

**Multiple roles of the Ombudsman in fostering democratic values:
Evolution and emergent issues of the Québec' provincial Ombudsman 2000-2006**

Isabelle Fortier¹, Ph.D.
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Introduction

The concept of Ombudsman has gained a solid credibility as a complaint-handling mechanism which helps and allows citizens to protect and defend their rights in front of a powerful and complex State. Apart from this main mandate, we can see many ombudsmen who have developed co-substantial roles such as an educational role or legislative monitoring. While these roles are expanding and may allow for a broader view of the ombudsman's participation in the democratic system, they are still less studied.

Recently, attention has been paid to the generalized decline of complaints and the hypothesized explanation that the ombudsman may also be a victim of the wider democratic deficit affecting many institutions in our society². Interestingly however, less attention has been given to the role the ombudsman can play in fostering trust in the democratic processes and, in a certain way, help resist this overwhelming ambient cynicism, especially in a context of public administration reform where relationships between citizens and the State are under deep changes.

After a phase of prescriptive research where scholars were concerned about defining characteristics and features to support the establishment of ombudsmen's

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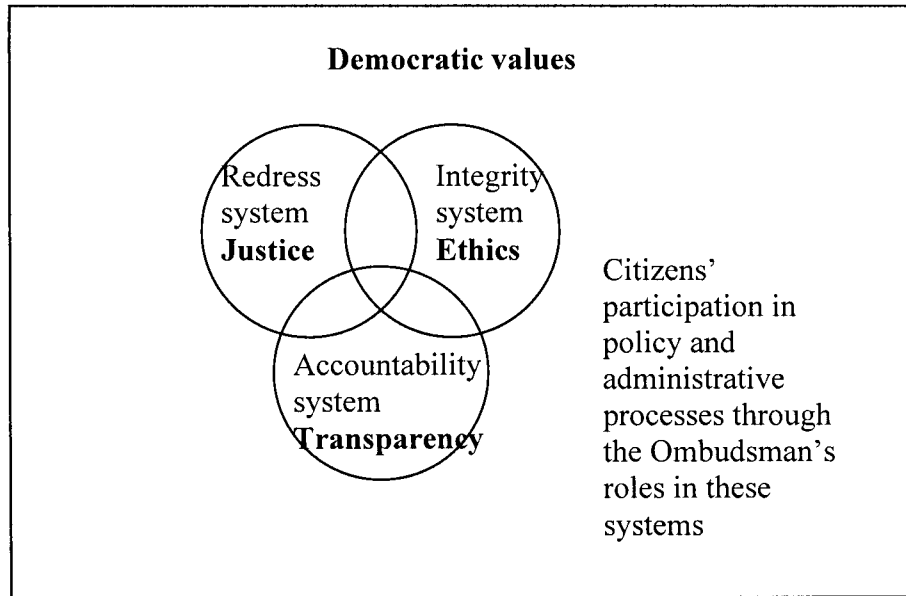
² The author also participates in «The Ombudsman Project», granted by the Canadian Institute of Public Administration, publication forthcoming in 2007.

offices, followed by a descriptive phase with research comparing the differences on institutional and constitutional basis in various countries, many authors agree that the present challenge is to assess the impact of the ombudsman upon the administration under his jurisdiction and upon society. To contribute to this endeavour, I raise the following questions: How does the ombudsman help foster democratic values and social justice? How can the ombudsman add to the building of trusting relationships between citizens and the State? What are the emerging trends and issues faced by the ombudsman in the present context of public administration reforms?

I suggest (see Figure 1) the ombudsman can play multiple roles by which he contributes to sustain democratic values in three interconnected spheres: First as part of the ‘redress system’ where the values of justice, equity and fairness predominates; second as part of the ‘integrity system’ where the ethics of government and public administration are paramount; and finally as part of the ‘accountability system’ where transparency serves to hold government responsible. In all these roles, the ombudsman mediates the relations between citizens and the State by facilitating their participation, securing values and democratic processes, or by representing and speaking in their names and in favour of their interests.

By presenting and analysing the ombudsman activities in these spheres, both with the help of the literature and over time with empirical evidence about the provincial ombudsman in Québec, this paper will suggest emerging issues to stimulate the debate around the institution’s contribution to democracy.

Figure 1



Ombudsman as an institution: a short description

One of the first authors to study the ombudsman topic in depth, Larry Hill³ had stressed the following characteristics of ombudsman as an institution: established legally, functionally autonomous and operationally independent from executive and legislature, external to administration, specialist and expert, non-partisan, normatively universalistic, client-centered but not anti-administration, popularly accessible and visible.

The Québec Ombudsman corresponds to this description as the main features presented here will illustrate. The provincial ombudsman's name is the Public Protector

³ Larry Hill (1974) «Institutionalization, the Ombudsman, and Bureaucracy». *The American Political Science Review*, 68: 1075-1085.

(hereafter PP). Since 1967 the PP is set by the chapter 32 Public Protector Act in the R.S.Q. The Public Protector «is responsible for protecting citizen's right by intervening with departments and agencies of the Government of Québec, including [since April 1, 2006⁴] those in the health and social services network, to correct any prejudicial situations affecting citizens individually or as a group»⁵.

The Ombudsman is appointed with the approval of 2/3 of the members of the National Assembly, the same ratio being needed for dismissal, for a term of five years with the possibility of reappointment. He produces once a year to the chief executive officer of a public body a summary report and also produces an annual report tabled to the National Assembly where he explains some cases and tells his recommendations to change some situations. The Ombudsman can also make a public comment when he judges necessary.

The PP has jurisdiction over departments or agencies whose staff is appointed under the *Public service Act*, or any other body explicitly placed under his jurisdiction by special legislation. Under the *Public Protector Act*, the Ombudsman has the power to intervene, at the request of any person or group, when it appears to him that a person or a group of person has suffered prejudice as the result of an act or omission of a public body. He can also intervene on his own initiative. The PP and his staff, for the purposes of an investigation, have the powers and immunity of other commissioners, appointed under the *Act respecting public inquiry commissions*. He has no coercive power, but can make recommendations upon public bodies. The PP can make comments on draft bills

⁴ Precision added by the author. The 33 employees of the former Health and Social Services Ombudsman are joining the Public Protector's office following amendments to the *Act respecting Health Services and Social Services*. <https://www.protecteurducitoyen.qc.ca/en/publications/communique/060406.asp>

⁵ <http://www.protecteurducitoyen.qc.ca/en/mandat/index.asp>

and regulations and appear before parliamentary commissions by bringing his memorandums.

The PP receives citizens' complaints orally and/or written. After an examination of the complaint where he must first assure he has jurisdiction over the body to investigate, and that the complainants have exhaust their administrative and judicial remedies of the public body in question. In every case, the investigations of the Ombudsman are conducted in private. The complainant is assured the PP will intervene confidentially, that he will be notified why his request for intervention is either refused or accepted, when it is terminated and the results explained.

The ombudsman as part of the redress system: from righting wrongs to citizens' participation

As the mandate previously presented clearly shows, the ombudsman institution is part of the redress system to which citizens can turn when they consider they have been unjustly treated by the administration. When compared to administrative courts, one of the main differences is that the ombudsman does not have any coercive power. It is therefore puzzling to study how he or she can actually develop a persuasive power and have an impact on public administration. As Hill explains, the types of interactions the ombudsman has with departments and their willingness to follow his recommendations are two sides of the basis on what he can build a collaborative dialogue with civil servants leading to a bending of bureaucracy. As he concludes:

His accomplishments are not flashy, but in addition to his substantive and psychological public impact, he has affected administration in subtle ways. The ombudsman is not a panacea; it is probable that those who will be the most

disappointed with ombudsman experiments are those who expect too much. (Hill, 1974:1085⁶)

As an institution, the ombudsman can be considered as an additional entry point for citizen access to the administrative system. This is a neglected link between participation and representation in political science since new trends in participation studied tend to focus mainly on direct participation modes⁷. Gammeltoft-Hansen⁸ (1998) explains that there are three ways citizens' participation is fostered through the ombudsman: 1) the informal complaint lodging process and the universal access to the office, which helps citizens protect their rights; 2) the office's extensive inquisitorial powers, beyond the matter of inquiries, which allows the ombudsman to go as far as asking "to prepare explanations of practice, consider questions of interpretation, and make statements on which criteria must be regarded as legal and obligatory/mandatory in connection with decisions on discretionary matters" (Gammeltoft-Hansen, 1998: 191-192); and 3) its own-initiative investigative powers. Overall, as part of the redress system, it is both the strength of the investigative powers and the flexibility of the whole framework and method of ombudsman that makes its specificity and serves to ensure an additional degree of influence by citizens over the State's administrative processes.

According to Hertog⁹, the policy impact of ombudsman is when, following his notification, agencies make changes that go beyond the particular case. To consider the policy impact of citizens through ombudsman implies that we turn our focus from compliance to implementation. In that sense, complaints play a substantial role among

⁶ Larry Hill (1974), *Op. cit.*

⁷ Larry B. Hill (1982) «The citizen participation-representation roles of American ombudsman», *Administration & Society*, 13(4), 405-433.

⁸ Hans Gammeltoft-Hansen (1998) «The Ombudsman as a non-traditional tool for citizen participation», *International Ombudsman Yearbook*, 189-197

⁹ Marc Hertog (1998) «The policy impact of the ombudsman and administrative courts: a heuristic model», *The International Ombudsman Yearbook*, Volume 2, 63-85.

feed-back mechanisms. According to this view, instead of simply expecting compliance, the ombudsman should “try instead to create a ‘winner/winner outcome’ in which the governmental body concerned can itself take some satisfaction from remedial action and negotiated systemic improvements following the Ombudsman’s intervention” (Gregory and Giddings¹⁰, 2000: 16). In order to build this collaborative spirit, the ombudsman’s approach can make a great deal of difference.

Illustrative of that, in an interview conducted by the author at the end of her term in December 2005, the former Public Protector Pauline Champoux-Lesage (2000-2006) expressed her commitment to prevention as the best avenue to be pursued by the ombudsman. She acknowledged that any implementation has its difficulties and that the PP has a role in safeguarding that citizens are not caught in the middle of a trial and error field and victims of unforeseen effects. In her first annual report (2000-2001) she promotes the idea of departments and agencies taking charge of monitoring their own administrative processes and supports it by publishing an accompanying guide devoted specifically to the ethos and techniques of complaint handling¹¹. This initiative was followed a few years later by a guide on the resolution of equity issues¹². In this sense, this highlights the educational role the ombudsman can play within public administration.

We should not underestimate the importance of the style and specificity each incumbent brings to the ombudsman institution as it pertains to its capacity to influence and make good usage of its persuasion power. Some authors had stressed the fact that by

¹⁰ Roy Gregory, Philip Giddings (eds.) (2000) «The Ombudsman Institution: growth and development», In *Righting Wrongs: The Ombudsman in Six Continents*. International Institute of Administrative Sciences, Vol. 13. Amsterdam, The Netherlands: IOS Press.

¹¹ Public Protector (2001) *A Legitimate, Credible Complaints Office*
<http://www.protecteurducitoyen.qc.ca/en/publications/guides/PCplai.pdf>

¹² Public Protector (2004) *L'intervention en équité*
<http://www.protecteurducitoyen.qc.ca/en/publications/guides/equite.pdf>

timidity or cooptation by the administration, the power of the ombudsman can atrophy¹³, and this risk is ever-present in the process of interacting with the civil servants throughout the implementation process. Observers such as Hertog¹⁴ have already raised this issue of the reflexive control needed of the ombudsman in finding and maintaining the right distance and attitude which allows for the ongoing dialogue that enhances clarity and understanding between parties. The adjustments needed to reduce policy tensions between recommendations and existing practices suppose to overcome resistance to change by reducing the threat and allowing a custom tailored way to implement changes. After the issues of institutional independence and constitutive powers have been well documented, these authors stress the fact that research must now document the leadership factor as an important one in the dynamics of negotiated complaint-handling process.

Accountability: A critical issue in the New Public Management era

To complement the previous perspective on remedial action and the policy implementation process, we must now focus on the present transformation of public administration under the New Public Management influence. As part of the accountability system, the ombudsman must be particularly attentive to the transformations of the public administration and governmental system in order to maintain his capacity and his strategic position in defending democratic processes.

The critical issues I present here about the New Public Management era that is occurring are threefold: to avoid erosion of jurisdiction and to follow citizen's rights along any public service new contractual delivery lines; to promote democratic values

¹³ Hill (1974), *Op. cit.*

¹⁴ Hertog (1998), *Op. cit.*

and denounce the situation experienced by those in most need in our society; to highlight transparency issues in every governmental process.

It is important to notice that under the ‘alternative service delivery’ trend, new institutional arrangements with service providers bring, as a matter of consequence, the fact that implementation is ‘artificially’ separated from policy development and planning which reduces substantially the aforementioned feed-back effect of complaints and adjustments as input into the whole policy process. Even if these new developments are wrapped in rhetoric of quality and client-oriented service, the right to complaint must be preserved as a basic feature of democracy¹⁵. These new ‘partners’ of the State in the delivery of services may not be under the ombudsman’s jurisdiction, as it is still the case in Québec with private sector and municipalities for example. Unless the necessary changes are enforced by law, the ombudsman may not be able to investigate complaints. Illustrative of that, despite explicit efforts by the PP¹⁶ to make the bill amended in order to have jurisdiction, the Québec’s newly created Public-Private Partnership Agency where the detailed study and development of PPP projects unfold is not under the aegis of the PP. In addition, the PP deplored the following issues:

Ms. Champoux-Lesage noted that the Bill does not mention principles and values that the Agence, government departments and agencies must follow while implementing public-private partnership projects. She therefore recommended that these principles and values be included in the Bill in order to ensure citizens that principles of transparency, fairness, quality of services, accountability, and protection of public interest are observed¹⁷.

¹⁵ Gregory and Giddings (2000), *Op.cit.*

¹⁶ The PP tabled a brief including her recommendations regarding Bill 61, An Act respecting the Agence des partenariats public-privé du Québec, 29 October 2004.

¹⁷ Public Protector, communicate, 29 October 2004, [web site]

<http://www.protecteurducitoyen.qc.ca/en/publications/communiqué/041029.asp>

The ombudsman will only have recourse through the department at the source of the partnership which will still be accountable for the public service under contract, and maybe through their own in-house complaint-handling process where citizens may complaint about public services.

As Gregory and Giddings¹⁸ highlighted, it may also be too optimistic to expect too much from auto-regulatory processes when most administrations are suffering from budget reduction resulting in lack of resources and personnel, program cuts and tightening of eligibility which may place numerous citizens in a difficult situation. The performance pressure made onto civil servants, combined with reduced working conditions and undermined working climate, must be considered side effects of the present efficiency mania promoted by the reform. The downsizing¹⁹ of the State may not only be an administrative and technical way to improve service delivery's efficiency, but also a profound reconfiguration of the role the State plays in society and its relationship with different actors in civil society²⁰. While it is difficult to draw the line which separates the legitimate action zone of the ombudsman from the area of political intervention, he must be very attentive to these systemic problems affecting both civil servants and citizens. An example of a proactive role the ombudsman can play in support of democratic values, particularly in the context of the reform of the State, is proposed in the following section.

¹⁸ Gregory and Giddings (2000), *Op.cit.*

¹⁹ In Québec's reform Plan 2004-2007, one over two employees retiring is not replaced.

²⁰ C. Rouillard, É. Montpetit, I. Fortier and A.-G. Gagnon (2006) *Reengineering the Stat : Towards an Impoverishment of the Québec Government*, University of Ottawa Press.

Proactive role in support of democratic values: monitoring of the legislative and public policy processes for Parliament

Accountability, as the capacity to force government to account for their actions, must take into account the critics of the parliamentary system arguing that there is no other accountability than election (Chapman, 2000)²¹. Thomas (2003)²² explains how the category of officers of Parliament emerged in response to the Parliament's needs in order to support its scrutiny and accountability functions. Considering that «the label 'officer of Parliament' has been used loosely and inconsistently», Thomas defines these as «independent, accountability agencies created first to assist Parliament in holding ministers and the bureaucracy accountable and, second, to protect various kinds of rights of individual Canadians.» (Thomas, 2003: 288). Thomas' analysis is meant to apply in a general sense to the many 'officers of Parliament' in Canada. Even so, which bodies hold the 'title' is ambiguous since there is no official list to refer to. It is worth noticing that since there is no federal ombudsman in Canada, Thomas does not refer specifically to this institution, but if we consider the description he gives of the issues explaining the emergence of these institutions, in my view an ombudsman scrutinizes administration much like Thomas describes this function in the context of a parliamentary commissioner.

First, there was growing concern about the achievement of accountability for the wide-ranging activity of government. Secondly, there was fear that the discretion being granted to ministers and public servants might be misused. There was a perceived need to supplement the principles of ministerial responsibility as a basis for accountability. Thirdly, there was a desire to ensure more neutral, handling of citizen complaints away from the glare of partisan controversy and media publicity (p. 293).

²¹ Ralph Chapman (2000) «Accountability: Is Westminster the Problem?», *Australian Journal of Public Administration*, 59(4), 116-123.

²² Paul G Thomas (2003). "The Past, Present and Future of Officers of Parliament.", *Canadian Public Administration* 46(3): 287-314.

While he is critic about their mainly reactive role, Thomas argue that part of the job of parliamentary commissioners is to protect and serve the public, but also to support Parliament in its accountability function by exposing “mistakes and misconduct, [which] reinforces the ‘fire alarm’ approach to parliamentary scrutiny” (Thomas, 2003: 292).

The recommendation that Parliament strengthen its scrutiny function will also insure that citizens’ concern about the fairness of administrative processes will be brought before Parliament on a more regular basis. The role of MPs as ‘ombudsman’ on behalf of its constituents is an important one. It should not be taken over completely by either ‘professionals’ in a ‘parliamentary bureaucracy’ or by ‘customer-oriented’ public service (Thomas, 2003: 311²³).

On the contrary, Chapman affirms that it is one of the main issues for accountability to bring information to public exposure in order to make the electorate know what the government is actually doing. In his view, extra-parliamentary institutions work in this context and if they do not attract public attention, especially in the context of budgetary restrictions, they may be forgotten or even removed as costly and for lack of achievement.

Reports in the media of the work of accountability institutions are very important for the effectiveness of those institutions. ... In spite of its debilitation, then, parliament is the key to maintaining accountability, even through extra-parliamentary bodies, because it is the principal forum of the political process and because accountability relies ultimately on the political process. Those bodies depend on that process for both their existence and their work. (Chapman, 2000: 88-89²⁴)

While persuasion and dialogue may help resolve many administrative problems and support adjustments of the policy implementation process, the possibility and legitimacy of the use of shame and public comments against government on issue of

²³ *Ibid.*

²⁴ Chapman (2000), *Op.cit.*

accountability question the limits to the expansion of the ombudsman's role in the political sphere in regards his systemic and monitoring role.

As Champoux-Lesage told us in an interview, the systematic monitoring of legislative and policy process is a key to the future of the ombudsman. It is also a very delicate and touchy role to play. The comments made by the ombudsman are often used by the opposition and interests groups as ammunitions to oppose a bill. The independence and the credibility of the ombudsman nevertheless may be enlightening for citizens to forge their opinion on often complex matters in polarized debates. By playing this monitoring role, relayed through the media which has offered an increasing coverage of the ombudsman's comments in the recent years in Québec, the ombudsman makes himself known widely on the basis of a tangible contribution to the democratic debate and in favour of the democratic values. The ombudsman can develop this prevention and detection role for the parliament out of his experience of the application of existing regulations and his capacity to foresee problems earlier on the policy process.

During her mandate (2000-2006), former Public Protector Champoux-Lesage has chosen as a priority the monitoring of the legislative process as well as the important transformations proposed by the government in his modernization plan. In her 2003-2004 report, after the election of Jean Charest's liberal government and his undertaking of a reengineering²⁵ of the State, she expressed her disagreement with the fact that the government had made: "excessive use of the notion of emergency in order to bypass the requirements of the Regulations Act with regards to the prepublication of regulation and its consequences of not having to hear citizens' comments. The government can also

²⁵ After a wide reaction to its radical connotation, the term 'reengineering' have been abandoned in favour of 'modernization'

invoke the same notion of urgency to avoid BAPE²⁶ evaluation projects²⁷. She also noted that shortening the time span for the holding of parliamentary commissions has reduced the time needed by the participants to prepare a well documented intervention.

In 2003, before the Christmas break, no less than eight bills were adopted during debates that lasted less than 20 hours. I am aware that the game of the parliamentary institutions is such that the opposition will 'use all means at their disposal in accordance to rules of procedures to delay the adoption of a bill' and that 'in this context, the government sometimes resorts to the notion of suspension of the rules of procedure to adopt one or several bill'²⁸.

Champoux-Lesage also foresees other changes and expresses her hope that the democratic process will be protected. The modernization of the State is therefore put on her radar screen. Transparency, citizen participation and their right to complain are basic features of democracy that should be preserved in the process of transformation²⁹.

During the past few months, the government announced important policy changes aiming at modernizing the State. The administrative structure as well as existing programs and their management will apparently undergo major changes. Most citizens' concern regarding this upheaval, which are still vague at present, is tangible. The respect for democracy and the concern for social stability require, now more than ever, that the government be transparent in his actions.³⁰

In this respect, it is instructive to look at the priorities the PP has put forward in the Strategic Plan 2004-2008³¹. Major trends are clearly identified in the Plan as the basis to which the PP has paid attention in formulating her priorities. First, the changing of

²⁶ Bureau d'audiences publiques en environnement [Public Environmental Audiences' Office]

²⁷ Annual Report 2003-2004, p. 11

²⁸ Referring to and translated for the PP report from: *La procédure parlementaire au Québec*, 2e édition, National Assembly, 2003, 351.

²⁹ Roy Gregory, Philip Giddings (2000), «The Ombudsman and the NPM» In *Righting Wrongs: The Ombudsman in Six Continents*. International Institute of Administrative Sciences, Vol. 13. Amsterdam, The Netherlands: IOS Press.

³⁰ Annual Report 2003-2004, p. 12

³¹ Public Protector, Strategic Plan 2004-2008. <http://www.protecteurducitoyen.qc.ca/en/mandat/plan.asp>

Québec society which may accentuate poverty and exclusion of certain groups, the importance of the immigration processes, the demographic challenge caused by the inversion of the age pyramid, all of which create a pressure for diversified services in response to various needs. At the same time, government propose important transformations such as: to redefine the role of the State towards a less interventionist one; to revise its structure and programs; to act with a preoccupation for a tightening of spending; to promote public-private partnerships; to reorganize the health and social services sector. While she takes care to mention that her role is not to comment on political choices, she affirms that the PP is nevertheless «responsible for monitoring their impact on the quality of services». (PP, 2004: 8)

When change occurs, the Protecteur du citoyen's primary role is to make sure that the modifications do not unduly affect citizens, particularly those in society in most need. At the same time, the organization must continue to watch out for the quality of public services. In periods of change, we must pay attention to transparency in the decision-making processes, communication of information, continued availability of services, and existence of avenues of recourse. (PP, 2004: 8)

Building trusting relations and fostering participation

Administrative reforms inspired by the New Public Management are aimed at increasing responsiveness of government and public administration. The underlying assumption is that only the borrowing of private sector practices and the introduction of market mechanisms will improve the performance, efficiency and effectiveness. However, by raising and transforming the nature of expectations of citizens taken as 'clients', governments may actually worsen the situation and increase citizens' cynicism³². Bureaucracy bashing has also been part of the rhetoric of politicians in

³² Isabelle Fortier, (2003). « From scepticism to cynicism: paradoxes of administrative reforms», Research Institute of Public Policy, *Choice*, vol. 9, n° 6.

justification for change in order to legitimize the borrowing of market mechanisms from the private sector³³. While the ombudsman is surely in favour of improvements in the quality of services, she cannot afford being anti-bureaucracy since her very capacity to follow the trace of information exchanges leading to administrative decisions lies in the record keeping processes and the existence of criteria against which civil servants take their decisions in support of justice and equity values. Efficiency and economy cannot be the only masters without putting into question the finality of public action; effectiveness in relation to values such as social justice and equity must be supported to counterbalance the market forces. Since it isolates the individual in front of difficult situations and decisions, as well as builds its claim on individual vision, responsibility and interests instead of collective ones, excessive empowerment of either the civil servant or the 'client' can go against those values. The balance between empowerment and control is always difficult to find. Values of responsible government justify that civil servants work under political control, which sets certain limits to their freedom in managing ethics and values. But as Uhr underlines it, the relation between administration and politicians must be two ways: administrative contribution must respect political feasibility and policy initiatives must refer to administrative feasibility³⁴.

A short note at the bottom of a page in Hill (1982) well quoted paper stated that «About four-fifths of both types [classical and executive ombudsman] of offices agreed that 'an important function of a complaints office is to increase public confidence in government by showing that many criticism of the administration are unfounded.' (Hill, 1982: 413)

³³ André Noël (2004) «La Ministre se moque de l'État», *La Presse*, Actualités, 14 décembre 2006, p. A9.

³⁴ J. Uhr (2005) «How do we know if it's working? », 64(2), *AJPA*, 69-76.

Trust is important for governments since it enables them to implement their decisions without coercive enforcement. Kampen, Van De Walle and Bouckaert (2006)³⁵ demonstrate with empirical evidence that it is more effective on increasing trust in the public sector to take greater care to decrease the number of disappointed clients than trying to increase the number of well-pleased ones. The ombudsman certainly plays a crucial role here to improve trust then.

It is also important to consider again the way politicians use bureaucracy bashing as a political strategy to introduce reforms, while doing so they reinforce citizens' negative opinions. In a context where there is a lack of information, what authors call 'predisposition' toward government may play a major role in forging opinions:

In short, perceptions and evaluations of performance are influenced by political strategy and ideological considerations. Stereotypical images of civil servants may play an even more important role. The negative image of the bureaucracy is constantly perpetuated ... These negative judgments are (at least partially) isolated from service encounters and experience with public service delivery and form an important source of bias regarding the causal link between service quality and trust in government. (Kampen, Van De Walle and Bouckaert (2006: 392)

Their study demonstrates that it is the general attitude about government that explains the correlation between satisfaction and trust, not the specific experience of service delivery. While authors open the door to existing theories in order to explain the way this general predisposition develop, they suggest there is a big gap in the literature between the satisfaction with service delivery and trust in government. I also suggest more research is needed as well as more public debates about the roles institutions like the ombudsman plays in fostering democratic values in which trust may take a big place.

³⁵ J.K. Kampen, S. Van De Walle, G. Bouckaert (2006) «Assessing the Relation Between Satisfaction with Public Service Delivery and Trust in Government», *Performance & Management Review*, 29(4):387-404.

Conclusion

I have tried to identify different issues pertaining to these roles the ombudsman can play, especially in the present context of reform. As part of the integrity system, the ombudsman's approach must be exemplary in the first place but can also serve, by his education tools and his interventions, to boost the ethical level in the public administration, in the political arena and in society. As an actor of the accountability system, the ombudsman can voice questions or express certain disagreements with government process when it goes against democratic values and this way contribute to the parliamentary vigilance, credibility and dynamism. He also can feed into public debates by bringing acute and timely information, in a format accessible to citizens and helping them making up their own opinion about complex issues.

And lastly, as a main actor of the redress system, the ombudsman can actually support a culture of remedial action but also openness to the constructive side of citizens' feedback in the implementation process. On the same occasion, the ombudsman supports citizens in the defence of their rights but also educate them to better understand the prerogative of public service values and due process necessary to enforce them. Resisting bureaucracy bashing without being complacent, values such as justice but also as mutual respect are at the heart of this main mandate. In that sense, the ombudsman can be a key player in the difficult and challenging movement from responsiveness to collaboration³⁶ that awaits public administration for the future.

³⁶ E.Vigoda (2002) «From Responsiveness to Collaboration: Governance, Citizens, and the Next Generation of Public Administration», *PAR*, 62(5):527-541.