

**AN ASSESSMENT OF
PUBLIC ADMINISTRATION
IN THE PHILIPPINES, 1986-1988**

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Ledivina V. Cariño**

I. INTRODUCTION

The Aquino government gained power under extraordinary circumstances. From the beginning, it has proclaimed a desire to be different from its predecessor-regime. Part of its mandate is, as the Presidential Commission on Government Reorganization (1986) put it, "to systematically de-Marcosify society." Thus, it has engaged in a redefinition of the role of government and, as regards the bureaucracy, modified its membership, structure, size and systems, and procedures and practices. The guiding criteria for these changes are the values of private initiative, decentralization of power and responsibility, ethics and accountability, efficiency of front-line services, and cost-effectiveness.

This assessment of public administration after three years of Corazon C. Aquino at the helm of government uses primarily the first three criteria, not having enough measures on efficiency and cost-effectiveness. Some questions are also raised for which current activities do not yet provide clear answers, with the contention that a mid-term assessment is a process evaluation, not a summative one. Thus, the mere act of asking a question may assist the administrator in proceeding to preferred directions.

*This is Chapter II of a bigger study entitled "An Assessment of the Performance of the Aquino Government in Selected Policy Areas, 1986-1988."

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The paper is based largely on government reports, working papers and published sources as well as discussions with administrators and civil servants in public seminars and private conversations.

II. THE ROLE OF GOVERNMENT

The government of Corazon Aquino has reaffirmed time and again its commitment to free enterprise and people power, both implying a reduced role for itself even as it attempts to take the positive - and role-expanding - functions of orchestrating the rise of the economy from the ruins and the promotion of equity and social justice to the people. Thus, the first question that should be raised is: What is the emerging role of government in Philippine society? This requires a description and analysis of moves to reduce or expand the scope of government.

A. The Restoration of the Legislature

An enlarged scope has come about with the reinstitution of a tripartite system of government and the introduction, redefinition or modification of government programs. Under Marcos, the legislature was the Batasang Pambansa, a unicameral body composed of "elected" officials representing single-member districts and some persons appointed by the President. It passed 971 batas or laws, because even though it was then known to be a rubber stamp, most of its members were politicians who still needed to "bring home the bacon" to their constituents (by re-naming political units, providing for local public works, etc.). Few of them had super-local concerns. Thus, it did not produce enough for the requirements of the authoritarian president. Although Marcos earlier antedated all presidential decrees to June 12, 1981 this soon became untenable. Thus, he had to legalize his power to issue decrees despite a "functioning legislature" through the simple expedient of amending the Constitution. Amendment 6 enabled him to give up all pretense of having surrendered legislative power to the Batasan. Thus, most of the major legislation during this period were presidential decrees.

In her first year, Corazon Aquino also wielded total legislative power. However, because she had campaigned with the promise of abolishing Amendment 6, she issued her decrees under the name "executive order." After the 1987 Constitution was overwhelmingly ratified, a bicameral Philippine Congress was inaugurated on July 27, 1987. It has since been the main locus of legislative power.

Theoretically, legislation is a function of all governments. Thus, the creation of a separate unit for this purpose - despite the increase of the congressional bureaucracy, financing and

assets - does not necessarily expand the role of government. In the Philippines, however, the installation of the Congress can be properly seen as an expansion because it has taken on functions that were perfunctorily performed, if at all, under the previous regime. For example, legislative investigation has allowed government to inquire into various aspects of social and political life which, under the authoritarian period, were not subject to question and debate. These include, among others, issues such as lending and financing schemes, insurgency, and human rights. Moreover, the reinstitution of the senatorial power of treaty ratification has made foreign policy not only a concern of both branches but also an interesting issue among various government circles as well as the larger society.

B. Privatization

Reduction of the role of government would occur with privatization - the withdrawal of government from certain areas of the economy and society - and the growth of citizen participation - this time, the penetration of nongovernmental organizations into areas heretofore regarded as state roles. The two are related but not the same. The first is concerned with the re-assumption by nongovernment groups of responsibilities that have generally been regarded as tasks of the private business sector while the other refers to the encroachment primarily by so-called not-for-profit organizations into areas assumed to be functions where government is expected to take the lead.

The government has planned to withdraw from certain areas of the economy through the sale or dismantling of public enterprises or through the reduction of its exposure in certain corporations by selling their stocks to the public. The pace of privatization has been slow due to: (a) the long process of determining which of the government owned or controlled corporations (GOCCs) would be privatized, regularized, merged, abolished or retained; (b) legal problems about their ownership, records of assets and liabilities, and the like; (c) administrative problems related to pricing, location of assets, the involvement of several institutions in the process, etc.; (d) resistance of managers and workers to the policy; and (e) problems related to selling itself, such as the lack of qualified buyers considering the policy of cash payments, unattractiveness of the firms being sold, etc. Ocampo (1987) has also sensed presidential reluctance to dispose of profitable firms which would tend to be the most attractive to private buyers.

As of June 30, 1989, accounts numbering 164 have been sold in whole or in part. Another 121 GOCCs have been approved for privatization. The range of activities they represent is wide and manifests the government's desire to reduce its involvement in the banking and hotel sectors and to withdraw from the direct manufacture of some intermediate and consumer goods (such as precision cutting tools, textiles, etc.). It is also slated to privatize key industries such as steel and shipping.

What the government has decided to retain is also interesting for purposes of finding out the government's definition of its role. For instance, after a long debate, the Philippine National Oil Company (PNOC) successfully resisted privatization on grounds of being "a key institution in maintaining political stability, national security and economic growth" (Ocampo 1987: 12). The argument used for national security purpose was that if PNOC would go, the commodity "oil" would be completely in the hands of MNCs. The National Food Authority, which was due for regularization, remained a public enterprise to retain the flexibility to assist food crop producers through price support and other means and to ensure the availability of staple food at all times. The Philippine Institute for Development Studies, NEDA's research arm, and the Development Academy of the Philippines have retained their status inasmuch as the government presumably recognizes the value of an independent but attached think-tank in the former case, and a training and consultancy arm in the latter case that both deal with specific issues of Philippine development.

The above examples suggest that the implementation of the privatization policy was not simply a turnover of anything termed as "public enterprise" to the private sector. This is a refreshing change from earlier discussions of the policy which had implied an uncritical view of the private sector means of handling affairs and a concomitant condemnation of public administration as inherently inefficient without touching on the particularities of goals and management record of individual firms (Ocampo 1987, citing Jaime Ongpin and World Bank papers).

The debates on what to do with these firms have attempted to define what the role of government in the economy and society is. However, the lofty aims of economic and social stabilization, national hegemony and the availability of institutional mechanisms for development acceleration do not seem to be present in other decisions concerning privatization. For instance, the requirement of cash payments almost certainly disqualifies even the wealthiest of the labor unions; indeed, all but the wealthiest of Filipinos, even though democratization of ownership has been a key rationalization for the policy. Certainly the earliest sales have shown the increased involvement of foreign investors in the economy. Meanwhile, one is hard put to explain why corporations like the Philippine Golf Corporation and the Philippine Amusements and Games Corporation (PAGCOR) are recommended for retention when they are neither pioneering nor vital to national security. In fact, the propriety of government being engaged in gambling activities through PAGCOR continues to be a controversial issue.

Even if one accepts the privatization policy, questions may be raised about the way it disregards the personnel of the firms to be sold. Proclamation No. 50 was made after due consultations with multilateral institutions and the local business sector.

However, labor was not consulted at all. Indeed, the Proclamation states that employees "in privatized assets have no vested right to future employment" because the new owners "will have full and absolute discretion to retain or dismiss" them (Briones 1989). This does not appear consistent with a government whose presidential candidate promised not to "pamper the private sector" and recognized "workers and farmers as co-creators of the national wealth" (Aquino January 6, 1986).

C. People's Participation?

The "People Power" Revolution emphasized the role of citizens in achieving the goals of government and society. As a result, the Aquino administration, more than any of its predecessors, has encouraged the involvement of nongovernmental organizations and groups in all aspects of the process of governance. The 1987 Constitution has included sectoral representatives as part of the House of Representatives to somewhat act as a counterpoint to regularly-elected Members of Congress most of whom come from and represent elite families and groups. To date, four persons representing groups such as women, the disabled, the veterans, the elderly, farmers, peasants and laborers have been appointed. The process of choosing these representatives, however, lacked transparency, especially if one takes note of the fact that the role of mass organizations in these sectors does not seem to be prominent. The Supreme Court has recently ruled that such appointments are subject to scrutiny by the Commission on Appointments, a process that could assure that sectors purported to be represented are aware of and do recognize the validity of a person's nomination as "their agent." This could enhance the sectoral representation system especially if the Commission is careful not to make the proceedings too protracted or to give it partisan color.

Nongovernmental organizations have also taken up the slack left by public agencies. For instance, NGOs were given the tasks of monitoring the performance of the Community Employment and Development Program to complement the work of the NEDA and the Department of Public Works and Highways, the major implementor of the program. Some agencies have also encouraged the formation of auxiliary organizations as support or facilitative groups. This task is not new since "people's participation" in the form of organizations created by various departments have been used since the time of Ramon Magsaysay as a means of mobilizing the people and preparing them to accept and cooperate with government initiatives.

Ironically, it was under Marcos that genuine people's organizations were able to make their influence felt, albeit often in opposition to regime desires (such as the Chico Dam conflict). Nevertheless, some government-mobilized organizations, such as those of the National Irrigation Administration, flourished as participatory mechanisms for the demands of those at the bottom (Korten and Siy 1988).

Current examples are the people's economic councils of the Department of Trade and Industry, and the peace and order councils and the CAFGUs of the Department of National Defense. These organizations have generally been formed at the initiative of the government agency concerned and tend to be not so much channels for popular demands but extensions of the government delivery system. At the same time, except for the CAFGUs, they tend to have members from the elite of the area rather than from disadvantaged groups, giving rise to frequent complaints of the rural and urban poor about the government's inability to listen to their needs and their lack of representation despite the increase of such participatory and consultative bodies. The CAFGU may be different as regards membership, but it is like the others in being an instrument to preserve the status quo.

The June-August 1989 controversy on official development assistance and the Philippine Aid Plan raises similar issues. The Chairman of the RP-US Business Council was appointed as the Chairman of the Consultative Council on the PAP, which will negotiate with donor countries on behalf of the Philippines. Despite his preeminent position in a premier program of government, Villanueva remains a private citizen outside the provisions of Republic Act No. 6713 (The Ethical Standards Act). PAP plans themselves are reportedly going to be made by a private school, the Asian Institute of Management, with a grant from USAID. NEDA, the government planning agency, was out of the picture until the resignation of its Director-General precipitated by precisely this issue when CCPAP was transferred as a committee (becoming the Committee on Official Development Assistance) of the NEDA board. Nevertheless, its Director-General sits only as a member and not even as a vice chairman.

Along with the easier acceptance of NGOs with middle-class-and-up membership and the disregard of labor's interests in privatization moves, this new decision appears to reinforce the criticism that private business interest is becoming uncritically accepted as equivalent to the public interest, despite the contrasting pull of the demands of disadvantaged groups of society.

D. New Areas of Concern

The government also entered into new areas of concern, some as a result of totally new policies and programs, others as an expansion of previous commitments or their redefinition. This includes the search and return of the wealth allegedly taken by Marcos from the nation, the promotion of human rights, privatization, and the expansion of social programs such as agrarian reform and education.

The retrieval of the wealth plundered by the previous regime was the subject of Executive Order No. 1. The magnitude of the alleged corruption loot and the processes devised to bring them

back were unprecedented, becoming the full-time task of a full-blown government agency (the Presidential Commission on Good Government) with the assistance, participation, and sometimes the competition of others, including the Departments of Foreign Affairs and Justice, the Office of Solicitor General and the courts, both of the Philippines and other countries.

To signal increased commitment to ethics and accountability, the Constitution retained the Commission on Audit, the Sandiganbayan and the Civil Service Commission. It also created separate offices for the Special Prosecutor (also known as the Tanodbayan) to handle the prosecution of offenses of public officials, and for what is officially called the Ombudsman. The latter also undertakes prosecutory functions but its new thrust is to attend to public assistance and complaints. While still largely reactive to requests and issues brought before it, the Ombudsman is now authorized to also be pro-active by initiating inquiries for the good of the service.

The promotion of human rights is a function ordained by the 1987 Constitution, as a reaction to the breach of civil liberties and other human freedoms of the society endured under the dictatorship. (Ironically, human rights groups now charge that violations have increased under the present regime.) A presidential committee which was organized immediately after the takeover became the nucleus of the constitutional body -- the Commission on Human Rights (CHR). The President also created another committee to deal with the same subject since criticisms of the handling of this problem have mounted. A continuing controversy is whether or not to include acts perpetrated by insurgents within the purview of the governmental bodies. The military has advocated inclusion in the interest of fairness since atrocities are allegedly done by both sides. However, another view points out that to treat the two combatants equally would be to raise the status of the New People's Army as a force equal to the Armed Forces. While the debate continues, the AFP has made its own list of NPA violations and the CHR has accepted it.

Privatization of public enterprises - on one side - reduces the scope of government, but the process of turning them over to nongovernment entities has occupied the administration. The Committee on Privatization sets policies and guidelines, taking off from the Presidential Commission on Government Reorganization's initial studies on how public enterprises should be treated (privatized, regularized, merged with other agencies or abolished). Actual disposition rests with the Asset Privatization Trust (APT), the Sequestered Assets Disposition Authority and parent GOCCs of subsidiaries scheduled for sale.

Two social programs have been expanded: agrarian reform and education. Agrarian reform has been made comprehensive and now covers, besides rice and cornlands, those devoted to all other

agricultural crops, and livestock and poultry. Efforts to go out of the coverage of agrarian reform through sales of stock to workers and other schemes should be carefully studied in that they may simply be ways for landlords to subvert the principle of land to the tiller.

At the same time, education has been decreed by the Constitution to resume its place as the number one program in the government budget; its financial resources have increased accordingly (although its share remains smaller than that for debt service). The main aspects of expansion are the provision of free secondary education (to complement free elementary education) and subsidy granted to tertiary level students.

E. Summary

From this discussion, it appears that despite pronouncements to contract its role, government has in fact expanded in terms of functions and agencies in the last three years. Expansion has been due mainly to the demands of democratization, ethics and accountability and social justice which, though insufficiently answered, have been accepted as tasks of the government rather than any other sector of society. Some reduction, evidenced by more popular participation, has also been in response to the same needs. Government participation in the economy has been reduced by the implementation of privatization. It appears, however, that reduction of government's role, whether in the economy or in the society, has generally provided for greater participation of previously dominant groups, both domestic and international, instead of allowing for the greater involvement of the underprivileged. This preliminary assessment needs to be further studied but it calls attention to the need for government as well as popular sectors to be more conscious of the implications of government moves to enter into or leave certain areas in terms of their effects on the substance of democratization.

III. PERSONNEL CHANGES

The transition from an authoritarian regime to a re-democratizing one, coupled with the changed role of government, has necessitated a restructuring much broader than that undertaken by previous regimes. State institutions were subjected to both personnel replacements and reorganization. These are interrelated and discussed sequentially in this paper.

A drastic change of political and administrative officials and employees occurred immediately after the Aquino ascension. Resignations were put forward, as expected, by cabinet officials, political ambassadors, heads of public enterprises and others of similar rank who were expected to serve at the pleasure of the President. Based on the premise of a revolutionary government,

Aquino also disbanded the legislature and asked for the resignations of the members of the Supreme Court, the Court of Appeals and constitutional bodies, and of all officials of local governments. The courts and constitutional bodies were then purged of members thought to have abused their power on behalf of the former president, Ferdinand Marcos. Their bureaucracies were also subjected to reorganization. Local officials were likewise summarily dismissed and replaced by officers-in-charge; local elections were not conducted until January 1988.

Guided by a new Constitution, a bicameral legislature replacing the ousted Batasang Pambansa convened for the first time on July 27, 1987. The size, membership and powers of the 24-member Senate have followed the status quo before 1972. However, the House of Representatives came from 200 districts, up from 180 from the Batasan. Aside from persons elected from single-member districts, five others have been named to represent various disadvantaged groups, an innovation of the 1987 Constitution. The House retained the power to initiate financial legislation and shares with the Senate the other legislative functions. (The Senate has the power to ratify treaties and other international agreements.) With the overall Senate staff and the personnel of individual members, the Commission on Appointments (a bicameral body) and standing committees, the Senate bureaucracy stood at 1,684 as of May 31, 1989. Its House counterpart is a bureaucracy of 2,508. Thus, the Senate alone had almost as big an organization as the unicameral Batasan which had 1,780 personnel. Together, the new Congress accounts for a 135 percent increase in personnel between the end of the Marcos period and 1989.

A. Changing the Personnel of the Bureaucracy:
Three Alternatives

Personnel changes in the bureaucracy were also instituted immediately, although their legal underpinning was not issued until a month later, embodied in Proclamation No. 3 or the "Freedom Constitution" of the Revolutionary Government. That document simply stated that all persons not replaced within a year of its promulgation (or up to March 25, 1987) were deemed to have been retained. That innocent-looking provision actually removed tenure security from all incumbent officials and employees.

The prospect of a wide-ranging purge was initially welcome. Many employees themselves felt that their ranks were dishonored by the unabashed electioneering and corruption of the previous administration. They were uncomfortable with them even though they may have joined them, justifying their behavior as their duty to obey superior orders.

Unsolicited resignations came from political officials and Career Executive Service Officers (CESOs) who were either so identified with Marcos or so sure of Aquino's incapacitation for the job that they could not continue to work for her government. But in a shrunken economy with little possibility for alternative employment, few had the courage of their convictions. After the first weeks, it became clear to the new cabinet that they had to be aggressive in cleaning up their offices. In doing so, they took one of three alternatives: (a) retention of old permanent employees, following the practice under regular succession of regimes; (b) provision of incentives such as early retirement to ease out undesired personnel; and (c) purging of the ranks.

1. Employee Retention

The first was exemplified by the Ministry of Social Services and Development which reported that it kept all its personnel, including casuals

rather than lay them off and further aggravate the unemployment situation...in line with the new government's policy to build a just and humane society (1986: 5).

The view of officials taking this option was that, with their management skills, they could re-orient and utilize the civil servants they inherited just as well as new personnel that they could hire to replace them.

This option seems to have been the least popular among the new executives (though the most popular among employees) in that few agencies actually chose it. Among them were the MSSD, the central office of the Ministry of Justice and a few local governments.

2. Early Retirement

The second provided generous benefits for those who would voluntarily leave, thus killing two birds with one stone: "trimming the fat" in the organization, which produced a bonus if those they specifically wanted to leave got the message; and helping in the economic recovery (on the assumption that the big pensions would go into productive investments). As the Development Bank of the Philippines stated:

We look at our resignees and retirees as "development agents," well-educated, trained and motivated individuals, whom DBP is releasing into the economy. Most of them have already indicated their intentions to put up their own... projects, and do their bit for economic recovery (1986: 5).

The first Early Retirement Program was a handiwork of Marcos in December 1985 and seemed to have been driven by two factors: (a) a means of getting support from faithful employees on the eve of the snap elections (only persons with at least twenty years of service were qualified); and (b) the start of the move towards trimming the bureaucracy, a demand of the WB-IMF even at that period. Under Aquino, the option was originally open only to employees of a few public enterprises which could allocate funds for the purpose by resolution of their respective boards. It became a government-wide effort with the passage of Rep. Act No. 6683 (December 2, 1988) or the Early Retirement Law.

The Act allowed employees with satisfactory service of not less than two years to opt for early retirement, in exchange for lumpsum benefits of one and 1/4 months of pay for every year of service. Payment was promised within a month of approval of application, and the Department of Budget and Management set aside P1,750 M to accommodate an estimated 35,000 early retirees. This was about five percent of the estimated total number of personnel eligible under the scheme. It was estimated that even with 50 percent replacement, the Early Retirement Program (ERP) could generate about P650 M in savings in 1989 alone and thus was a viable fat-trimming mechanism (DBM, November 7, 1988). However, the ERP was generally smaller than what the individual public enterprises provided. For instance, DBP had a graduated package which gave as much as 175 percent of monthly pay for employees with fifteen or more years of service. As such, it was clearly targeted to older employees whose projected regular retirement after only a few more years would yield them only 100 percent of monthly pay for every year of service (DBP 1987).

Unlike other government retirement options under Aquino, ERP beneficiaries were not available for re-employment for five years, and they had a limited period in which to file for early retirement. The attractiveness of the option was further vitiated by two provisions: (a) It disqualified those who had voluntarily chosen to be phased out during their agency's reorganization; and (b) The positions of its beneficiaries could not be retained unless certified as essential by the Agency Head and filled up by persons already within the service whose positions would then be the items subject to abolition. The first meant that people who made early decisions to leave to allow the new administration flexibility - a gracious gesture in a time of turmoil - could not get the benefits given to their more recalcitrant colleagues. Also, there were complaints that some employees were asked to sign waiver letters by their department heads just before the promulgation of the law and therefore could not avail of early retirement. Also, it effectively removed from coverage many persons who suffered the first wave of the purge. The second, which specifically tied ERP to fat-trimming, also meant that some employees in positions deemed indispensable by management could not avail of early retirement, even if they wished to do so, if they had no available internal replacements.

3. The Purge

The third option was the most controversial. Seeking to change what they considered a tainted bureaucracy, most officials sought courtesy resignations from all ranking personnel, and removed those who did not pass their evaluation. Some did not bother with such niceties.

At end of 1988, the Civil Service Commission (CSC) released a staff study on the rate of employee separation and accession between February 25, 1986 and June 30, 1987 (Esleta 1988). Attempting to cover the whole bureaucracy, it mustered a 57 percent retrieval rate from agencies representing 385,439 employees in February 1986. The respondent-agencies accounted for about 30 percent of the total population of 1.3 million persons. It may then be surmised that many big agencies have not responded. Moreover, given the sensitivity of the topic, it might be expected that those who undertook the most personnel shake-ups had voluntarily excluded themselves. It should also be noted that employee separation includes not only dismissals and reductions in force, but also retirements, transfers, resignations and the like, some of which could manifest regular personnel attrition rather than the purge.

These points being borne in mind, the CSC data show that 37,885 or 9.82 percent of the February 1986 personnel in the agencies surveyed were separated from the service in the first fifteen months of the Aquino regime. Of these, 9.31 percent were dismissed and another 12.38 percent were victims of reorganization (through reduction in force and phasing out); together, these categories represented 8,218 people. Some of the others could have been purge victims whose separation was couched in more polite terms. If the agencies were deemed representative, it would appear that the purge affected about 27,500 or 2.12 percent of personnel. ^{1/} Still, they constitute a much smaller number than the horror figures being thrown at that period (one, suggested as a possibility to the Senate Civil Service Committee, was as high as a third of the bureaucracy, or about 400,000). How could it have wrought so much protest, demoralization and confusion?

First, this was the biggest set of dismissals yet: although Marcos purged employees from 1972 to 1975 (and in trickles throughout the rest of Martial Law, a 14-year period) his victims were estimated only at around 3,000, certainly not more than 5,000.

^{1/} Taking the total percentage of those dismissed and phased out (21.69%), as a percentage of the total attrition (9.82%) gives 2.12 as the percentage purged from the bureaucracy. Multiplying it with the best estimate of the size of the civil service - 1.3 million - gives 27,560.

Second, the axe fell on certain groups: members of the top rung of the civil service or CESOs (Career Executive Service Officers), local government civil servants, personnel of the Ministries of Human Settlements (MHS), Local Government, Public Works and Highways, Environment and Natural Resources, Tourism; the National Food Authority, the Philippine Tourism Authority, other government corporations, to name just a few. As much as one-third of CESOs lost their positions; local and national personnel rosters changed overnight. The main targets of the purge could be identified by certain agencies or positions, but what made them deserve dismissal was not clear. Some agencies, like the MHS and a few of the government firms were recommended for abolition or privatization even before Marcos' regime ended; some, like the MPWH and MENR, were supposed to be snake-pits - but the rest were not. One also should not judge persons by their agencies. But honest and competent people were removed along with those rumored to be corrupt and obsequious to their superiors or the Marcoses. The agency differential seemed to be partly a function of the management background of the agency head. Politicians tended to remove large batches of personnel and replace them with "trusted newcomers" or political followers. ^{2/}

On the other hand, executives from the private sector, academics and promoted career officials tended to use the first and second options or engage in a rational and open performance evaluation.

Third, the process of choosing who should be removed left much to be desired. In some agencies, like the Ministry of Health and the Ministry of Education, Culture and Sports, a painstaking appraisal of the record of the employees was made, complete with documents analysis, feedback of supporters, subordinates and clients and interviews of the civil servants themselves (Alfiler 1987, Alonzo 1987). But in others, performance was laid aside in the search for political loyalty. In one MHS unit, employees were asked where they were during the People Power Revolution. One informant, who was at EDSA, felt her professional record spoke for itself, refused to answer the question, and lost her job. There were many others like her. In others, any assessment process made was not discerned by employees nor was cause for their removal given. In the Office of the Prime Minister (taken over by the Vice President who was

^{2/}

Of the eight Cabinet officials who had earlier run for public office, only Secretary of Justice Neptali Gonzales, and holdover National Defense Secretary Juan Ponce Enrile were reported not to have instituted a purge. Gonzales would later head the E.O. 17 central review committee. Of the non-politicians, there were no reported large-scale summary dismissals except at the Tourism Ministry (although some later did remove employees for reorganization purposes).

concurrently Prime Minister until the effectivity of the new Constitution), employees were given separation notices effective after a month, "to enable you to train your replacement." Others were given mimeographed termination letters with their names hardly legible.

Fourth, the mere act of requiring people to submit courtesy resignations, even though the assessment process was professional and fair, was already destabilizing. In the Ministry of Health, 1,500 were asked for their resignations, but only 60 were accepted and ten, demoted. Those negatively affected were then only 4.7 percent of ranking personnel and .10 percent of the total personnel force. But insecurity went far beyond these percentages, because the 1,500 were mostly household heads who worried about their family's survival if they lost their jobs. At an average of 5.2 members per family, this accounted for 7,800 mouths wondering where the next meal was going to come from.

Fifth, and related to the fourth factor above, the employees saw that "trimming the fat" was an empty phrase, since new employees were being hired at a rate much faster than the separations. The CSC survey showed 78,440 people were newly employed by June 1987, representing an increase of 10.5 percent from February 1986. More recent data show that fourteen departments had 553,532 employees in January 1989, representing a net increase of 54,231 persons since the first quarter of 1986, or a growth rate of 10.86 percent, a slight increase from Esleta's data (DBM-CSC 1989). (See Table 1.) This might suggest that even more increases might be expected as more agencies complete the implementation of their respective reorganization programs.

The CSC survey shows an accession of two persons for every separation (Esleta 1988). The bulk of these - 52.51 percent - were original appointments. Local governments - the most political of the government bureaucracies - accounted for 45.40 percent of the separations and 37.70 percent of the accessions, a replacement rate of 1.72 for every employee removed. The biggest relative addition, however, was at the third (or executive) level: with 243 separated replaced by 1,505, it was a ratio of 6.19 new people for every person leaving the service. (See Table 2.)

Sixth, the purge authorized by Proclamation No. 3 became practically indistinguishable from general reorganization in that they were undertaken simultaneously. Many employees felt that escaping from one did not render them immune to the other. The two actions were perceived to have whipped a double whammy on the governmental institution -- the bureaucracy -- that was the most uncared for and least powerful under the old regime. This sense of demoralization increased as the evaluation criteria and the process of both purging and reorganization remained vague and largely nontransparent. Both gave a sense of uncertainty and

Table 1
CHANGE IN NUMBER OF PERSONNEL IN FOURTEEN DEPARTMENTS,
FIRST QUARTER 1986 AND JANUARY 1989

DEPARTMENT	NUMBER OF PERSONNEL		% INCREASE (DECREASE)	% INCREASE (DECREASE)
	1st Quarter '86	January '89		
1. Agrarian Reform	8638	14547	5909	68.40
2. Environment and Natural Resources	23251	24817	1566	6.73
3. Public Works and Highways	3540	2716	(824)	(23.27) <u>a/</u>
4. Tourism	942	793	(149)	(15.81)
5. Transportation and Communications	27257	30757	3500	12.84
6. Education, Culture and Sports	342043	368234	26191	7.65
7. Social Welfare and Development	5486	6980	1494	27.23
8. Finance	17437	20075	2638	15.12
9. Foreign Affairs	1922	1741	(181)	(9.41)
10. Budget and Management	1800	3584	1784	99.11
11. Local Government	6118	5849	(269)	(4.39)
12. Health	57324 <u>b/</u>	67876	10552	18.40
13. Trade and Industry	1314 <u>b/</u>	3117	1803	137.21
14. Labor and Employment	2229 <u>b/</u>	2446	217	9.73
TOTAL	499301	553532	54231	10.86

Notes: a/ Central office only.
b/ As of December 1985.

Sources: 1st Quarter: Personnel offices of each department, 1987.
January 1989: DBM, January 1989.

Table 2
CIVIL SERVICE EMPLOYEE ACCESSION AND SEPARATION,
FEBRUARY 25, 1986 TO JUNE 30, 1987

	SEPARATION	ACCESSION	A/S RATIO
1st (Non-Technical)	11043	32036	2.90
2nd (Technical)	15066	22862	1.52
3rd (Executive)	243	1505	6.19
Non-Career	11533	22037	1.91

Source: Esleta 1987.

to the personnel and the bureaucracy as a whole. Employees spread fear as they awaited results of the assessment, which sometimes took months. By then, those who felt they had a greater chance in another agency had applied there, creating the spectacle of employees under threat in one agency getting jobs in a second agency, while the people in that second agency won refuge in a third, which in turn eventually got a new position in the first agency. Meanwhile, those still waiting hardly did any work, lest they make a mistake and invite the axe on themselves, a general reaction pointed out by no less than the new Chairman of the Civil Service Commission (Sto. Tomas 1988).

Seventh, the purge galvanized employees to organize. There were two reasons for this: (a) people were removed in such big groups that reinforced anger overcame the shame; and (b) the civil servants believed the government's claim of "democracy" and thought they could get justice if they howled.

B. Review under the Freedom Constitution

Proclamation No. 3 only provided a legal basis for personnel actions, the revolutionary fervor having immediately assumed legitimacy for a purge. However, protests were so strong that on May 28, 1986, the Aquino government felt the need to limit the grounds for removal to the following:

- 1) Existence of a case for summary dismissal pursuant to Section 40 of the Civil Service Law (Marcos' grounds, allowed when an existing charge against the employee has strong evidence, or when s/he is a recidivist or "notoriously undesirable").
- 2) Existence of a probable cause for violation of the Anti-Graft and Corrupt Practices Act as determined by the Ministry Head concerned;
- 3) Gross incompetence or inefficiency in the discharge of functions;
- 4) Misuse of public office for partisan political purposes;
- 5) Any other analogous ground showing that the incumbent is unfit to remain in the service or his separation/replacement is in the interest of the service (Executive Order No. 17, Sec. 3, May 28, 1986).

E.O. 17 was well-meaning but the grounds it provided were so broad that they could encompass even seemingly innocent acts. Moreover, the fact that most removals were couched in the form of acceptance of courtesy resignations made it technically impossible for many employees to file appeals. Also, in spite of the "removal for cause" principle it espoused, civil servants

continued to be dismissed without specifying the grounds for that action. ^{3/}

A central review committee undertook a thorough and fair appeals procedure. It required employees to file sworn statements and asked their superiors to explain their side. However, heads did not reply within a reasonable period, or not at all. The delay was borne by the employees who forfeited their salaries during the period of appeal, even if they won the case.

Only 732 petitions had been received by the review committee as of March 18, 1987 (Department of Justice 1987). A lawyer in the committee did not think that such implied that the rest were for just cause. Rather, she pointed out various difficulties: the vagueness of the dismissal order (which made it difficult for the civil servant to counter the argument); the lack of lawyers to draw up the sworn statement; the lack of faith that they would be redressed; the lack of knowledge of the review process (which was different from the usual civil service channels); its centralized nature; and the fear that complaints would make the employees lose all benefits.

Most of the appeals were not given due course due to various technicalities. Of the 177 which were resolved, 122 appeals (68.93%), covering 207 petitioners, were decided in the employees' favor. However, the committee did not have the power to compel their superiors to reinstate them so that not all employees got their positions back. The victory turned out to be a moral, but ultimately empty, one.

C. The New Officials and Employees

There are no data as yet to show how the new bureaucracy differs from the old in terms of composition. However, an attempt will be made in this section to give preliminary characterizations based on published information on personnel.

1. The Cabinet

The Aquino and Marcos Cabinets differ from each other. Marcos, at the end of his term, had a Cabinet of technocrats which he had, in turn, transformed into politicians by having most of them run for the Batasan. Except for the Minister of Defense, Juan Ponce Enrile, and the Minister of Local Government, former Governor Jose Roño, none of them had run for public office before their Cabinet appointments. Many were American-trained, some had been in academe and most had been in the private sector. Only two have been career bureaucrats.

^{3/}

For instance, employees from one agency were given letters terminating their employment "for analogous reasons."

By contrast, the first Aquino Cabinet was dominated by well-known oppositionists, a lot of whom were pre-martial law politicians. The nonpoliticians were prominent members of cause-oriented groups like MABINI, NAMFREL and other NGOs. Perhaps the only one who was not identified with the Opposition (because she was closeted in academe as president of an exclusive girls' college) was Lourdes Quisumbing, who was appointed to the biggest agency, the Department of Education, Culture and Sports.

At the end of 1988, however, the Cabinet was very different. All the politicians of the original Cabinet except one - Local Government Secretary Jaime Ferrer, who was assassinated in December 1987 - had resigned to run for public office. Enrile had been fired in October 1986, along with three others, one supposedly for leftist views, the other two for unexplained reasons. A Cabinet revamp followed the resignation of Vice President Salvador Laurel as Secretary of Foreign Affairs, during which Executive Secretary Joker Arroyo and Finance Secretary Jaime Ongpin were both removed. Except for the departure of candidates for both houses of Congress and the replacement of retired General Rafael Ilete (Enrile's successor at the Department of Defense), the changes seemed a way to assert power over or mollify military factions, being in some way a balancing of so-called "leftist" and "rightist" elements.

As of mid-1989, only three of the original Cabinet has remained, all of them nonpoliticians. Despite the big number of persons replaced, there were few new faces in the political arena since the new secretaries were undersecretaries or they were in other sectors of government before their appointment to the Cabinet. As a result of the balancing, the Cabinet has indeed become "centrist," or perhaps more accurately, right-of-center, since conservatives such as Fidel Ramos and Jose Concepcion are more to the right than Jesuit-trained A.R.A. Bengzon and Raul Manglapus will ever be to the left. The 1988 Cabinet has two politicians, each vacating his seat in the Senate and the House when he was named by the President to Foreign Affairs and Local Government Departments, respectively. Three are technocrats who held prominent -- but not policymaking -- positions during the Marcos regime (Executive Secretary Macaraig, Cabinet Secretary Jose P. de Jesus, and Public Works Secretary Fiorello Estuar).

Perhaps the other characteristic that recalls the Marcosian period is the appearance of relative unity. The 1986-87 Cabinets were marked by disagreements that were reported conspicuously in the press. The current one has a strain towards speaking with one voice - and seldom breaks out from the majority (except in the celebrated case of the resignation of NEDA Director-General Solita Monsod who, however, kept her peace until a month after she left office). Another characteristic reminiscent of the Marcos Cabinet is that some Cabinet officials sought briefings on the Letter of Intent from experts from academe who were largely opposed to its conditionalities. (However, a Malacañang request

soon came for the Cabinet officials to propagate the LOI in their respective offices; hence, the caucuses quickly ceased.)

The frequent Cabinet changes disturbed the operations of government. A career bureaucrat has, in fact, quipped that after 2 1/2 years, his job in the Aquino government still remains to be "briefing lang ng briefing," as each new Secretary (that Department has the record of five changes) brings in his own ideas and own team. Some form of reorganization also ensues again and the organization has to adjust all over again. Programs about to take off have to be re-conceptualized, and the "mission and the vision" of the agency have to be restated so frequently that it makes the speaker want to vomit (as an Undersecretary has put it) and confuses both the implementors and the public.

2. The Issue of Volunteers

The new government was so enthusiastically received that many concerned citizens actually volunteered their services in the early days of the transition. Unfortunately, many who were more concerned with personal matters also did so. Struck by the euphoria of victory, overwhelmed by the size of the job and generally sincere about their revolutionary fervor, the new leaders did not question the motives of those who offered their services.

Some proved worthy. Former Executive Secretary Arroyo narrated how two ladies volunteered to help him (literally) clean up Malacañang on February 27, 1986, the day after the Revolution's triumph. They sorted out and filed records, brought important things to his attention, and generally helped him get settled in his new task. They turned out to be career civil servants rather than pure passers-by; thereby helping the new government see and realize that the old Civil Service was not all that bad (Arroyo 1987). Many PCGG volunteers were also of this mold, as they delivered pieces of evidence and information to the Commission, helped safeguard public property and pinpoint Marcosian estates. Some of these volunteers came from cause-oriented groups and they continued to be concerned about public affairs after the Revolution, this time on the side of the government rather than the Opposition. For instance, Operasyon Walang Lagay attempted to help various agencies in value formation programs, and to process streamlining and anti-corruption drives. However, they had to give up the work as it became more demanding of their time and resources.

There were, however, many representatives of the other kinds of volunteers. One type may be termed as job-seeker who invests his personal time in the hope that he would be considered for vacancies that may later arise in the office. Some of these who had high qualifications did end up at CESO-level or consultant positions. PCGG actually institutionalized this kind of "volunteers" by paying a monthly allowance of ₱3,000, an amount

that is higher than the regular salaries of public school teachers. Their "plight" reached prominence in the press in Christmas 1988 when they demanded the same level of bonuses as regular employees (which amount was tied to their monthly salary).

A second type would be the influence peddler who, by rendering pro-bono service, endears himself to the boss. He may then exact payment in the form of contracts to a firm he favors, perhaps getting appreciation gifts from both sides.

A third is the type who would profit directly from the volunteer position, especially if it is in a regulatory agency, in the same way that an unscrupulous employee would augment his income illegitimately. This one would be more dangerous, however, in that he is beyond the pale of accountability since many agencies did not even keep complete rosters of its volunteers.

It is to protect the state and the public against these volunteers that RA 6713 put them under the purview of its provisions, except for the divestment clause.

3. Demilitarization of the Service?

The military and civilian bureaucracies had generally been kept separate in the Philippine context, except in cases like the Department of National Defense which assigned some of its personnel as "bodyguards" of prominent office-holders, especially elected officials. Except during the Magsaysay period, few military officials joined the bureaucracy or the political leadership after retirement, let alone hold civilian positions while on active service, during the pre-Marcos regime.

Marcos changed all that. Many officers in active or retired status joined the civilian part of the service during Martial Law to provide their non-uniformed counterparts with examples of "professionalism." Ironically, though, the authoritarian government succeeded in making the military prominent in civilian programs through the images of soldiers breaking up strikes, demolishing squatter homes, threatening civilians, etc. In short, the image was that of short-circuiting the political process of consultations and negotiations through the blandishment and use of raw force.

The Aquino government was expected to put an end to military involvement in the civilian side of governance. However, the use of soldiers, in lieu of dialogue, in the peasants' march in Mendiola in January 1987 and in the students' protest rallies in early 1989 shows that their usefulness as an armed force in civilian programs has not completely stopped. Meanwhile, recently-retired military officials have been appointed to prominent positions in the bureaucracy. The most famous is Fidel

Ramos, who was Chief of Staff until he retired and then became a civilian Secretary of Defense the day after. Many of his "civilian" staff are retired officers like him. The current National Security Adviser is also a retired military man. Perhaps these positions, more than any of the others, require a civilian perspective to be able to implement the constitutionally-declared principle of civilian supremacy over the military (Article II, Sec. 2). Otherwise, the President is given the supposedly civilian perspective over defense and security matters by persons whose lifework has been related to war. Who will then advocate the political and diplomatic options?

Aside from these, and with the regular retirement of officers of age each year, there will be more military men in their prime who will be available for positions in government. Already, they head the post office, the bureau of customs and some public enterprises, as did other military officials in Marcos' time. However, the most important difference between his time and Aquino's is the recall of security officers (known as resident military spies in those days) from the different agencies of the bureaucracy.

The relationship between the political leadership, the military and the civil service may also be tackled at this point. Aquino's stirring "welcome home, my soldiers," in the April 1986 speech to the graduates of the Philippine Military Academy proclaimed the military role in a democratic government as under civilian authority. That did not stifle some officers' desire to be at center-stage. In the first eighteen months of her rule, they attempted several coups. This pressure, and other more covert ones, resulted in political leaders leaning over backwards to accommodate their main enemy when they were still "The Opposition." The swift passage of the law increasing soldiers' pay, the retirement of all officers as soon as they are of age, ^{4/} the elevation of Chief of Staff Fidel Ramos to the civilian position of Secretary of National Defense - all bespeak a reluctance to stir up military anger and a desire to consolidate President Aquino's initially feeble hold on the armed forces.

Meanwhile, the absence of prosecution of human rights violations under the Marcos and Aquino regimes, despite the creation of the Presidential Commission on Human Rights and its later establishment as an independent constitutional body, the aggressive policy against Communist rebels in the countryside and

^{4/} This allows for mobility for junior officers, a cause of dissatisfaction under the old dispensation.

the endorsement of citizens' vigilante groups ^{5/}, seem to suggest that it was not the soldiers who came home, but Cory Aquino who came around to the thinking of the military.

The bureaucracy has received no similar kid-glove treatment. The reasons for the contrast are not hard to find. First, the military has arms and the decisive capacity for toppling the government. Meanwhile, the power of the bureaucracy has lain in its capacity to stall decisions rather than to make them.

Second, the military is relatively more irreplaceable than the civil service, particularly since Aquino rose to power on a revolution of unarmed cause-oriented groups, hardly an alternative liberation army. They are, however, possible substitutes to civil servants; many of them, in fact, did join government and accomplished the purge or benefited from it.

What exacerbates the feeling of injustice among civil servants is that Marcos, during his time, had intervened in the recruitment and promotion of military officials more than in the civil service which he left largely to the discretion of his proven loyal ministers. Many then felt that they should deserve the purge only after the military has itself been similarly cleansed. But the brass have taken care of their own and recommended lenient punishments even for soldiers involved in coup attempts.

D. The Salary Structure

When the Aquino government was installed, salaries were inadequate on several counts. Generally low, they did not follow the principle of equal pay for equal work. The ministry's hiring rate for the first level was P6,562 per annum while their heads received P91,512, a ratio of 1:14. (Taking into account the cost of living allowances of the rank and file, the ratio would improve to 1:9.) The gap becomes worse if one considers that the ratio ignores the hidden allowances and perquisites of top officials. The pay differential between the regular civil service and public enterprises was also large.

The Aquino government declared the salaries "abysmal" and showed concern towards changing them. However, it had inherited a tottering economy where, as of 1988, about 40 percent of the government budget had to be allocated to debt service. Besides, it deemed the bureaucracy gigantic and saw "trimming the fat" as

^{5/}

Human rights advocates denounce these groups as military informants and surrogates who perpetuate torture and other violations of human rights; the military defend them as people-power against Communists, using a favorite term of post revolutionary Philippines.

a necessary prelude to increasing wages. With its hands so tied, it put the purges and reorganization ahead of the wage agenda, thus dangling a very strong stick with hardly a carrot in sight.

The Aquino timetable was upset by several factors. First, Marcos had announced wage increases on the eve of the snap presidential elections. This smacked of blatant electioneering, but civil servants welcomed it not as a means of gaining their loyalty but as a long overdue reward (CPA Neutrality Seminar, February 1986). However, it was implemented for only a few agencies and thus there were increases that were pending at the time of the regime turnover. Employees in these agencies pressed for these increases especially because with the threat of removal on their heads, it was better to be resigned or retired on a higher salary since benefits are computed on the basis of the last regular pay.

Thus, in July 1986, Executive Order No. 31 increased rank and file salaries. The lowest monthly hiring rate was moved from ₱546 to ₱603 and the cost of living allowance (COLA) from ₱300 to ₱450. Together, this represented a 25 percent increase.

Second, the Constitutional Commission, appalled by the low official wages of the highest officials in the land, had increased in its transitory provisions their respective salaries "until the Congress provides otherwise" (1987 Constitution, Article XVII, Sec. 17). The figures provided for were over 100 percent of official Marcos-period salaries. It also required that "at the earliest possible time, the Government shall increase the salary scales of the other officials and employees of the National Government" (Sec. 18).

Accordingly, in March 1987, within a month of Ratification, the government started to pay out the new salaries for the incumbents of the named positions. Simultaneously, it also increased, by smaller though still hefty percentages (mean: 108%), the compensation of all positions at the Cabinet and Career Executive Service level (E.O. No. 152, March 1987). (See Table 3.)

Meanwhile, it decreed smaller increases for all other employees (E.O. 153, March 1987). The civil servant at the bottom moved from ₱603 to ₱693, with no increase of COLA, representing an 8.5 percentage change. Another increase was given by Republic Act No. 6642 (January 1988), which increased our lowly personnel's salary to ₱762, and the COLA to ₱700, the whole package creating another 30 percent rise.

In August 1989, salary standardization was supposed to be accomplished by the passage of Republic Act No. 6758. The lowest salary now incorporates the COLA and amounts to ₱2,000. At this point, the most junior civil servant person has now received a total increment of 136 percent since Cory Aquino's rise to power,

Table 3
CHANGES IN MONTHLY SALARIES
(1985, 1987 and 1989)
(In ₱)

A. CABINET AND CAREER EXECUTIVE SERVICE OFFICERS*

POSITION	EO 1000 (1/'85)	EO 152 (3/'87)	% Increase	RA 6758 (8/'89)	% Increase	Cumulative Increases (in %)
Secretary	7,626	17,000	123	19,550	15.0	156
Undersec.	6,904	15,000	117	18,975	26.5	175
Asst. Sec.	6,596	12,000	82	17,075	42.3	159
Line Bureau						
Director	6,250	12,000	92	17,075	42.3	173
Dept. Regional						
Director	5,947	11,000	85	15,180	38.0	155
Line Bureau						
Asst. Dir.	5,383	11,000	104	15,180	38.0	182
Dept. Asst.						
Reg. Dir.	5,122	10,000	95	13,915	39.2	172
Line Bureau						
Reg. Dir.	4,637	10,000	115	12,654	26.5	173
Dept. Service						
Chief	4,412	10,000	126	12,654	26.5	186
Line Bu. Asst.						
Reg. Dir.	3,800	9,000	137	11,385	26.5	200
MEAN			108		32.0	173

B. LOWEST HIRING RATE PER MONTH, 1985 TO 1989

	BASIC	COLA	TOTAL	% INCREASE
JANUARY 1985	546	300	846	
JULY 1986 (EO No. 31)	603	450	1,053	24.5
MARCH 1987 (EO No. 153)	693	450	1,143	8.4
JANUARY 1988 (RA 6642)	762	700	1,462	27.9
AUGUST 1989 (RA 6758)	2,000	---	2,000	36.8
Cumulative increases between Jan. '85 to Aug. '89			1,154	136.4

*Excludes representation and transportation allowances.

versus 155 percent increase of salary (excluding allowances and other benefits, such as service car and representation) for a department regional director (who got the lowest increase among the CESOs). The mean increase for executive-level positions is 173 percent.

These disproportionate changes were made on the ground that it cannot afford to give everyone the same increases as those in the top positions. While a little arithmetic will show that the differential sizes of these increases in peso terms are indeed large, it also meant that the regime had put the welfare of those already far above the poverty line first over the thousands of its extremely underpaid civil servants. Moreover, it is no secret that the executives were receiving other benefits - in cash and in kind - that were not incorporated in these computations while all income changes of lower-level employees were not only open, but were directly subject to tax.

The regime's other justification - that it must attract the best into the public service - fueled the already heavy resentment against the newcomers from the private sector and the holdover CESOs. These persons were specifically mentioned by those who felt victimized by the previous regime and who now find that those who did not pay their dues during that period are the first to reap dividends under the new dispensation.

A third factor was the swift passage of increases of wages and benefits to the military, following the failed coup of Gregorio Honasan and his well-publicized alibi that it was not a try to oust the government but only a move to dramatize the poor conditions of the soldier. The joint executive-legislative rush in behalf of the military drew this sharp retort from WAGES: 6/

We do not begrudge the fact that soldiers are indeed underpaid. But we, the more numerous civilian component of the civil service, are just as underpaid and demoralized. Do we have to do a Honasan-act to get as much attention? (WAGES, undated, c. September 1987.)

Other moves had favored certain groups over others. Perhaps the least controversial was those given to public school teachers who had traditionally been the lowliest of civil servants. They had won an additional twenty percent increase only after they registered massive mass leaves in 1986 and 1987. Medical professionals whose Alliance of Health Workers have engaged in a similar mass leave also got the ear of the Department of Health

6/ WAGES or Wage Adjustment for Government Employees Solidarity is a federation of five organizations of civil servants, all in turn a conglomeration of smaller employee organizations.

when a lump sum for a "career progression scheme for medical officers," a thinly disguised program for raising physician salaries, was included in the Department's 1987 and 1988 budgets. About 20 other groups or agencies have received increases without mass protests, courtesy of influential heads or sympathizers in Malacañang. Unfortunately, unlike teachers and physicians, these do not represent popular causes and have become, like the soldiers, bones of contention among civil servants themselves.

Thus on the issue of wage increases for the civil service, the Aquino government, even as it gave in to some demands, has not endeared itself to the bureaucracy. Salaries remain low, particularly at lower levels; the hiring rate is still lower than its own poverty line (P2,400 a month in 1986). Equity also remains a problem: the rank and file vis-à-vis CESOs and constitutional officers, the military versus the civilian, specific occupational groups against each other. Faced with pressures from employee organizations and also from its own executives who must manage demoralized employees, it has threatened protesting employees with grave reprisals while further increasing the gap between the top and the rank and file, not only in terms of salary differentials but of psychological concern as well. The rank and file, which after all is now "new," being the result of the purges and additions presided over by the leadership, still seems to be regarded not as part of this government but as an unpleasant relic of the Marcos years.

E. Public Sector Unionism

A striking feature of the last three years is the rise of employee organizations, which have been nothing more than social clubs through most of the Martial Law years, when the right to collective bargaining and striking was removed from unions of public enterprises performing proprietary functions. The most vocal, and among the first of these, were associations of public school teachers and government health workers who practically invented the method of "mass leaves" in the 1980s to get around the strike ban while voicing in the strongest terms possible, their demand for higher wages.

The uncertainty and demoralization caused by the 1986 purges ignited organizational fervor in many agencies, buoyed up by the belief that a redemocratizing government would listen to their demands. In some instances, for example in the Department of Trade and Industry, they were heard, and initial reorganization plans were revised and employee's representatives given a voice in them.

The Constitution of 1987 had three pertinent provisions on public sector unionism. It declared that the right of the people in the public and private sectors to form unions shall not be abridged (Art. III, Sec. 8) and upheld "the rights of all workers to self-organization, collective bargaining and

negotiations, and peaceful concerted activities, including the right to strike in accordance with law" (Art. XIII, Sec. 3). However, the third in affirming that "the right to self-organization shall not be denied to government employees" [Art. IX, on Civil Service Commission, Sec. 2(5)], seemed to withhold the other rights from civil servants, an interpretation that seems to be sustained by a reading of Commission proceedings and an August 1989 Supreme Court decision.^{7/} The Civil Service Commission drafted in May 1988 a new Civil Service Code which gives employee organizations broader powers, including, for those in certain agencies, the right to strike. However, it has not yet been passed by Congress.

Despite the unclear legal sanction, and because of the removals, low wages and their lack of involvement in decisions on these, employees have continued to organize and to dramatize their demands through various forms of work stoppage.

In addition to the goal of better working conditions, employee associations have also started to flex their muscles in less self-regarding interests. In the National Power Corporation (NAPOCOR), they succeeded in stopping the purchase of luxury cars by management. The chief executive officer acknowledged the need to be sensitive to public outcry in the decision to bow to the organization's protest, even though no corruption has taken place and President Aquino herself had given the NAPOCOR the go-ahead. In the National Irrigation Administration and the National Housing Authority, the associations have unearthed and documented questionable purchases that seem to be directly related to the replacement of their respective executives. These exposures and protests have occurred not without considerable risk of harassment and sanctions on the part of the lowly employees. Their commitment to ethical standards of behavior and their insistence for management to uphold them show a social responsibility that as late as May 1988, in a round table meeting on "Bureaucracy and Public Accountability," two nationwide organizations of civil servants had said they were not ready for. They then felt that the gut issues of wages and working conditions had to be served first before public sector unions are to be expected to sacrifice for the public interest (PSSC 1988). Even as they spoke, the fact that agency organizations were already involved in the latter speaks of a maturity which one did not expect to find in a civil service system that is placed in such a tumult as the 1986-89 bureaucracy.

^{7/} However, Blas Ople, a constitutional commissioner and Marcos's Minister of Labor has a more pro-worker view of the constitutional provisions. See Daily Globe, August 16, 1989.

Some employee organizations will doubtless be used to fight against reform-minded executives who invade the turf of their corruption syndicates. Nevertheless, the courage already shown by at least three unions bolsters the belief that people power need not stay outside the doors of the public apparatus itself. In the organization, numbers and dedication of the masses, in the public as in the private sector, lie the possibility of a thoroughgoing societal reform.

IV. ORGANIZATIONAL CHANGES

Administrative reorganization can be described in terms of its process and results. Decentralization also constitutes a major process and structural change in the current political and administrative structure. This is discussed in a later section.

A. The Reorganization Process

The process of general reorganization of the bureaucracy under the Aquino administration can be characterized as protracted and confused. The NEDA Philippine Development Report Update (1987) itself has pointed to its flaws and general unpopularity. Initially, the Presidential Commission on Government Reorganization (PCGR) had thought that the process would be completed in 100 days. However, despite the few plans formalized by reorganization executive orders (REOs) in 1986, and the 40 (out of 101 total) REOs issued five days before the opening of Congress on July 27, 1987 (which re-assumed the power of reorganization at that point) ^{8/}, many of the new position structures and staffing patterns of some reorganized agencies have not been finalized even as late as June 1989.

The confusion was caused by the number of groups that undertook reorganization for each agency, the lack of guidelines and criteria, the confounding interaction of reorganization with the purge process, and the rescinding of a few orders. Initially, the PCGR created task forces to handle reorganization at the agency level. However, individual agencies also made their own independent plans which then competed with the PCGR's at the Office of the President. Since the PCGR disbanded at the end of 1986, it was not able to shepherd the legislation process. Thus, most of the plans formalized by a reorganization executive order (REO) were probably the ones prepared internally by the agency or represented a compromise between the PCGR's and theirs. In some agencies, there were third or fourth plans, resulting from protests of employees, a change of agency head, or both.

^{8/} See Appendix 1 for a list of reorganization executive orders.

Reorganization is a major tool in reforming an administrative system towards a government's vision of its goals and directions. A study of the Aquino reorganization process, however, does not convince one of the presence of a rational mind and a guiding hand behind it. The PCGR could have provided that orchestration; however, it not only disbanded early but also did not get cabinet imprimatur of its guiding principles until August 13, 1986 or a few weeks after it originally thought it would close shop (Iglesias 1988). Moreover, it did not follow its proclaimed participatory inclinations for decisionmaking, as it virtually ignored the employees and had very formal public consultations in Manila, one three-hour session per agency, attended largely by urban middle-class organizations, and not the urban and rural poor who should constitute the target of government services.

Guidelines for the conduct of reorganization came on an ad hoc basis, suggesting not the unfolding of a plan but reactions to public outcry. The first came from the Civil Service Commission on September 2, 1986, concerning those who should be represented in the reorganization and placement committees. The President issued her first Guidelines for a humane and just process only on October 2, 1987, after her deadline for the approval of the new position structure and staffing pattern to implement reorganization had virtually passed unnoticed. ^{9/} Congress decided to act in view of the number of complaints and protests of employees. The Senate passed two resolutions (October 9, 1987 and March 1, 1988) requesting the President to suspend the implementation of reorganization plans. These were not heeded, although there was an effective postponement of implementation following both Senate initiatives. Both Houses then passed Rep. Act No. 6656 providing guidelines for the implementation of reorganization and protecting the security of tenure of civil servants (approved June 10, 1988).

Backtracking on decisions was not rare. Twenty REOs were amendments or suspensions of earlier orders. The reorganization order for the Civil Service Commission (CSC), supposedly an independent body, was rescinded within seven days, with the Department of Budget and Management successfully managing to retain the office of personnel compensation which the CSC had annexed (E.O. 67, June 15, 1986, E.O. 67-A, June 22, 1986). The Commission's reorganization did not get a new REO until June 1987 (E.O. 181). In all, sixteen agencies received more than one reorganization executive order, with the Department of Transportation and Communication holding the record by being amended three times. The Presidential Blue Ribbon Commission was created and abolished within three months.

^{9/}

See E.O. 177, May 28, 1987; the deadline would have been 90 days from this date.

B. Results of Reorganization

The Aquino reorganization, as a product of individual reorganization plans and incremental decisions, does not have the shared structure and nomenclature of Marcos' Integrated Reorganization Plan. Some of its features incorporated those of the IRP. For instance, it continued to attach public enterprises to the sectoral departments closest to their objective, and generally adhered to its departmental model of deconcentration, whereby central offices serve as staff bureaus while field offices directly deliver services to the public.

Proclaiming de-Marcosification, the resulting reorganization was subject to many ironies. Criticizing the gigantism of the Marcosian machinery, the new government increased both the offices and the personnel of the bureaucracy. Railing against Marcos' huge propaganda machine, the reorganization abolished his Ministry of Public Information but retained its functions in a new and probably bigger organization. It also made both centripetal and centrifugal moves, making its effective decentralization policy difficult to characterize. (This will be the subject of the next section.)

As already mentioned, 101 REOs were issued by the President. They represented the completed reorganization of 18 ministries (later renamed departments), three constitutional bodies, four public enterprises, and 17 other offices. In addition, five were abolished, including two created by Aquino herself (the PCGR and the Presidential Blue Ribbon Commission), two ministries under Marcos - Human Settlements and General Services, and the Economic Support Fund Council. Some 30 executive orders created new offices, 15 of which were totally new. Of these, three were mandated by the Constitution. Twelve others were renamed or converted existing agencies. For instance, the Office of Muslim Affairs and Cultural Communities became three agencies, with an office each for Muslim Affairs, Southern Cultural Communities, and Northern Cultural Communities. Meanwhile, the National Tobacco Administration was a consolidation of all agencies dealing with that crop.

Among the really new agencies are those involved in new or expanded functions of government, in areas such as human rights, the search for and disposition of assets seized from the Marcoses, and special urban concerns (e.g., Commission on Human Rights, PCGG, the Sequestered Assets Disposition Authority, the Presidential Commission for the Urban Poor and the Housing and Urban Development Coordinating Council).

The Ministry of Public Information, targeted for abolition during the campaign, was abolished in name along with the Office of Media Affairs, but was resurrected with "the expansion of the scope of responsibility, authority and accountability of the Office of the Press Secretary" (E.O. 92, January 12, 1987), and

the creation of the Philippine Information Agency. With their sequestration, a board of administrators for the television and radio stations of three corporations also became part of that domain (E.O. 11, April 14, 1986).

C. Decentralization

Decentralization may occur in several ways. First is by delegation of powers, functions and resources from the President to the different departments, and within the departments, from executives to the rest of the organization. Second is by the deconcentration of powers from central to field offices. The third mode is through devolution or the delegation of powers to lower political units. Finally, there is extra-governmental decentralization, whereby state powers or other functions previously exercised by governmental units are transferred or allowed to be used by nongovernmental entities, whether in business or voluntary sectors. This was already discussed in the section on the role of government.

1. Centralization and the Office of the President

One of the most predictable recommendations of any Philippine general reorganization is the decongestion of the Office of the President. This is a reaction to the tendency of each incumbent to locate favorite functions directly under him, an organizational crowding that most organization experts, especially the reorganizers of the next administration, find intolerable. Thus the reorganization a new president would preside over would attach many of these units to more directly relevant sectoral or staff departments. In the course of his term, however, no president has ever resisted creating new offices that would now report directly to him, and thus the next reorganization would find the need to decrease the presidential offices again.

Under the present regime, there are appreciably more offices under the Office of the President than before. This is partly accounted for by the number of presidential commissions created immediately after the Revolution which signalled the state's new commitments to human rights, retrieval of stolen wealth, the urban poor, cultural communities as well as general reorganization. (Some of these have since been moved from the Office or abolished.) In addition, there are the still substantial remnants of abolished agencies (after the purging of some employees) which have been transferred to the Office of the President. They include those of the Ministry of Energy, the Ministry of General Services, and the Ministry of Human Settlements which, as the Office of Development Management, has been absorbed into the Presidential Management Staff. The Presidential Management Staff is at the Office of the President proper, unlike the Commissions which might be considered only attached to it. Others in the OP proper are the Presidential

Staff for Policy Research and Documentation (created by E.O. 908, September 14, 1983), and the various offices under the Executive Secretary and the Press Secretary.

Another source of expansion concerns the Cabinet and its network of committees. It may be safe to say that no Cabinet has met as regularly and as frequently as the Aquino Cabinet. This was perceived to be, in the beginning, the result of both the President's acknowledged lack of experience and consequent stated need for advice from her trusted officials, and her own - also proclaimed - desire for participatory decisionmaking. Early on, however, a televised Cabinet meeting showed that indeed the Cabinet was faced with a lot of issues, but despite some arguments, it was not a forum for decisionmaking since the President simply listened, and then moved on to the next item, with neither the issues being summarized nor decisions reached. Later, as this coupled with the agenda becoming too heavy, the weekly regularity becoming a strain on the busy officials, and the Cabinet arguments becoming too widely publicized, then Deputy Executive Secretary Fulgencio Factoran Jr. devised the Cabinet Assistance System (CAS) to service the Cabinet.

The CAS is composed of: (a) the meeting of Cabinet assistants; (b) the Cabinet Secretariat; (c) the Cabinet level committees; and (d) Cabinet clusters. The first component is what is generally known as the CAS and is composed of undersecretaries (sometimes assistant secretaries) from the different departments meeting each Thursday (the day after the Cabinet meeting) to discuss how to implement cabinet decisions and screen issues that would be brought before the Cabinet, ironing out interdepartmental problems and conflicts before presenting a preferred alternative to the Cabinet. The staff work was in the beginning done by the CAS members themselves, using their own technical staffs. But there was need for a staff to see beyond individual department perspectives and the Cabinet then designated the Deputy Executive Secretary to be the Cabinet Secretary and head the Secretariat for CAS and itself (OP Study Group 1987). The position has since been given Cabinet rank.

The Cabinet Secretariat also serviced the Presidential Committee on Public Ethics and Accountability until its abolition. In time, the CAS blossomed into several sub-committees, including the Committee to Energize the Bureaucracy, and the Committees on Political Affairs, Industrial Development and Economic Development. Charged with easing up the work of the political officials with pro-active staff work, it in effect pre-digested ticklish issues so that decisions could be more easily arrived at by the Cabinet. It spearheaded such innovations as the mandate review of each department and also looked at new program proposals with interdepartmental implications. As the emerging nerve center of policy analysis, the Cabinet secretariat is also increasingly seen as a power center.

Meanwhile, new Cabinet assignments were made. In an effort to make sure services are received at local levels, the CORD system was established. Standing for Cabinet Officer for Regional Development, CORD assigned a Cabinet member to check on the needs and services performed in each region and to report on his findings to the Cabinet. This is to assure the leadership that every region is properly looked after.

On recommendation of the CORD, another Cabinet body was created, the CACIA - Cabinet Action Committee on Implementation Assistance. Chaired by the NEDA Director-General with the Cabinet Secretary as Vice Chairman, it is supposed to be a high-level monitoring group to see how well projects are being undertaken. Because of their number (and perhaps, high visibility), the main focus has been to make field visits to investigate the progress of infrastructure projects (Mangahas 1988).

Looking at the above offices and committees, one inevitably asks the question of centralization. The number of offices and committees alone gives a sense of so many issues being lodged directly at the president's feet. There are at least two other factors that reinforce that perception. One is the sheer number of officials of high rank in Malacañang. In mid-1987, there were five at the department secretary level (OP Study Group 1987: II, 56), at least three of which had Cabinet rank. Five others were undersecretary level. This suggests that at least five were directly reporting to and being assigned various tasks by the President herself.

The other factor is the perception of an increasing tightness in the circle around the executive. This is based on the seeming limitedness of the choices she has been making regarding key appointments as her term has progressed. The same persons or families were being tapped as new vacancies arose: a number of the original cabinet were replaced by their undersecretaries, another Ferrer came in when then Secretary Ferrer of the Local Government was murdered, an official removed for incompetence one day was named presidential regional adviser soon after, etc. Secretary Jayme moved from Public Works to Finance, and was replaced by Estuar who was before that an infrastructure adviser in Malacañang itself. The current Press Secretary was a former Presidential Counsel. The new Agrarian Reform Secretary replaced the husband of a Malacañang official, and so on. Add this to the extra assignments of a Cabinet official as CORD, CACIA and board member of some public enterprises, and the sense of the smallness of the circle from which policy advice and managerial competence can be drawn becomes marked. The lack of dispersion of the work and the benefits suggests a concentration of trust and maybe even power in a small group, regardless of the extent of actual closure.

It may also be mentioned that the present leadership is not a Manila-bound one. Top officials from the President down frequently visit provinces, many of which had not been favored by such presence before. It is a mark of personal concern that exemplifies for many the sincerity and goodwill of the President. Moreover, the trips of the President have their own nation-building and peace dividends.

The other side to this, however, is how much it reinforces the personalistic and centralized nature of Philippine politics and administration which goes against the grain of decentralization. For the message it also carries is that benefits will not come without the physical presence of the top leadership. Flying visits of CORD, CACIA and the top officials within each department would be welcome but they should not replace the ongoing, regular and comprehensive analysis of the reports of performance that are required from all boundary-level personnel at set intervals. Members of the bureaucracy complain that as more central monitors are formed, more and different kinds of reports are needed, thereby, disrupting their work further. Besides, what one sees in trips tends to be the most visible problems while festering questions which no quick presidential directive can solve will remain unknown and unresolved.

2. Executives in the Departments

The sense of increasing centralization is also engendered by the remarkable increase in the number of executives in the agencies. Prior to Martial Law, there was one department undersecretary - a permanent career official who held office continuously from one regime to the next. Marcos added a political deputy minister (the nomenclature designed to bolster his claim that his system was a variant of the parliamentary form) whom he recruited from among the Assemblymen of his Batasan.

In the Aquino government, the second level of cabinet departments - now staffed by "undersecretaries" instead of "deputy ministers" - "improved on" the Marcosian standard. As of July 1987, the number of undersecretaries increased from 45 to 66, and assistant secretaries from 59 to 70. Other executive-level offices also had additional personnel.

The increase of executives can also be appreciated in the comparison made by DBM between their number "before reorganization" (it is not clear if "before reorganization" is the point of Marcos' departure or later in 1986 after some purges have occurred) and as of January 1989 (Table 4). The change is most marked in the Departments of Tourism, and Trade and Industry, and the Offices of the Media Affairs and Southern Cultural Communities. Perhaps a mean ratio may not seem much, until one considers the following:

Table 4
 NUMBER OF EXECUTIVES FOR EVERY 100 NON-EXECUTIVE PERSONNEL IN
 REGIONAL AND CENTRAL OFFICES, BEFORE AND AFTER REORGANIZATION
 (In %)

DEPARTMENT/AGENCY	BEFORE (c. 1986-87)	AFTER (January 1989)	INCREASE (DECREASE)
1. Department of Agriculture	0.43	0.56	0.13
2. Department of Agrarian Reform	0.48	1.07	0.59
3. Department of Environment and Natural Resources	0.40	0.85	0.45
4. Department of Public Works and Highways	0.73	0.65	(0.08)
5. Department of Tourism	1.26	3.93	2.67
6. Department of Trade and Industry	1.32	5.16	3.84
7. Department of Transportation and Communications	0.32	0.36	0.04
8. Office of Energy Affairs	1.40	2.37	0.97
9. Energy Regulatory Board	2.13	2.45	0.32
10. Department of Education, Culture and Sports	0.017	0.015	(0.002)
11. Department of Health	0.083	0.19	0.107
12. Department of Labor and Employment	2.32	3.16	0.84
13. Department of Social Welfare and Development	0.55	0.89	0.34
14. Office of Muslim Affairs	1.26	2.62	1.36
15. Office of Southern Cultural Communities	0.37	2.13	1.76

Table 4 (cont'd)

DEPARTMENT/AGENCY	BEFORE (c. 1986-87)	AFTER (January 1989)	INCREASE (DECREASE)
16. Department of Finance	0.80	0.94	0.14
17. Department of Foreign Affairs	0.46	0.75	0.29
18. Department of Local Government	0.90	0.86	(0.04)
19. Department of Budget and Management	2.07	1.53	(0.54)
20. Department of Science and Technology	1.32	1.38	0.06
21. National Economic and Development Authority	4.35	4.32	(0.03)
22. Commission on Audit	0.34	0.37	0.03
23. Civil Service Commission	3.37	3.79	0.42
24. Commission on Human Rights	3.11	2.25	(0.86)
Mean	1.241	1.775	0.611

Source: Department of Budget and Management, January 1989.

(1) These are executives supposed to provide policy direction and control, thus, they do not constitute an over-extended span of control. Below them are several levels of supervisory personnel who provide day-to-day guidance over those directly serving the public.

(2) Each new executive also brought in new staff - a clerk and a technical assistant at least - so that some of the population increase of the rank-and-file may be accounted for by the growth of the executive offices, not the increase of people at the front line.

(3) The increase of people at the top does not seem to have wrought a perceptible change in the commitment, energy level and performance of civil servants.

As late as August 1989, a confidential paper emanating from the Office of the President decried the lack of such performance standards and asked on whom and where the evaluation and monitoring of such performance should lie (Committee to Energize the Bureaucracy, August 1989). And people at the middle and lower levels continue to ask where their agency is headed. What then has been the main value of this top-heavy central structure?

3. Deconcentration

There have been a number of moves to strengthen regional units. The reorganization completed as of January 1989 appears to have generally decreased the number of personnel at central vis-à-vis regional offices. (Note, however, that this is a comparison of two Aquino periods, not a comparison with the Marcos regime.) Based on raw data from the DBM-CSC Joint Report (January 1989) of 25 offices presenting statistics for their regional units, 18 had decreased the ratio of central to field personnel, three had increased it and in four, there was no change. The biggest decreases occurred in the Departments of Tourism, Trade and Industry, and Budget and Management, the National Nutrition Council, the Population Commission and NEDA. It is worth noting that the Department of the Budget and Management increased its regional force through the opening of eight additional regional offices (NEDA 1988: 354). Except for the Commission on Audit, the increase of central to regional personnel was not large (Table 5).

Those that did not change differed a lot from each other. The lowest central to regional ratio for both periods was registered by DECS, which had almost 3,000 central office personnel and over 300,000 field employees. On the other hand, the Department of Transportation and Communication did not budge from the most centralized personnel structure, maintaining the pre-reorganization ratio of 8.5 central office personnel for every regional employee.

Table 5
 NUMBER OF CENTRAL FOR EVERY 100 REGIONAL OFFICE PERSONNEL
 IN TWENTY FIVE OFFICES, BEFORE AND AFTER REORGANIZATION
 (In %)

DEPARTMENT/AGENCY	BEFORE REORGANIZATION (c. 1986-87)	AFTER REORGANIZATION (December 1988)	INCREASE (DECREASE)

A. ECONOMIC SECTOR			
1. Agriculture	0.239	0.192	(0.047)
a. National Nutrition Council	2.500	1.731	(0.769)
2. Agrarian Reform	0.088	0.088	0
3. Environment and Natural Resources	0.350	0.183	(0.167)
4. Public Works and Highways	0.209	0.163	(0.046)
5. Tourism	3.870	1.763	(2.107)
6. Trade and Industry	1.588	0.689	(0.899)
7. Transportation and Communications	8.549	8.499	(0.050)
B. SOCIAL SERVICES SECTOR			
8. Education, Culture and Sports	0.007	0.007	0
9. Health	0.036	0.040	0.0043
10. Labor and Employment	0.709	0.642	(0.067)
a. National Labor Relations Council	0.288	0.342	0.054
11. Social Welfare and Development	0.094	0.077	(0.017)
a. Commission on Population	0.824	0.327	(0.497)

Table 5 (cont'd)

DEPARTMENT/AGENCY	BEFORE REORGANIZATION (c. 1986-87)	AFTER REORGANIZATION (December 1988)	INCREASE (DECREASE)
12. Office of Muslim Affairs	0.244	0.324	0.080
13. Office of Northern Cultural Communities	none	0.402	0.402
14. Office of Southern Cultural Communities	0.149	0.177	0.028
C. GENERAL GOVERNMENT SECTOR			
15. Finance	0.416	0.369	(0.047)
16. Local Government	0.165	0.165	0
D. SUPPORT SERVICES SECTOR			
17. Budget and Management	3.180	2.503	(0.677)
18. Science and Technology	3.372	3.086	(0.286)
19. National Economic and Development Authority	1.560	0.955	(0.605)
20. Commission On Audit	0.077	0.731	0.654
21. Civil Service Commission	0.980	0.841	(0.039)
22. Commission on Human Rights	1.252	0.933	(0.319)
TOTAL	40.691	25.226	0.63
AVERAGE	40.691/25 = 1.63	25.226/25 = 1.01	

Source: Department of Budget and Management, January 1989.

Within regional offices, however, the same pattern is repeated as in the agency as a whole: an increase of executive vis-à-vis the rank and file in all agencies except the DOF, CSC, CHR and DECS (Table 6). The absolute numbers are not big, but the differential proportional increases are quite noticeable. If

Table 6
NUMBER OF EXECUTIVES FOR EVERY 100 NON-EXECUTIVE PERSONNEL IN
REGIONAL OFFICES, BEFORE AND AFTER REORGANIZATION
(In %)

DEPARTMENT/AGENCY	BEFORE REORGANIZATION (c. 1986-87)	AFTER REORGANIZATION (January 1989)	INCREASE (DECREASE)
1. Department of Agriculture	0.38	0.52	0.14
2. Department of Agrarian Reform	0.30	0.86	0.56
3. Department of Environment and Natural Resources	0.34	0.75	0.41
4. Department of Public Works and Highways	0.18	0.26	0.08
5. Department of Transport. and Communications	1.20	1.38	0.18
6. Department of Education, Culture and Sports	0.0072	0.0071	(0.0001)
7. Department of Health	0.044	0.058	0.014
8. Department of Labor and Employment	2.14	2.68	0.54
9. Department of Social Welfare Development	0.28	0.62	0.34
10. Department of Finance	0.77	0.71	(0.06)
11. Department of Local Government	0.53	0.56	0.03
12. Department of Budget and Management	3.77	5.00	1.23
13. Department of Science and Technology	0.94	1.12	0.18
14. National Economic and Development Authority	2.85	3.57	0.72
15. Commission on Audit	0.17	0.29	0.12
16. Civil Service Commission	3.88	3.55	(0.33)
17. Commission on Human Rights	0.49	0.30	(0.19)
Mean	1.075	1.308	0.157

Source: Department of Budget and Management, January 1989.

this practice is repeated at lower levels, the change may not augur very much for decentralization. This makes one suspect that there has been no great increase in the number of front-line personnel serving the people. Unfortunately, no breakdown at the regional, provincial and municipal levels for all agencies was available at the time of this writing to pursue this line of questioning.

In addition to change in number of units and personnel, some departments have delegated more functions to regional levels. Following the old IRP framework, DOLE and DTI have divided policy-setting and -implementation functions between their central and regional offices. DBM has adopted a new disbursement scheme whereby treasury warrants are directly released to regional offices. Doing this one better, and because direct provincial releases have been allowed for this department even under the predecessor regime, DOH has authorized provincial and regional levels to prioritize budgets and to allow direct release of funds to them. DPWH allows regional directors approval of awards and contracts up to ₱3 M and similar authority to lower-level engineers (up to ₱150,000) (NEDA 1988: 354-55).

Deconcentration can also be indexed by the movement of funding allocations from central to local levels. The 1988 budget showed that 24 percent are direct allocations for regional operations of the departments. The biggest portion of these is directed to education (87% of DECS budget given to regions), health (69%) and infrastructure projects (over 80%) and for direct transfers to local government units. These were arrived at in consultation with the Regional Development Councils which the new government also hopes to strengthen as a coordinating mechanism for their respective areas (DBM 1988). Such direct allocations at least for DPWH are higher than they were during the Marcos period (Cariño, Delfin and Borje 1985) and do signal a more serious effort at deconcentration.

In addition to these, the strengthening of development councils at regional and lower levels is also bound to move powers and services closer to the grassroots.

4. Devolution

The government has made two major attempts towards devolution, notably, the projected creation of autonomous regions in Muslim Mindanao and the Cordilleras, and the move towards greater provincial decentralization. Both are in a sense, start-up efforts, since neither is completely operational.

The Autonomous Regions

Following the Tripoli Agreement in 1976, then President Marcos created two autonomous regions in Mindanao out of the four administrative regions in that island. They were the two still

predominantly Muslim populated regions: IX, Western Mindanao, centered in Zamboanga and including the Sulu Archipelago; and XII, Central Mindanao, centered in Marawi City covering the Lanao and Cotabato provinces. The two nominally elected their own parliaments but were notably lacking in other powers to make autonomy a reality. Moreover, some interpretations of the Tripoli Agreement suggest that it was expected to create one regional government for all of Mindanao, including the Sulu Archipelago, not two separate ones encompassing only a part of the area traditionally claimed by Muslims.

The Constitution of 1987 recognized not only the desire of the minorities in Mindanao but also those of the Northern cultural communities for handling their own affairs. At the time of the Constitutional Commission's deliberations, both Mindanao and the Cordilleras had their own "liberation armies" seeking to separate their areas from the Republic. The Commission sought to respond to their demands within the framework of the Philippine sovereignty through the provision of autonomous regions "in Muslim Mindanao and the Cordilleras."

The Constitution gave what is now regarded as a "directory" mandate to have an organic act for these regions by January 1989. In preparation for this, the government created consultative committees in both regions to draft their respective autonomy acts. At the time of this writing, only the organic act for Mindanao has been passed in Congress. That will now go through a plebiscite to be participated in by all qualified voters in Mindanao and Sulu.

The salient features of both proposed organic acts include a regional governor, parliaments and courts; devolution of functions now performed by national sectoral departments, the promulgation and collection of local taxes, among others. At issue are: the scope of the autonomous region (majority vote of each province will determine inclusion in the regions), the form of the legislative-executive structure (the Cordillera Council originally proposed a parliamentary system), what to do with existing regional armies, how to incorporate particular cultural laws and practices within the framework of a Philippine state such as ancestral lands, and the specific division of national-regional powers.

Aside from questions internal to the proposed autonomous regions, the policy raises questions affecting the rest of the country as well. For instance, it has revived the issue of federalizing the republic, a structure that may be better suited to an archipelago than the highly centralized unitary system now in place. The question has been raised why only areas with cultural communities or those with separatist tendencies should enjoy autonomy if indeed bringing the government closer to the people would be the way of democratic development. Nevertheless, some people also feel that giving autonomy may lead to the

dismemberment of the nation in a weak state where centralization has not really worked. In addition, recent converts to the federalist idea seem to be pursuing it as a means of exempting themselves from national laws, notably, comprehensive agrarian reform.

Provincial Autonomy

Malacañang has given block grants of ₱120 M. each to four provinces as an experiment in provincial autonomy. The disbursement scheme has also been altered to allow direct and speedy releases. The four are Laguna, Tarlac, Negros Occidental and Davao. They are among the most highly developed provinces and have earlier shown capacity to harness their resources, which raises questions about the value of the experiment. If successful, will the results be transferable to other less endowed provinces? Will failure practically doom the grant of more power to provinces? What is the definition of success or failure?

The choice of provinces aside, what is noteworthy in this decentralization program is the fact that it is truly an experiment and both central and provincial offices are learning as it proceeds. On the whole, this is a positive development that is exciting. On the negative side, it is again directed from Malacañang rather than the agency mandated for this purpose - the Department of Local Government - implying an Office of the President-Department problem that needs quick and decisive resolution. Moreover, procedures are set up only as problems are met. For instance, the definition of whether it is a national or a local fund was not immediately resolved. This has implications on such matters as to: whether or not the Sangguniang Panlalawigan would need to be involved in the allocation of funds; amounts received but not to be expended within a specified period can be placed in interest-bearing accounts; funds could be granted to nongovernmental organizations, etc. It might also be suggested that close monitoring and comparison of the provinces be undertaken not to institute central control but as a means of learning from this process and transferring the lessons to a bigger, more inclusive decentralization program.

Preliminary information suggests that the four provinces have taken different approaches to the block grant. Tarlac and Laguna have allocated most of these resources to infrastructure and livelihood, with government taking the lead; Negros has mobilized foundations and NGOs. The province of Davao, however, deserves special notice for its use of the grant as means of operationalizing its ideals of equity and participation (Amatong 1989). For instance, part of the package (one million pesos each) has been allocated in turn as a block grant to each municipality in the province, thus giving their mayors the same autonomy the national government has extended to the governors. Meanwhile, most of the funds remaining with the province has been allocated

to projects long demanded by barangay constituencies, but on condition that community organization and people's participation mark the planning and implementation of such projects. (The current provincial governor is an engineer by profession, but when he was a mayor, he had been known for his ability to mobilize community participation for his various projects, having even then received various awards for this effort.)

Remaining Devolution Issues

The two efforts towards devolution have actually differing implications. Is the region or the province the more appropriate level for development and autonomy? If the region is made autonomous, will it take some of the powers that may now be enjoyed by the four provinces in the experiment? The factors drawn in favor of one or the other level actually touch on the same things: size, homogeneity of culture, adequacy of natural, physical and human resources, etc.

The government has also put forward a new local autonomy code that attempts to increase power devolution.

A boost to provincial powers has been the recent disbandment of the National Coordinating Council on Integrated Area Development (NACIAD) and the transfer of its project offices to the respective provincial governments or to RDCs, if spanning more than one province. This would allow the provinces greater control over the development pace of their respective territories and add new resources to their effort, since IAD projects have received considerable development assistance (Cariño, Palarca and Reyes 1988).

V. ETHICS AND ACCOUNTABILITY

The Constitution of 1987 set the tone for the emphasis on high standards of conduct for public officials. Article XI, Section 1 states:

Public office is a public trust. Public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty and efficiency, act with patriotism and justice and lead modest lives.

It added betrayal of the public trust to sedition, treason, bribery, graft and corruption, culpable violation of the Constitution and other high crimes as impeachable offenses. However, it made the process of impeachment somewhat harder, by requiring one-third of all the members of the House instead of the one-fifth as in the 1973 Constitution to initiate impeachment cases. Conviction might be easier, requiring a two-thirds vote

of the Senate (a much smaller number than the two-thirds of the Batasan). It provided for strictures against conflict of interest and full public disclosure of personal wealth to facilitate obedience to ethical norms.

It retained the Commission on Elections, the Commission on Audit, the Civil Service Commission and the Sandiganbayan as independent constitutional bodies and added the Ombudsman and the Commission on Human Rights, each in its own area watching over the accountability of government in the conduct of suffrage, financial and personnel transactions, and political and bureaucratic behavior. The three branches of government would also be responsible to the people through the operation of the system of checks and balances. The goals of the state embrace the promotion of "a just and dynamic social order that will ensure prosperity and independence of the nation and freedom from poverty" (Article II, Sec. 9).

A. The Current Thrusts

To implement the intent of these provisions, laws activating the constitutional bodies and operationalizing their standards have been passed. These include the conceptualization of good government as one of integrity and responsibility (Executive Order No. 1, February 28, 1986, creating the Presidential Commission on Good Government, PCGG) and the passage of the Ethical Standards Act (Republic Act No. 6713, February 20, 1989). The Ethical Standards Act was originally drafted at the instance of first PCGG Chairman Jovito R. Salonga in pursuance of the Commission's third function:

The adoption of safeguards to ensure that the above practices shall not be repeated in any manner under the new government, and the institution of adequate measures to prevent the occurrence of corruption (E.O. No. 1, Sec. 2-c, February 28, 1986).

As such its heart is the statement of norms upholding commitment to the public interest, democracy, justness and fairness, political neutrality, professionalism, nationalism, and simple living. To accomplish the intent of these standards, the law also includes provisions on the filing and public disclosure of the statement of net worth of each government official and employee (a stricter version of the provisions of Republic Act No. 3019, the Anti-Graft and Corrupt Practices Act), public disclosure of relatives in government, divestment of assets by public officials with private interests conflicting with their public duties, and immediate response to public demands and inquiries. On the positive side, it has also instituted an awards and incentives system for exemplary public servants and value development programs which each agency is supposed to undertake regularly for its employees.

The new government has raised high hopes that the problem of graft and corruption - a major source of disenchantment of the electorate with each preceding administration - will finally be resolved since Corazon Aquino has been widely seen as a paragon of virtue and clean living. However, it takes more than exemplary presidential image to eradicate the problem. Accordingly, organizational and process changes were instituted in independent constitutional bodies and in the three branches of government.

Constitutional bodies involved in improving methods of performance are the Sandiganbayan (administrative court), the Ombudsman, the Commission on Audit and the Civil Service Commission. Of these, the new addition is the Ombudsman, an adaptation from the Swedish innovation and given an indigenized name - Tanodbayan - by Ferdinand Marcos. Like the original, the Tanodbayan was a people's watchdog with public assistance and prosecutory functions. However, it was only the latter set that was developed. Thus, when the Constitutional Commission was deliberating, the incumbent Tanodbayan himself endorsed the move to create two organizations, each to take care of a different facet of the Ombudsman's role. What is now known as the Tanodbayan is technically the Office of the Special Prosecutor, involved in cases affecting the conduct of public officials.

Meanwhile, the Ombudsman retains investigatory and prosecutory functions and the delineation of its jurisdiction vis-à-vis the Special Prosecutor remains unclear. In addition, the Ombudsman now undertakes the task of intervening in behalf of the public in cases where government agencies have not acted speedily, ignored or otherwise seemed to the complainant to be unresponsive to his needs. This task is the main responsibility of the Overall Deputy Ombudsman which has received a steady stream of requests and complaints from many citizens since his appointment. A new administrative order (from the President of the Philippines) has directed each office to create a public assistance and complaints unit (PACU) which will provide it much needed assistance. However, such units will be composed of people designated to perform this work on top of their regular duties. Moreover, the unit head must have sufficient authority to effect adequate and speedy response to public demands, suggesting at least the level of assistant secretary. Realizing that persons of this caliber and responsibility probably have enough functions before this new assignment, one can only hope that they can still give public assistance the priority it deserves.

Apart from the additional work, PACUs report directly to the head of agency, rather than to the Ombudsman. This has the advantage of recognizing that responsive service is a management responsibility, not something imposed from above, but part of the definition of what is required to administer a program. However, given the previous government record of unsatisfactory public service, more direct and strong links with an independent body

charged with the same function could also provide a distinct advantage.

The law gives the Ombudsman pro-active functions - that is, it may initiate inquiries and recommend improvements in service delivery even without prior public complaints. So far, the office has assisted a number of people whose problems with various government agencies have been unresponded to for some time (Ombudsman 1989). This preventive and promotive role has been one of the main ingredients of success of its Hongkong counterpart, the Independent Commission against Corruption which has corruption prevention and community relations departments, in addition to the enforcement tasks undertaken by its operations department (Lee 1987). Attention to these aspects could produce results with longer-term impacts than its current case-to-case activities. This is not to denigrate the importance of the immediate and understanding response that it is doing now, since that has to be part of any effort to restore public confidence of a caring government. Nevertheless, it has to be given resources to take up this other function also.

The Civil Service Commission is the central personnel agency of the government. The 1973 Constitution transformed it from a staff arm of the executive to an independent constitutional body. Four new decisions bear on improving methods of performance: (a) the increase of the passing grade in CSC eligibility tests from 75 to 80 percent, (b) the "Do Away with Red Tape" (DART) program, (c) ethics and accountability seminars, and (d) incentives for ethical performance. The first signalled the desire of the Commission to recruit better civil servants, an important symbolic move, considering the remaining low prestige of the bureaucracy.

The DART would do away with red tape, and like the Ombudsman, welcomed public complaints, this time specifically about seemingly unnecessary or irrational procedures. Not surprisingly, the first complaints were mostly directed at the Commission itself, which had unexplained processes of its own and which it had to correct lest it risk the program's credibility. However, in calling another agency's attention to possible defects in its systems, it could only rely on its goodwill and sense of responsiveness, since that function - unless touching on personnel issues - is not squarely within its jurisdiction.

Emphasis on ethics and accountability was started as soon as the new government came in. However, with Republic Act No. 6713, this subject became a mandated function, a value development seminar being required for all employees within the first year of implementation of the law. As it stands now, such seminars are still largely lecture-type discussions which at their best could provide some inspiring and challenging moments. However, more innovative and people-involving methods have to be devised and tested in terms of both their capacity to bring immediate and long-term desired oranges in performance.

Performance awards are part of the positive thrust embodied in R.A. 6713. The criteria suggest a search for exemplary government employees who manifest ethical performance in relatively obscure and sensitive positions. The first awards are yet to be made and their capacity to provide incentives and set the tone for public service in the bureaucracy cannot be assessed yet. However, there was a disturbing point raised during the formulation of guidelines for RA 6713 in that a seeming dichotomy was made between ethical activity and adequate performance, in that a person who has otherwise been lazy or ineffective in his work could be eligible for an award if at one point he showed spectacular honesty, say, in returning a bag full of money. Yet, rectitude must not be separated from professionalism, effectiveness and other aspects of exemplary public service.

In addition, both Houses of Congress have set up their own ethics committees to look into the performance of their membership as well as to undertake hearings on bills affecting the accountability of the political leadership and the bureaucracy as a whole. Investigating committees such as the Blue Ribbon Committee in the Senate and standing committees of each House have been active in conducting hearings to get to the bottom of questionable government transactions that have been unearthed by news reporters, cause-oriented organizations and their own sleuths. These have generally been open to the public or, at least, are reported widely in mass media.

The judiciary itself has been concerned about the slow disposition of cases despite Constitutional provisions since 1973 of deadlines during which decisions have to be made. On the principle that "justice delayed is justice denied," the Supreme Court has initiated an experimental procedure, involving a small sample of courts, which will try cases on a continuous basis, in lieu of the sequential procedures being followed at present. This pilot project is too new to be evaluated.

1. The Presidential Commission on Good Government (PCGG)

The executive has its own agencies for enhancing accountability. An unprece dented move was the creation of PCGG which was charged primarily with the return of wealth plundered by officials and cronies of the predecessor-regime and also with the inculcation of higher ethical standards for this and succeeding governments. It is in the first function that the Commission has become both well-known and controversial. Conscious that its activities to retrieve the national wealth must not go beyond the bounds of due process, it has sequestered (instead of confiscating or expropriating) firms and assets allegedly owned or controlled by the fallen dictator. The process of establishing ownership has been difficult since Marcos' legal mind wove a web of legalistic labyrinths that required perspicacious sleuthing. It also extended into several countries such as the United States (where the former president

has since been charged under the Racketeering and Corruption Act), Switzerland, Hongkong and Japan. In addition, the authoritarian government's tenure of over a decade and its leader's personal control over a broad swath of the economy have involved many more people than could actually be embraced by the term "presidential crony." As such, the interlock of enterprises, banks, law firms, accountants, mass media and other sectors appeared to actually engulf the whole society, or more accurately, its elite individuals and families. Indeed, even President Aquino's first cabinet and senatorial/congressional slate included some people who had served Marcos, and, after the first set of commissioners, even PCGG members were being linked to Marcosian interests at one level or another. With such wide Marcosification, opposition to PCGG, however exemplary its conduct, could not have been avoided.

PCGG in fact created some of its own problems. It was prey to some naivete, which it perhaps shared with the rest of the new administration, in putting trust in persons who offered their services with the main qualification of also having opposed Marcos in the past. (Parenthetically, one may assert that everyone underestimated the greed of people who have been out of power for twenty years!) The first problems arose from volunteer fiscal agents, a few of whom threw their weight around sequestered companies, charged very high expenses or did not have the patience to follow the accountability procedures of government. Belatedly, PCGG set up systems for recruitment, training and evaluation, and disciplined its own ranks. Nonetheless, rumors of abuse, fueled by Marcos-connected media, had already tarnished its reputation. It cannot be overemphasized that breach of trust was made by only a few volunteers; the majority proved to be a credit to the service.

PCGG also did not appreciate enough its comparison to Caesar's wife. Two of its first set of commissioners were linked to corruption deals even though neither of the accusations was proven. However unjustly, the public did not disassociate these personal failings from the Commission. Controversies involving sequestered firms also engulfed the next set of commissioners. At the time of this writing, the third set of commissioners face problems of nepotism unearthed by the Civil Service Commission itself.

Also, PCGG became part of the political football. Initially headed by Jovito R. Salonga, a respected former senator-lawyer who was also a close friend of the President's assassinated husband, PCGG gradually lost its standing as a presidential commission since what seemed to linger in the public's mind was Salonga's political rivalry to the president's side of the family. This continued even after Salonga's mantle had been inherited by Ramon Diaz, a highly respected administrator, whose resignation letter hinted of problems between the PCGG and relatives of the president who appeared to have since gained control of some important sequestered firms.

These problems aside, the achievements of PCGG should not be underestimated. It has set up a complex international system for the retrieval of plunder, serving notice to dictators and others inclined toward kleptocracy that crime does not pay. It has stopped the Marcoses from enjoying most of this wealth (although their present lifestyle evidence that they still have a lot under their control) and has brought to their knees a few of their conspirators turned state witnesses. It has been able to return several millions to the Philippine treasury for use in the agrarian reform program.

2. The Presidential Committee on Public Ethics and Accountability

A committee headed by then Presidential Counsel Rene Saguisag was the first body to look into graft and corruption under the new government. However, while it received a big number of letters from the public, it was never fully operational. The President's Committee on Public Ethics and Accountability was formed in 1987 and was headed by Cabinet Secretary Jose P. de Jesus. It regarded graft and corruption as a managerial problem which could be tackled by increasing its risks and decreasing its benefits. It also decentralized graft-busting by placing responsibility for the ethical performance of each department on the head of agency, and appointing action officers in each agency to monitor the performance of its officials and employees and initiate the investigations against them if cause for such be necessary.

PCPEA placed great responsibility on the action officers who were doing these tasks on top of their regular assignments and without additional staff or financial support. As of May 1988, the 39 action officers had filed 1,102 cases and had managed to have dismissed or suspended 18 percent of those involved (Singson 1988). However, some of them became frustrated within a few months because of the perceived lack of support from their agency heads, the dearth of personnel and material assistance, and the absence of regular contact and encouragement from the mother Committee which hardly met. The PCPEA was abolished early in 1989 and its functions transferred to the Ombudsman.

3. Agency Reform Measures

In addition to central anti-corruption measures, individual departments and agencies undertook their own attacks. The Department of Health improved systems of bidding and purchases. After 100 days, DOH reported having saved the government ₱13 M (MOH 1986). Its style includes keeping tab on prices, changing awards committees frequently and involving outsiders (at one point, the Operasyon Walang Lagay) as monitors. DOH was also able to withstand a strong lobby by the pharmaceutical industry, and by one account, the American Chamber of Commerce and the US Embassy itself, in pushing through its National Drug Policy, one

principal aspect of which is the use of generic drugs. The DOH method has also been used by some other departments and local governments with similar results.

The most celebrated single case of battling corruption is that of the Commission on Immigration and Deportation (CID) under Miriam Defensor-Santiago. (She has since moved to the scandal-ridden Department of Agrarian Reform as its new Secretary.) This involves several prongs. On the positive side, it includes the distribution of proceeds of the "express line" - under which clients get faster service - to employees as a regular monthly bonus. Although the amount is about \$10,000 per person monthly for those at the international airport (CID 1988), it is still way below the alleged corruption take of most employees. However, it has the advantage of being aboveboard and also many times over the basic salaries of civil servants at their level (Santiago 1988). CID also instituted an ethics seminar, the graduates of which were posted to the more sensitive areas of the agency's operations, with Commissioner Santiago herself at the forefront.

In addition, Mrs. Santiago got the media on her side. This last aspect has its detractors. Media coverage of Mrs. Santiago did at times border on propaganda, but it must be understood that the support of print and broadcast reporters and columnists was important in allowing the CID to be able to explain its goals and methods to the public, thus as a way of garnering further support. At the same time, it was also a protection against both the threat on one's life and the temptation that may be offered by those disadvantaged by the corruption drive.

CID has also not been lacking in enforcement methods. It has warned and then removed for cause employees found to be still violating the law. Moreover, Mrs. Santiago has not been easy on their clients either, thus striking fear on the hearts of both sides of the transaction (for this reason, increased risk has also increased the cost of corruption, and employees who dare continue the practice can hope for an even bigger pay-off). Mrs. Santiago, recognizing this, has said wryly that it was a protection on her life - no one would kill the person who single-handedly had increased his corruption take (Santiago 1988).

B. The Continuing Problem of Corruption

On the whole then, there have been a number of very positive moves to increase ethics and accountability in government since the start of the Aquino regime. Nevertheless, the problem has continued in alarming proportions. As early as 1987, Cardinal Sin had adverted to the problem in one of his pastoral talks. Opposition leaders have of course never ceased to refer to it. Chief Justice Marcelo Fernan of the Supreme Court also decried courtroom corruption in a speech before the judiciary and members of the bar. Individualistic graft - petty as well as large-scale - and systemic corruption of small and scandalous proportions

continue to take place. Gun smuggling by a legislator, the mysterious sinking of a ship carrying rice, cornering of the buko market, overpricing of land for agrarian reform: these hog the headlines, while small people are subject to harassments by tax collectors, license givers, business inspectors and regulators, and the police, even though they may not have violated any law or ordinance. Varela's ongoing study of the administrative culture (1989) suggests that civil servants themselves believe their organizations continue to nurture corruption, thus confirming what the public decries in survey after survey.

President Aquino seemed incredulous at first, challenging friends and enemies alike to produce documents. But through the last months of 1988 and the early months of 1989, she has referred to the problem in several speeches, challenging the Ombudsman to even catch a "big fish" within a month (the deadline was not met). And in her State of the Nation address on July 24, 1989, she acknowledged the magnitude and gravity of corruption in her government, expressing her sorrow for being criticized for exactly the legacy she wanted to give the nation. In an earlier speech to the National Coalition for Transparency, she had said: Corruption has returned, if not on the same scale, certainly with equal shamelessness (Cagurangan June 20, 1989: 1).

The magnitude of corruption under the Aquino government may be partly a consequence of a press that has been freed from the clutches of a dictatorship. Certainly, the plunder now widely known to have been perpetrated by Marcos was not the citizens' daily reading fare when he was still in office. Another "democratic" factor contributing to the high level of cases filed in the Sandiganbayan and other courts is a sign of increased confidence in the possibility of getting justice (added to the well-known ploy of an accused person trying to get revenge by a countersuit against the first petitioner).

The sense of increased corruption may also be partly resulting from the strong competition of the twenty-or-so metropolitan newspapers for readership that seeks sensational and biting news. The broadcast media has also joined in the fray, such that even a sports talkshow could focus on an alleged corruption scandal (the construction of the Ninoy Aquino Stadium) instead of its usual entertainment and sporting themes. One must likewise take note of the continuing hold of certain "Marcos loyalists" on newspapers and radio stations, which may be expected to regale in putting in broad relief failings of the Aquino administration. Thus, one may concede that part of the perception of widespread corruption is fed by the effects of these factors. Because of these, it is unfruitful to discuss whether or not the extent of corruption at this time is greater or less than or the same as in Marcos' era.

Nevertheless, the fact remains that the number of reported cases is high, and in the eyes of many, higher than what it should be, given a president that after three years is still untainted by rumors of corruption. "Leadership by example" was a major missing factor in attempts to battle corruption in previous regimes. Thus, now that it is here, the fact of continuing corruption becomes even more frustrating.

There are other characteristics of present-day corruption that bear notice. First, because of the moral standards of the president, corruption has become less "centralized" and more "democratic." A number of syndicates continue to exist - for instance, in Customs, CID, BIR, even DAR - but these do not seem to be orchestrated from the center and up to now have not been alleged to be paying dues to the person at the top (this may also be one reason for the reported magnitude of corruption). There are also a number of top officials aside from the President whose integrity remains unquestioned.

Second, corruption scandals fester because they stay in newspaper headlines for a long time before something is done about them. Protection of the high official appears to rate higher than protection of the service, such that the whole department or program is stigmatized before the accused "go on leave." Often, this is at the instance of the person himself, who, however, does not do it immediately but who is later wearied out by the continuing pressure of investigations and newspaper headlines. Preventive suspension which is meted out to lower-level employees has not been given to the most prominent officials.

This is not to say that when one is accused, one is immediately presumed guilty. However, it does suggest that the continued stay in office of a person so accused, especially if a big fish, affects public perception of the program negatively. And the official being unable to prepare for his defense while continuously interrupted in trying to do other work, will not help either. Thus, a decisive action at the outset would be kind to both the government and the official in hot water.

Third, the protective mantle around top officials reinforces the already mentioned distance between the civil service and the executive leadership. A working paper of the Committee to Energize the Bureaucracy (1989) seems to regard corruption as largely, if not purely, a bureaucratic phenomenon, with the executive leadership seen practically as hapless victims of the manipulations of their subordinates. This was also the implicit defense of the former Secretary of Agrarian Reform. This attitude is surprising in a government that originally regarded corruption as a management problem, but faced with its continuation, absolves management of responsibility. Role modeling is not simply, for an executive, keeping one's hands clean. It must also include competent administration - which

always includes knowledge of, and control over, the various processes and performances of the people below him or her. Our rules still require that transactions of a certain magnitude should NOT be delegated. This is not merely a centralizing device but a means to ensure executive responsibility. In addition, it must also involve decisive action against those who do dirty their hands, whatever the cost. This kind of management was what was most admirable about Miriam Santiago's performance in the CID.

VI. SUMMARY AND CONCLUSIONS

Because of the broadness of the field of public administration, this paper has only managed to assess four key areas of public administration. Two - the role of government, and ethics and accountability - center on the criteria submitted by the PCGR as values that Aquino's administration should exemplify. The remaining two describe important personnel and organizational changes that profoundly affect the way the government will be able to deliver on the promises of power dispersion and ethical performance.

A. The Role of Government

In the last three years, and with the commitment to redemocratization, the government has expanded significantly. The expansion took place not only because of the installation of a legislative structure but also because of the reality of parliamentary lawmaking itself. It has also expanded due to the demands of human rights and justice, as it has attempted to retrieve stolen wealth, minimize violations of civil liberties as well as provide more comprehensive programs of agrarian reform and education. And although it had attempted to reduce its presence in the economy, its pace on this score has been slow. This is not an altogether negative development since privatization and some forms of public participation may lead to the stronger control of foreign as well as domestic dominant groups and a corollary weakening of the voices of those for whom social justice is proclaimed.

B. Personnel Changes

The political leadership and the civil service have drastically changed in size, composition and orientation in the last three years. Among its salient features are changes in the political leadership, purges and high turnover, the use of volunteers, the salary structure, the rise of employee organizations and the new militarization of the civilian force. The cabinet is now largely a technocratic group instead of the political personages that dominated the original body. It has increasingly been moved towards the center, as persons represent-

ing diverse views of the left and the right have been changed by less ideological, more technically minded persons. In the civil service, meanwhile, the evaluation of all personnel and the summary dismissal or courteous demand for the resignation of others have produced a lot of instability and demoralization, leading to service slowdown lest mistakes be made. This has grave implications on what may be expected as results of government performance.

Despite the removal of large numbers of personnel, the bureaucracy actually increased, as new persons, largely from the private sector and sometimes coming in initially as volunteers, have been absorbed. The military presence in the non-authoritarian government has not actually diminished, as was expected, since retired generals now occupy what have been reserved for civilians in the defense structure. Also, soldiers continue to be called to perform as soldiers in what are essentially civilian programs.

Pressures for changes in salary were made almost as soon as the new government came in. It has responded with a number of piecemeal efforts, culminating in the Salary Standardization Law of 1989. While the magnitude of salary changes over the last three years have been positive and large, differentials have been in favor of CEOs and other top officials who also continue to receive other incentives in cash and kind. Moreover, wage increases for those at the bottom have occurred only after much pressure and protest from their organizations.

In fact, a marked feature of the Aquino dispensation is the rise of employee organizations. They have increased in number as the civil servants' defense against purging and poor working conditions. A few, however, have also started to become instruments for demanding ethics and accountability from their superiors.

C. Government Reorganization

The bureaucracy under Aquino has changed its profile as it has regularized, abolished or privatized public enterprises; created, strengthened or removed regular departments; and modified positions and units in regular departments. The reorganization process has not been as participatory and transparent as it had proclaimed. Moreover, plans have been frequently changed or left pending for a long time, adding to the uncertainty and fear of the persons to be affected. On the whole, it has maintained the general structure created by the Integrated Reorganization Plan of 1972, with public enterprises attached to relevant sectors, and central offices becoming staff agencies, with the regional levels as the line units. It has not fought successfully the gigantism of the Marcosian bureaucracy nor has it dismantled its propaganda network.

Decentralization was discussed in terms of four types: delegation, deconcentration, devolution and privatization. The first looked largely at centralization and the office of the president, and pointed to its expansion, increasing tightness and desire for personally handling matters that contribute to the perception of centripetality in this aspect. Within the departments, this is complemented by the increase in the number of executives throughout the agency.

Deconcentration, on the other hand, may be evidenced by the greater expansion of regional vis-à-vis central offices, although this is somewhat dampened by the relatively high increases of executives even at regional levels. Fund allocations directly to regions and individual moves of various departments also move towards giving greater powers to regional offices.

The devolution experience is towards both the regional and provincial levels. At the region, two of the most underserved will enjoy autonomy due to the successful demand of their population who are cultural communities and have not felt equal treatment with the rest of the Filipinos.

At the province, the experiment in autonomy is granted to four of the richest units. At least one of these attempts to operationalize equity and community participation at the provincial level that presage appropriate handling of local autonomy, if finally granted.

It is interesting to note that regional and provincial autonomy has been granted to the poorest and richest, respectively. The contrasts suggest that the policymakers have not yet made a decision as to which would be the appropriate level of development. Either one can be the focus of devolution but the choice of one or the other can have important implications on power and resource allocations and on popular support that have to be thoroughly discussed and understood.

D. Ethics and Accountability

To de-Marcosify is to change ultimate and instrumental values of the political system. Among the instrumental values, ethics and accountability issues, reduction of red tape, avoidance of waste and increase of productivity take first priority. This has included the passage of new laws, the inculcation of or re-orientation towards ethical norms, and the creation and strengthening of agencies to check and improve methods of performance such as the constitutional commissions, presidential and cabinet committees, legislative oversight committees, and nongovernmental organizations.

Despite all these efforts, the clear message is that graft and corruption continues throughout the political system. Partly, this is a result of reporting, which in turn can be traced to the

greater freedoms enjoyed by the press and the populace at large. At the same time, however, one must acknowledge that it is occurring, and that both behavior and culture still seem supportive of graft. More decisive action against it and against high officials who undertake it would be needed if we are to look forward to some minimization. "Leadership by example" should mean not only non-involvement in corruption, but successful enforcement and acceptance of management responsibility for controlling it.

On the whole, the performance of the Aquino administration in the area of public administration at mid-term is mixed. A number of important initiatives in expanding the social and democratizing programs, decentralization and enhancing accountability have been made. It is expected that as reorganization is completed, the bureaucracy will finally stabilize and be better able to undertake its assigned programs, particularly with the initiation and implementation of its value-development strategies. However, there are still many areas that need special attention. Decentralization is a centrifugal program. This means "letting go" and developing and recognizing the capacities of those at the bottom and not only those of the topmost political leadership. Moreover, more information is needed regarding if and how current devolution and deconcentration efforts actually result in services and empowerment for the people. Beyond this, selective targeting also needs to be enhanced.

Corruption continues to eat at the fiber of the nation. Fighting speeches must be coupled with decisiveness in cleaning up processes as well as in hurting the people who bleed the country dry. The advantage of finally having a role model in Malacañang should not be dissipated.

Finally, to proclaim democracy is not enough. The government must seriously consider how the mission of the state will change in this light, especially how it must change directions to deliver not only services but also social justice to the underprivileged and independence to the whole nation.

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Appendix 1
REORGANIZATION EXECUTIVE ORDERS (REOs)

I. EXECUTIVE ORDERS CREATING OFFICES: 30

Constitutional bodies: (3)

Human Rights Commission, EO 163, EO 163-A
Office of the Ombudsman, EO 243
Office of the Special Prosecutor, EO 244

Converted/Renamed: (12)

Presidential Commission on Government Reorganization, EO 5
Sugar Regulatory Administration, EO 18
Philippine Information Agency, EO 100
Philippine Convention and Visitors Corp., EO 120-A
Office of Muslim Affairs, EO 122-A, EO 295
Office for Southern Cultural Communities, EO 122-B, EO 294
Office for Southern Cultural Communities, EO 122-C, EO 293
Energy Regulatory Board, EO 172
Land Transportation Franchising and Regulating Board,
EO 202
National Intelligence Coordinating Agency, EO 246
Kalinga Special Development Project, EO 302
National Tobacco Administration, EO 245

New Offices: (15)

Presidential Commission on Good Government, EO 1, EO 13
Presidential Committee on Human Rights, EO 8
Board of Administrators for BBC, RPN and IBC, EO 11
Presidential Committee for the Urban Poor, EO 82
HUDCC, EO 90
Agricultural Credit Policy Council, EO 113
Presidential Commission on Culture and Arts, EO 118
Corporate Affairs Group, EO 127-A
Council for Investments in Trade, Industry, Tourism,
Agriculture, Natural Resources, Transportation and
Communications, EO 136
Presidential Blue Ribbon Commission, EO 150
Aurora Integrated Area Development Project Office, EO 265
Presidential Council for Youth Affairs, EO 274
Sequestered Assets Disposition Authority, EO 286
Council of State, EO 305
Energy Coordinating Council, EO 338

II. EXECUTIVE ORDERS REORGANIZING OFFICES: 45

Ministries/Departments : (18)

Budget and Management, EO 86
 Agriculture, EO 116,
 Education, Culture and Sports, EO 117
 Health, EO 119
 Tourism, EO 120
 Social Welfare and Development, EO 123, EO 231
 Public Works and Highways, EO 124, EO 124-A
 Transportation and Communications, EO 125, EO 125-A, EO 201,
 EO 266 (third amendment)
 Labor and Employment, EO 126, EO 251
 Finance, EO 127
 National Science and Technology Authority (Now DOST), EO 128
 Agrarian Reform, EO 129, EO 129-A
 Natural Resources, EO 131, EO 131-A
 Trade and Industry, EO 133, EO 242, EO 242-A
 Energy (Now Office of Energy Affairs), EO 193
 National Economic and Development Authority, EO 230
 Foreign Affairs, EO 239
 Local Government, EO 262

Constitutional Commissions: (3)

Civil Service Commission, EOs 67, 667-A and 181
 Commission on Audit, EO 19
 Commission on Elections, EO 57

Public Enterprises: (4)

Philippine National Bank, EO 80
 Development Bank of the Philippines, EO 81
 Philippine Coconut Authority, EO 146
 Philippine National Oil Company, EO 171

Other Offices/Agencies: (18)

Office of the President, EO 3
 National Labor Relations Commission, EO 47
 National Security Council, EO 115
 National Census and Statistics Office, EO 121
 Metropolitan Manila Flood Control and Drainage Council,
 EO 124-B
 Presidential Management Staff, EO 130, EO 241
 Population Commission, EO 160
 National Council for the Welfare of the Disabled Persons,
 EO 232
 Council for the Welfare of Children, EO 233
 National Nutrition Council, EO 234
 Cabinet Secretariat, EO 237
 Office of the Vice-President, EO 240

Philippine Overseas Employment Administration, EO 247
 Office of the Press Secretary, EO 297
 Office of the Solicitor General, EO 300
 Regional Development Councils, EO 308
 Peace and Order Council, EO 309, EO 320
 Local Development Councils, EO 319

Two other executive orders transfer the agencies' attached to the Ministries of Human Settlements and Energy to the Office of the President.

III. EOS ABOLISHING OFFICES: 6

Economic Support Fund Council, EO 15
 Ministry of Human Settlements and Office of Media Affairs,
 EO 85
 Office of Muslim Affairs and Cultural Communities, EO 122
 Presidential Blue Ribbon Commission, 150-A
 Presidential Commission on Government Reorganization,
 EO 165
 General Services Administration, EO 285

IV. AMENDMENTS/SUSPENSION: 20

1. EO 13: PCGG
2. EO 67-A: CSC
3. EO 181: CSC
4. EO 124-A: DPWH
5. EO 125-A: MOTC
6. EO 129-A: DA
7. EO 131-A: DENR REO suspension
8. EO 163-A: CHR
9. EO 192: DENR
10. EO 201: Further Amending DOTC REO
11. EO 231: DSWD
12. EO 241: PMS
13. EO 242: DTI
14. EO 242-A: DTI
15. EO 251: DOLE
16. EO 266: DOTC (third amendment)
17. EO 320: Peace and Order Council
18. EO 293: OSCC
19. EO 294: ONCC
20. EO 295: OMA

TOTAL REOs: 101

REOs ISSUED FROM JULY 22 TO JULY 26, 1987

1. Reorganization: 15

Metro Manila Flood Control Council, EO 124-B, July 22, 1987
 National Economic and Development Authority, EO 230, July 22, 1987)
 National Council for the Welfare of the Disabled Persons, EO 232, July 22, 1987
 Council for the Welfare of Children, EO 233, July 22, 1987
 National Nutrition Council, EO 234, July 22, 1987
 Cabinet Secretariat, EO 237, July 22, 1987
 Department of Foreign Affairs, EO 239, July 24, 1987
 Office of the Vice-President, EO 240, July 24, 1987
 Philippine Overseas Employment Administration, EO 247, July 24, 1987
 Department of Local Government, EO 262, July 25, 1987
 Office of the Press Secretary, EO 297, July 25, 1987
 Office of the Solicitor General, EO 300, July 26, 1987
 Regional Development Councils, EO 308 (Official Gazette, November 9, 1987)
 Peace and Order Council, EO 309 (Official Gazette, November 16, 1987)
 Local Development Councils, EO 319 (Official Gazette, March 7, 1988)

2. EOs Creating Offices: 11

Corporate Affairs Group, EO 127-A, July 22, 1987
 Office of the Ombudsman, EO 243, July 24, 1987
 Office of the Special Prosecutor, EO 244, July 24, 1987
 National Tobacco Administration, EO 245, July 24, 1987
 National Intelligence Coordinating Agency, EO 246, July 24, 1987
 Aurora Integrated Area Development Project Office, EO 265, July 25, 1987
 Presidential Council for Youth Affairs, EO 274, July 25, 1987
 Sequestered Assets Disposition Authority, EO 286, July 25, 1987
 Kalinga Special Development Authority, EO 302, July 26, 1987
 Council of State, EO 305
 Energy Coordinating Council, EO 338

3. Amendments: 12

4. EOs Abolishing Offices: 2 (GSA, PBRC)

Appendix 2
RATE OF INCREASE (DECREASE) OF PERSONNEL
BEFORE AND AFTER REORGANIZATION, 1987 AND JANUARY 1989

SECTOR	NUMBER OF PERSONNEL		INCREASE (DECREASE)	PERCENTAGE
	BEFORE	AFTER		
<hr/>				
I. ECONOMIC				
1. Department of Agriculture				
CO	5472	4825	-647	-11.82
RO	22938	25081	2143	9.30
Total	28410	29906	1496	5.27
National Nutrition Council				
CO	100	90	-10	-10.00
RO	40	52	12	30.00
Total	140	142	2	1.30
2. Department of Agrarian Reform				
CO	741	1177	436	58.84
RO	8423	13370	4947	58.73
Total	9164	14547	5383	58.74
3. Department of Environment and Natural Resources				
CO	5868	3847	-2021	-34.40
RO	16748	20970	4222	25.21
Total	22616	24817	2201	9.79
4. Department of Public Works and Highways				
CO	3315	2716	-599	-18.06
RO	15850	16626	776	4.82
Total	19165	19342	177	0.92
5. Department of Tourism				
CO	894	506	-388	-43.40
RO	231	287	56	24.24
Total	1125	793	-332	-29.51
6. Department of Trade and Industry				
CO	1132	1271	139	12.28
RO	713	1846	1133	158.90
Total	1845	3117	1272	68.94

Appendix 2 (cont'd)

SECTOR	NUMBER OF PERSONNEL		INCREASE (DECREASE)	PERCENTAGE
	BEFORE	AFTER		
7. Department of Transportation and Communications				
CO	27475	27519	44	0.16
RO	3214	3238	24	0.75
Total	30689	30757	68	0.22
8. Office of Energy Affairs				
CO	523	388	-135	-25.81
RO	52	-	-52	-100.00
Total	575	388	-187	-32.52
9. Energy Regulatory Board				
CO	192	250	58	30.20
RO	-	-	-	-
Total	192	250	58	30.20
II. SOCIAL SERVICES				
1. Department of Education, Culture and Sports				
CO	2659	2453	-206	-7.75
RO	356445	389660	33215	9.31
Total	359104	392113	33009	9.19
2. Department of Health				
CO	2110	2603	493	23.36
RO	59247	65223	5976	10.09
Total	61357	67826	6469	10.54
Philippine Medical Care Commission				
CO	2235	438	-1797	-80.40
RO	-	-	-	-
Total	2235	438	-1797	-80.40
3. Department of Labor and Employment				
CO	878	956	78	8.88
RO	1239	1490	251	20.26
Total	2117	2446	329	15.54

Appendix 2 (cont'd)

SECTOR	NUMBER OF PERSONNEL		INCREASE (DECREASE)	PERCENTAGE
	BEFORE	AFTER		
A. Philippine Overseas Employment Administration				
CO	429	535	106	24.71
RO	-	-	-	-
Total	429	535	106	24.71
B. National Labor Relations Council				
CO	160	217	57	35.62
RO	556	634	78	14.03
Total	716	851	135	18.85
4. Department of Social Welfare Development				
CO	473	502	29	6.13
RO	5006	6478	1472	29.40
Total	5479	6980	1501	27.40
A. National Council for the Welfare of Disabled Persons				
CO	66	79	13	19.70
RO	-	-	-	-
Total	66	79	13	19.70
B. Council for the Welfare of Children				
CO	23	23	0	0
RO	-	-	-	-
Total	23	23	0	0
C. Commission on Population				
CO	267	131	-136	-50.94
RO	324	401	77	23.76
Total	591	532	-59	-9.98
5. Office of Muslim Affairs				
CO	174	201	27	15.52
RO	713	621	-92	-12.90
Total	887	822	-65	-7.33
6. Office of Northern Cultural Communities				
CO	0	130	130	0
RO	0	323	323	0
Total	0	453	453	0

Appendix 2 (cont'd)

SECTOR	NUMBER OF PERSONNEL		INCREASE (DECREASE)	PERCENTAGE
	BEFORE	AFTER		
7. Office of Southern Cultural Communities				
CO	106	130	24	22.64
RO	713	733	20	2.80
Total	819	863	44	5.37
8. Kalinga Special Development Authority				
CO	61	64	3	4.92
RO	-	-	-	-
Total	61	64	3	4.92
III. GENERAL GOVERNMENT SECTOR				
1. Department of Finance				
CO	6187	5413	-774	-12.51
RO	14864	14662	-202	-1.36
Total	21051	20075	-976	-4.64
2. Department of Foreign Affairs				
CO	1717	1741	24	1.40
RO	-	-	-	-
Total	1717	1741	24	1.40
3. Department of Local Government				
CO	787	829	42	5.34
RO	4762	5020	258	5.42
Total	5549	5849	300	5.41
4. Office of the Vice President				
CO	83	125	42	50.60
RO	-	-	-	-
Total	83	125	42	50.60
5. Cabinet Secretariat				
CO	29	48	19	65.52
RO	-	-	-	-
Total	29	48	19	65.52

Appendix 2 (cont'd)

SECTOR	NUMBER OF PERSONNEL		INCREASE (DECREASE)	PERCENTAGE
	BEFORE	AFTER		
6. Presidential Management Staff				
CO	241	338	97	40.25
RO	-	132	132	0
Total	241	470	229	95.02
IV. SUPPORT SERVICES SECTOR				
1. Department of Budget and Management				
CO	1574	1368	-206	-13.09
RO	495	547	52	10.50
Local Budget Officers	-	1669	-	-
Total	2069	3584	1515	73.22
2. Department of Science and Technology				
CO	4336	3601	-735	-16.95
RO	1286	1167	-119	-9.25
Total	5622	4768	-854	-15.19
3. National Economic Development Authority				
CO	788	720	-68	-8.63
RO	505	754	249	49.30
Total	1293	1474	181	13.99
4. Office of the Press Secretary				
CO	1628	1122	-506	-31.08
RO	-	-	-	-
Total	1628	1122	-506	-31.08
5. National Statistical Coordination Board				
CO	103	169	66	64.08
RO	-	-	-	-
Total	103	169	66	64.08
6. National Printing Office				
CO	1533	851	-682	-44.49
RO	-	-	-	-
Total	1533	851	-682	-44.49

Appendix 2 (cont'd)

SECTOR	NUMBER OF PERSONNEL		INCREASE (DECREASE)	PERCENTAGE
	BEFORE	AFTER		
V. CONSTITUTIONAL OFFICES SECTOR				
1. Commission on Audit				
CO	1149	6427	5278	459.36
RO	14941	8789	-6152	-41.18
Total	16090	15216	-874	-5.43
2. Civil Service Commission				
CO	660	663	3	.45
RO	750	788	38	5.07
Total	1410	1451	41	2.91
3. Commission on Human Rights				
CO	258	306	48	18.60
RO	206	328	122	59.22
Total	464	634	170	36.64
VI. CORPORATIONS				
1. PEFLGC <u>a/</u>	127	233	106	83.46
2. PCVC <u>b/</u>	154	220	66	42.86
3. SSS <u>c/</u>	3102	3611	509	16.40
GRAND TOTALS	610070	659725	49655	8.14

a/ Philippine Export and Foreign Loan Guarantee Corporation.

b/ Philippine Convention and Visitors Corporation.

c/ Social Security System.

Source: Department of Budget and Management, January 1989.

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