uploads/Files/BB-08-Moeite-met-PVV-bestuurder_1.pdf
- Berbers, T. (1999, September 25). Baron laat zich niet in ambtenarenkorset persen. *Volkskrant*, p. 3.
- Berenschot. (1998). *The Senior Civil Service; A comparison of personnel development for top managers in fourteen OECD member countries*. Maastricht: European Institute of Public Administration.
- Bomhoff, E. (2002). *Blinde Ambitie; Mijn 87 dagen met Zalm, Heinsbroek & Balkenende*. Gouda: Balans.
- Bourgault, J. (2008). Clerks and Secretaries to Cabinet: Anatomy of Leadership. In P. Dutil (ed.), *Searching for Leadership; Secretaries to the Cabinet in Canada* (pp. 41-84). Toronto: University of Toronto Press.

- Breeman, G., Noort, W. v., & Rutgers, M. (2010). *De bestuurlijke kaart van Nederland; Het openbaar bestuur en zijn omgeving in nationaal en internationaal perspectief*. Bussum: Uitgeverij Coutinho.
- Bruijn, J. (2010, May 6). *Orde op Zaken*. Retrieved June 1, 2012, from dnpp.eldoc.ub.rug.nl:
<http://dnpp.eldoc.ub.rug.nl/FILES/root/programmas/Verkiezingsprogramma/2010/Definitief/VVDverkiezingsprogramma2010.pdf>
- BZK. (2007, September 25). *Nota Vernieuwing Rijksdienst*. Retrieved April 27, 2012, from Rijksoverheid.nl: <http://www.rijksoverheid.nl/bestanden/documenten-en-publicaties/rapporten/2007/09/25/nota-vernieuwing-rijksdienst/notavernieuwingrijksdienst.pdf>
- BZK. (2011, February 2). *Compacte Rijksdienst: Uitvoeringsprogramma*. Retrieved April 27, 2012, from Rijksoverheid.nl: <http://www.rijksoverheid.nl/bestanden/documenten-en-publicaties/jaarplannen/2011/02/14/uitvoeringsprogramma-compacte-rijksdienst/2-compacte-rijksdienst-versie-tweede-kamer-10-02-2011def.pdf>
- Castricum, C. (2010, April 30). *'Op een gegeven moment ga je geloven in je eigen grootsheid'*. Retrieved May 2, 2012, from PM.nl: <http://www.pm.nl/artikel/675/roel-bekker-op-een-gegeven-moment-ga-je-geloven-in-je-eigen-grootsheid>
- De Graaf, T. (2002). TK92. In T. Kamer, *Debat Regeringsverklaring* (pp. 92-5493).
- De Mos, R. (2011). TK 32304. In T. Kamer, *Wijziging van de Waterwet en de Wet Infrastructuurfonds* (p. 15).
- De Zwart, M. (1998, February 19). *In twist met Docters van Leeuwen; Steun in de Kamer voor Sorgdrager*. Retrieved May 9, 2012, from NRC.nl:
<http://retro.nrc.nl/W2/Lab/Om/om190298vp.html>
- DeNederlandseGrondwet.nl. (2012, April 15). *Artikel 44*. Retrieved April 15, 2012, from DeNederlandseGrondwet.nl:
<http://www.denederlandsegrondwet.nl/9353000/1/j9vvihlf299q0sr/vgrncdb630zw>
- DigitalHistory.uh.edu. (2012, April 18). *Digital History*. Retrieved April 18, 2012, from Digitalhistory.uh.edu:
http://www.digitalhistory.uh.edu/database/article_display.cfm?HHID=145
- Dutil (ed.), P. (2008). *Searching for Leadership; Secretaris to the Cabinet in Canada*. Toronto: University of Toronto Press.
- Editors, P. (1998, February 17). *Sorgdrager besluit Docters van Leeuwen te ontslaan*. Retrieved March 14, 2012, from Trouw.nl:
<http://www.trouw.nl/tr/nl/5009/Archief/archief/article/detail/2584830/1998/02/17/Sorgdrager-besluit-Docters-van-Leeuwen-te-ontslaan.dhtml>

- Elchardus, M. (2002). *De Dramademocratie*. Tiel: Lannoo.
- Epractice.eu. (2012). *Actieprogramma 'Andere Overheid'*. Retrieved April 27, 2012, from Epractice.eu: http://www.epractice.eu/files/media/media_298.pdf
- FD. (1999, September 25). Wijers' erfenis drukt zwaar. *Het Financieele Dagblad*.
- FD-Binnenland. (1999, September 28). Van Wijnbergen gaat 'zonder rancune'. *Het Financieele Dagblad*.
- Francissen, W., & Mies, J. (2011). *Kijken onder de motorkap; Vier jaar programma Vernieuwing Rijksdienst*. Breda: Koninklijke Broese en Peereboom.
- Frequin, M. (2006). *Ja minister - nee minister; Over het samenspel van ministers, staatssecretarissen en topambtenaren*. Den Haag: Sdu Uitgevers.
- Hall, P., & Taylor, R. (1996). Political science and the three new institutionalisms. *Political Studies*(44), 952-973.
- Halsema, F. (2002). Handelingen Tweede Kamer 2002-2003. *Dossier: 92*, 5482.
- Herben, M. (2002). Handelingen Tweede Kamer 2001-2002. *Dossier: 92*, 5485.
- Hughes, O. (2003). *Public Management and Administration*. New York: Palgrave Macmillan.
- IMDB.com. (2012). *Yes Minister*. Retrieved May 1, 2012, from imdb.com: <http://www.imdb.com/title/tt0080306/>
- InOverheid.nl. (2010, December 7). *Salaris bij de rechterlijke macht*. Retrieved April 15, 2012, from InOverheid.nl: <http://www.inoverheid.nl/artikel/nieuws/1348744/salaris-bij-de-rechterlijke-macht.html>
- Kleinnijenhuis, J. (2003). *De puinhopen in het nieuws*. Alphen aan den Rijn: Kluwer.
- Kok, W. (1994). *Keuzes voor de toekomst*. Den Haag: Sdu Uitgeverij Plantijnstraat.
- Kuijken, W. (1995). Instellingsbeschikking bureau voor de vorming van de Algemene bestuursdienst. *Staatscourant*, 124.
- Kuijken, W. (2006). *In dienst van het Rijk; Naar een volgende fase van vernieuwing van de Rijksdienst*.
- Lemstra, W. (2008). *De Secretaris-Generaal. Een onderzoek naar de rol van de Secretaris-Generaal in het overheidsmanagement*. Alphen aan de Rijn: Samsom H.D. Tjeenk Willink.
- Marijnissen, J. (2002). Handelingen Tweede Kamer 2002-2003. *Dossier: 92*, 5489.
- Nieuwenkamp, R. (2001). *De prijs van het politiek primaat; Wederzijds vertrouwen en loyaliteit in de verhouding tussen bewindspersonen en ambtelijke top*. Delft: Eburon.
- NRC.nl. (1998, January 24). *Kok valt uit naar procureurs-generaal*. Retrieved May 8, 2012, from NRC.nl: <http://retro.nrc.nl/W2/Lab/Om/om240198vp.html>
- Page, S. (2006). Path dependence. *Quarterly Journal of Political Science*(1), 87-115.

- Politiekcompendium.nl. (2012). *Scheiding van beleid en uitvoering*. Retrieved April 25, 2012, from politiekcompendium.nl:
<http://www.politiekcompendium.nl/9351000/1f/j9vvh40co5zodus/vh4vamokmdtl>
- Pré, R. d. (2011, June 3). *Topambtenaar neemt ontslag uit schaamte over invloed-PVV*. Retrieved March 13, 2012, from www.volkskrant.nl:
<http://www.volkskrant.nl/vk/nl/2824/Politiek/article/detail/2440679/2011/06/03/Topambtenaar-neemt-ontslag-uit-schaamte-over-invloed-PVV.dhtml>
- ProDemos.nl. (2012). *Het ambtelijk apparaat*. Retrieved June 1, 2012, from ProDemos.nl:
<http://www.prodemos.nl/Kenniscentrum/Informatie-over-politiek/Nederland/Het-ambtelijk-apparaat>
- Rabbae, M. (1998). Handelingen Tweede Kamer 1997-1998. *Dossier: 25852*.
- Rabbae, M. (1998). Motie Rabbae. *Dossier: 25897*.
- Redactie Delta Magazine (2011, June 13). *Annemiek Nijhof*. Retrieved May 4, 2012, from Deltamagazine.nl: <http://www.deltamagazine.nl/tag/annemiek-nijhof>
- Rehwinkel, P. (1999). Handelingen Tweede Kamer 1999-2000. *Dossier: 26800 III*.
- Rijksoverheid.nl. (2012). *Kabinetten sinds 1945*. Retrieved April 30, 2012, from Rijksoverheid.nl: <http://www.rijksoverheid.nl/regering/het-kabinet/kabinetten-sinds-1945>
- Sancino, A. (2011). Between democracy and management: local government and the dilemma of spoils system. *Economia Aziendale Online*, 3(2), 303-310.
- Sebes, R., & De Vries, A. (1999, September 24). Van Wijnbergen kraakt nieuw belastingstelsel. *De Telegraaf*, p. 1.
- Simonis (ed.), R. (2010). *Leiderschap in ontwikkeling*. Wormerveer: Huig Haverlag Printing.
- Staal, H. (2002, July 26). *'Bizarre' stap Bomhoff wekt veel onrust*. Retrieved May 3, 2012, from NRC.nl: http://vorige.nrc.nl/binnenland/article1548694.ece/Bizarre_stap_Bomhoff_wekt_veel_onrust
- St-AB.nl. (2012, January 14). *Ambtenarenwet*. Retrieved April 15, 2012, from St-AB.nl: http://www.st-ab.nl/wetten/0033_Ambtenarenwet_AW.htm
- Stekelenburg, M. (1999). *200 jaar werken bij de overheid: 1813-1940*. Nieuwegein: Drukkerij Liesbosch.
- 'T Hart, J., & De Zwart, M. (1998, June 20). *Hoe de politiek Docters vloerde*. Retrieved May 7, 2012, from VK.nl:
<http://www.volkskrant.nl/vk/nl/2686/Binnenland/archief/article/detail/468141/1998/06/20/Hoe-de-politiek-Docters-vloerde.dhtml>
- Telegraaf. (1999, September 28). Vertrek EZ-Topman was onvermijdelijk. *De Telegraaf*.

- TMG. (2011, June 30). *TMG Nevenwerkzaamheden*. Retrieved April 27, 2012, from Algemenebestuursdienst.nl:
<http://www.algemenebestuursdienst.nl/binaries/content/assets/pdf/nevenfuncties-tmg-2011.pdf>
- ToN. (2010, April 7). *Vertrouwen en handhaven*. Retrieved April 30, 2012, from Trotsopnederland.com:
<http://www.trotsopnederland.com/images/Programma%20Vertrouwen%20en%20handhaven.pdf>
- Trommelen, J. (1996, March 14). *IND directeur Nawijn werd niet meer zomaar geloofd*. Retrieved May 1, 2012, from VK.nl:
<http://www.volkskrant.nl/vk/nl/2844/Archief/archief/article/detail/441207/1996/03/14/IND-directeur-Nawijn-werd-niet-meer-zomaar-geloofd.dhtml>
- Trouw.nl. (1998, February 17). *Sorgdrager besluit Docters van Leeuwen te ontslaan*. Retrieved May 7, 2012, from Trouw.nl:
<http://www.trouw.nl/tr/nl/5009/Archief/archief/article/detail/2584830/1998/02/17/Sorgdrager-besluit-Docters-van-Leeuwen-te-ontslaan.dhtml>
- Tweedekamer.nl. (2012, May 30). *Gewone arbeidsovereenkomst voor ambtenaren*. Retrieved June 2, 2012, from Tweedekamer.nl:
http://www.tweedekamer.nl/kamerstukken/verslagen/kamer_in_het_kort/gewone_arbeidsovereenkomst_voor_ambtenaren.jsp?utm_source=twitterfeed&utm_medium=twitter
- Van der Meer, F., & Roborgh, L. (1993). *Ambtenaren in Nederland; Omvang, bureaucrativering en representativiteit van het ambtelijk apparaat*. Alphen aan den Rijn: Samsom H.D. Tjeenk Willink.
- Van Twist, M., Van Der Steen, M., Karré, P., Peeters, R., & Van Ostaijen, M. (2009, June 9). *Vernieuwende verandering: continuïteit en discontinuïteit van vernieuwing van de Rijksdienst*. Retrieved April 24, 2012, from NSOB.nl:
<http://www.nsob.nl/files/Vernieuwende%20Verandering%20-%20deel%201%20onderzoek%20VRD.pdf>
- Versteegh, K. (2011, June 1). 'Ik kan de toewijding niet meer opbrengen'; Topambtenaar Nijhof vertrekt wegens de PVV. *NRC Handelsblad*.
- Vinckx, Y. (1998, January 23). *Verwarring alom om uitblijven rapport*. Retrieved May 6, 2012, from NRC.nl: <http://retro.nrc.nl/W2/Lab/Om/om230198vp2.html>
- Weber, M. (1972). *Gezag en Bureaucratie*. Rotterdam: Universitaire Pres Rotterdam.
- Wikipedia. (2012, April 11). *Bureaucrat - Wikipedia*. Retrieved April 15, 2012, from Wikipedia.org:
<http://en.wikipedia.org/wiki/Bureaucrat>

Appendixes

Appendix A: Questionnaires

Korte vragenlijst

De vragen in deze vragenlijst hebben betrekking op uw periode als bewindspersoon. Markeer alstublieft het van toepassing zijnde antwoord.

Uw naam:

- 1) Heeft u zich gesteund gevoeld door de (vaak) lange ervaring van de ambtelijke top van het voor u relevante ministerie?
Ja / Nee
- 2) Heeft u de ambtelijke top van het voor u relevante ministerie ervaren als behulpzaam en effectief?
Ja / Nee
- 3) Heeft u zich op enige moment bewust gemanipuleerd gevoeld door de ambtelijke top van het voor u relevante ministerie?
Ja / Nee
- 4) Heeft u op enige moment passieve tegenwerking ervaren van ambtenaren met betrekking tot door u gepresenteerde plannen?
Ja / Nee
- 5) Heeft u actief verzet van ambtenaren mee gemaakt tegen door u gepresenteerde plannen?
Ja (d.m.v. weigering / lekken / verzoek van overplaatsing) / Nee
- 6) Heeft u actief verzet van de onder u dienende Secretaris-Generaal mee gemaakt tegen door u gepresenteerde plannen?
Ja (d.m.v. weigering / lekken / verzoek van overplaatsing) / Nee
- 7) Heeft u op enige moment de wens gehad de ambtelijke top van het voor u relevante ministerie te vervangen?
Ja / Nee
Zo ja, waarom?

.....
.....
Dank u wel voor het invullen van deze vragenlijst

Korte vragenlijst

De vragen in deze vragenlijst hebben betrekking op uw ervaringen in de ambtelijke top, vanaf het moment dat u bent benoemd als Secretaris-Generaal. Indien u reeds SG, dan wel plaatsvervangend SG, bent geweest op een ander ministerie vraag ik u deze ervaring ook mee te nemen in uw antwoorden. Markeer alstublieft het van toepassing zijnde antwoord.

Uw naam:

- 1) Wat is uw algemene ervaring met ministers?
 - o Positief
 - o Negatief

- 2) Vind u het huidige systeem in Nederland, waar de top van de ambtenarij niet wordt vervangen bij een kabinetwisseling positief?
Ja / Nee

- 3) Heeft u op enig moment een minister bewust tegen gewerkt? Zo ja, waarom?

- 4) Wat is uw ogen belangrijker, continuïteit in overheidsbeleid of loyaliteit aan de politieke bewindspersonen?

- 5) Heeft u een groot verschil ervaren tussen politiek zeer ervaren ministers en technisch/ministerie specifiek zeer ervaren ministers? Welke soort minister is beter mee samen te werken?

De volgende twee vragen hebben betrekking op de hypothetische situatie waar een minister een plan/voorstel heeft wat u als schadelijk beschouwd.

- 6) Zou u de minister proberen van dit plan af te brengen? Zo ja, hoe?

- 7) Zou u als uiterste redmiddel de media, belangengroepen of politici van het plan op de hoogte stellen om het te voorkomen?

Dank u wel voor het invullen van deze vragenlijst

Appendix B: Interviews

The interviews are not included in this version of this thesis due to arrangements made with the interviewees.

Appendix C: List of approached persons

The letter behind each name indicates whether the person agreed (A) to an interview, responded to the questionnaire (Q) or did not participate (N).

Name		Name	
E.J. Bomhoff	N	J.G. de Hoop Scheffer	N
H.Ph.J.B. Heinsbroek	N	J.P.H. Donner	N
H.P.A. Nawijn	A	M.J.A. van der Hoeven	N
R.H. de Boer	N	C.P. Veerman	Q
Jan Terlouw	N	A.J. de Geus	N
Erwin Nypels	N	B.R. Bot	N
Els Borst-Eilers	N	K.M.H. Peijs	Q
Winnie Sorgdrager	N	A.M.A. van Ardenne-Van der Hoeven	N
Hans Wijers	N	J.G. Wijn	N
Roger van Bortel	N	C.M.P.S. Eurlings	N
Hayo Apotheker	Q	G. Verburg	A
Laurens Jan Brinkhorst	Q	A. Klink	N
Thom de Graaf	Q	Arthur Docters van Leeuwen	N
Alexander Pechtold	N	Annemiek Nijhof	N
André Rouvoet	N	Peter van Lieshout	N
Tineke Huizinga-Heringa	N	Sweder van Wijnbergen	A
Eimert van Middelkoop	A	Annemarie Jorritsma-Lebbink	N
A.A.M. van Agt	Q	Kajsa Ollongren	N
J. de Ruiter	N	Roos van Erp	Q
M.H.M.F. Gardeniers-Berendsen	Q	Ton Annink	A
W. J. Deetman	N	Chris Buijink	N
L. de Graaf	N	Richard van Zwol	N
H.A. de Boer	Q	Siebe Riedstra	Q
R.F.M. Lubbers	N	Hans van der Vlist	A
H. van den Broek	Q	Johan de Leeuw	Q
H.O.C.R. Ruding	A	Renée Jones-Bos	N
G.J.M. Braks	N	Joris Demmink	N
L.C. Brinkman	Q	Geert van Maanen	N
P. Bukman	A	D.J. Barth	A
E.M.H. Hirsch Ballin	N	Tj.H.J. Joustra	A
J.R.H. Maij-Weggen	Q	R. Bekker	A
J.E. Andriessen	N	H. Bruins Slot	N
B. de Vries	Q	R. Verdonk	N
J.P. Balkenende	N	L.S. Verloop - van der Spek	N