

## FOREWORD

This publication is the fourth annual volume of *The International Ombudsman Yearbook*, compiled and edited by the International Ombudsman Institute and produced by Kluwer Law International. Formerly, the publication was named *The International Ombudsman Journal* (1981-1994) numbers 1-12, renamed the *International Ombudsman Journal* (1995) for number 13, and was published annually.

The I.O.I. was established in 1978 with its secretariat at the Faculty of Law, University of Alberta, Edmonton, Alberta, Canada. The Board of Directors is comprised of ombudsmen representing all of the regions in the world. By the end of 2000, the Voting Membership of the I.O.I. had grown to 170 ombudsman offices, illustrative of the considerable popularity of the institution both at national and sub-national levels of government. In 1996 the I.O.I. established a three-language publication policy, establishing English, French and Spanish as official I.O.I. languages. Where possible, I.O.I. publications are being translated into each of these languages. Although *The International Ombudsman Yearbook* is published in English, each article in the *Yearbook* commences with an abstract of the article printed in both French and Spanish.

The development of *The International Ombudsman Yearbook* was a result of the considerable increase in the number of ombudsman offices in the past twenty years, with a consequential increase in the interest in research and scholarship on the ombudsman concept. The classical model of the ombudsman office—a general jurisdiction public sector institution established by the legislative branch of government to monitor and regulate the administrative activities of the executive branch—was first established in its modern form in Sweden in 1809, and it then spread through Scandinavia in the first half of the twentieth century. Next, the office was established in Commonwealth and other countries starting in the 1960s and 1970s. The more recent transition to democratic governance in various countries around the world, associated in part with post-Cold War developments, has seen the institution established in many more countries in the past decade, especially in Latin America, Central/East Europe, Africa and the Asia-Pacific area. The ombudsman model has been established at the international or supranational level of governance—the European Ombudsman was established in the Treaty on European Union (Maastricht Treaty). The ombudsman idea has also been adapted for use in various ways in particular government sectors and in the private sector, such as in corporations, industries, colleges and universities.

The original word for the office—“ombudsman”—can be translated as meaning “representative”. Many public and private sector offices around the world have maintained this title. However, a growing number of offices, particularly in the public sector, have adopted new terms to represent the office. These include *Defensor del Pueblo* (e.g. Spain, Argentina, Peru), Public Protector (South Africa), *Médiateur de la République* (e.g. France, Senegal) and Parliamentary

Commissioner for Administration (e.g. United Kingdom, Sri Lanka).

*The International Ombudsman Yearbook* focuses primarily on the public sector ombudsman model. Articles included in the *Yearbook* examine various aspects of the institution from different disciplines, including law, political science and public administration. The scholarship is both theoretical and practical, as the audience interested in the ombudsman concept is composed of persons directly involved in the establishment and operation of ombudsman offices, scholars and others who are interested in the theoretical issues in the field.

Volume 4 of *The International Ombudsman Yearbook* contains articles that address the many facets of contemporary ombudsmanship. Dr. Larry Hill has traced the evolution of Hawaii's state ombudsman in "Institutionalizing a Bureaucratic Monitoring Mechanism: The First Thirty Years of Hawaii's Ombudsman". In "Assessing Ombudsman Performance", Dr. Barbara Male explores theoretical aspects of ombudsman activities, using two different ombudsman models in Canada and the U.S. Today, the privatization of government activities is a problematic issue for many ombudsman offices as it relates to loss of jurisdiction, and Brent Parfitt addresses this matter in "The Effect of Privatization on Ombudsman Jurisdiction". Dr. Victor Ayeni of the Commonwealth Secretariat brings his expertise on the institution to readers in "The Changing Nature and Contemporary Role of National Ombudsman Institutions in the Commonwealth and Elsewhere: Lessons of Experience". The process to reform the established traditional ombudsman system in England is examined and critiqued in "Joined-up Justice: Review of the Public Sector Ombudsman in England" by Professors Douglas Lewis and Rhoda James. The United Nations transitional mission in Kosovo has produced a human rights ombudsperson for the territory, and this development is explored by Christopher Waters in "Human Rights in an International Protectorate: Kosovo's Ombudsman".

A list of "Contributors and Titles to *The International Ombudsman Yearbook* and to *The Ombudsman Journal* 1981-2000" can be found at the end of the volume. Copies of the earlier *Journals* can be purchased from the International Ombudsman Institute, Faculty of Law, Law Centre, University of Alberta, Edmonton, Alberta, T6G 2H5, Canada.

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Professor Linda C. Reif  
Editor, International Ombudsman Institute  
Faculty of Law, University of Alberta  
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