

# Reengineering the Bureaucracy, Philippine-Style

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*At the instance of the Executive, the Philippine Congress has processed the legislation of the reengineering of the bureaucracy. This reengineering is not simply a reorganization; at its core is the assertion of a "new paradigm of governance." The new paradigm is actually an adoption of the principle of "steering rather than rowing." The bone of contention is the interpretation and the contextualization of "steering rather than rowing." Current efforts to reengineer the Philippine bureaucracy constitute attempts at following the global vogue without appreciating specific contexts and conditions.*

The 3Rs—i.e. reinventing, reengineering, and redefining—are the new buzzwords to describe the intellectual, political, and organizational trends in government and governance.

Osborne and Gaebler's *Reinventing Government*, first published in 1993, was some sort of trailblazer though the authors themselves acknowledge their work was a product and synthesis of the ideas and experiences of other people.<sup>1</sup> The Philippines has jumped into the bandwagon of reinventing government. More to the point, the Ramos administration wants to legislate reinventing and reengineering.

In the House of Representatives, the Committee on Government Reorganization and the Committee on Appropriations have recommended the approval of House Bill No. 5671 titled: "An Act to Reorganize the Executive Departments, Bureaus, Offices, and other Instrumentalities of the Government, including Government-Owned or Controlled Corporations." In the Senate, similar bills are up for deliberation at the committee level.<sup>2</sup> All the bills draw heavily from "Re-engineering the Bureaucracy for Better Governance: Principles and Parameters" (PCSB 1995), henceforth called "Re-engineering."

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### Broadening the Perspective

From an international perspective, the impetus to reinvent government or reengineer the public sector is the globalization of capital and technology and its impact on national economies.

Yet, the private sector was the first to reengineer. After all, the private sector is the most affected by globalization and heightened competition. Private corporations, thanks to their natural ability to adapt to market signals, set in motion the processes of reorganizing and retooling. This, in turn, increased the demand for Peter Druckers to provide a new universe for management theory and practice in the era of globalization.

At first blush, the need for the public sector to reinvent and reengineer in response to globalization was not evident. To quote Halachmi and Bouckaert (1995: 323):

After all, what are the odds that foreign agencies will move in to offer a competing service to welfare recipients? To the unemployed? Or to the clients of the tax collectors like the Internal Revenue Service? Yet, public agencies must be ready, and they may play an important role in global competition. For example, government agencies that are effective and efficient can help organizations in the private sector cope successfully with the ever-changing matrix of global forces.

Osborne and Gaebler (1993: 33) further explain:

If corporations are to succeed in today's supercompetitive global market, they need the highest quality "inputs" they can get—the most knowledgeable workers, the most ground-breaking research, the cheapest capital, the best infrastructure. This makes government's various roles as educator, trainer, research funder, regulator, rule-setter, and infrastructure operator far more important than they were 30 years ago.

From another angle, nation-states have to adjust to the forces dominant in globalization. Private finance and transnational corporations have gained the upper hand in the inexorable globalization process. A study written by Sarah Anderson and John Cavanagh (1996) for the Institute for Policy Studies, titled *The Top 200*, says that private corporations make up the majority of the world's top 100 economies.<sup>3</sup>

Transnational corporations, too, have proven their capability to subordinate nation-states. Note, for example, the sensitivity of nation-states (including the developed ones) to the volatile movement of international capital. The Mexican crisis that erupted in December 1994—even as it was primarily caused by endogenous factors—is nevertheless illustrative of how global capital can first bring down and then resuscitate a national economy.

The dominance of private capital has likewise led to the onslaught of privatization. It is important to stress that the worldwide "privatization movement" has triggered a crisis in public administration (Haque: 1996: 510-36). Worse, "the privatization movement" is armed with an ideology that is anti-public service. Haque (1996: 514) says: "The attack on the public service has generated both political pressure and economic interest to reduce its scope and role and reorient its norms and objectives."

Strangely, the globalization factor, including the threat it brings, is missing from the Philippine initiative to reinvent government and reengineer the bureaucracy. The key documents, including "Re-engineering," the mother of all documents, as well as the recommended House Bill (House Bill No. 5671) and several Senate Bills do not have a word on the impact of globalization.<sup>4</sup> Is this a simple inadvertent omission? Or is this a reflection of a narrow, insular perspective?

Whatever it is, it already provides a glimpse of the quality—in particular, the rigor—of the formulation of the principles and parameters behind the reengineering effort.

But before delving into that, it is necessary to describe what the Philippine version of reengineering the bureaucracy is.

### **An Introduction to Reengineering the Philippine Bureaucracy**

The document "Re-engineering" is first of all an affirmation of "a new paradigm of governance." The opening statement of Chapter 1 goes:

Good government can no longer be achieved simply by working more, harder, longer, and faster. Effective governance can no longer be realized simply by assuming the main responsibility for all societal concerns. Efficient government administration can no longer be maintained simply by correcting the superficial symptoms of a dysfunctioning bureaucracy (PCSB 1995: 1).

With that as premise, "Re-engineering" puts forward a new set of principles of governance, namely: (1) frugality and prioritization, (2) steering, and (3) compartmentalization (PCSB 1995: 2-18). From these principles flow the definition and explanation of the following:

- Government's main responsibilities
- Government's relationship with the private sector
- Government intervention and regulation
- Provision of public goods
- Distribution of functions among levels of government
- Administrative structural framework

Although the reorganization of the bureaucracy, specifically the executive branch, is the ultimate objective, the most problematic issues revolve around the espousal of a new philosophy, or what "Re-engineering" calls a new vision, a new paradigm of governance.

Professor Ma. Concepcion P. Alfiler of the UP College of Public Administration has noted that what makes the proposed reengineering law qualitatively different from past reorganization laws is that the former advances a fundamental philosophy.<sup>5</sup> The heart of the issue—or shall we say the controversy—is the philosophy itself together with the ambiguity of the terms and parameters.<sup>6</sup>

In this regard, the reorganization of the bureaucracy per se is not a problem. The government invariably has to respond to changing social, economic and political conditions both on the national and international fronts. Along this line, to quote Root (1995: 9), "[g]ood policies by themselves are insufficient if doubts about the quality of public sector management undermine social support for the policies." In other words, to capably address the new conditions, the reform of administrative systems, including reorganization, is necessary.

### **Immediate Relevance of Reengineering**

Off the bat, one can cite a number of internal and external factors that make reorganization at this time relevant: the decentralization of power and devolution of services, the rise of credible nongovernmental organizations (NGOs) and civil society institutions, the increasing demand for public goods amid the low tax collection effort, the information revolution, the integration of regional economies, and globalization itself.

Government reorganization has occurred five times in the post-independence period, an average of one reorganization every eight years (Cola 1993: 382). The last reorganization took effect a decade ago, during the transition period of Aquino's revolutionary government.<sup>7</sup>

Furthermore, the ostensible goals of reorganization in 1946, 1950, 1954, 1968, and 1986 are more or less the same: economy and efficiency and at times, simplicity and effectiveness (Cola 1993: 385). A variable goal common in the 1968 and 1986 reorganization is to attune the bureaucracy to economic and social development (Cola 1993: 385). The goals of the new restructuring proposal—now pending in Congress—are no different from the above though with a different context.

That the reengineering program is seeking legislation is likewise regular. Cola (1993: 383) states that the requirements for reorganization "are provided

through an enabling act which also defines the work that the reorganization must accomplish."<sup>8</sup> In consonance with this, the Department of Budget and Management has opined that the power to reorganize is legislative unless delegated.<sup>9</sup>

In a word, the proposed reorganization (or reengineering) program is nothing extraordinary, if not for its philosophy and "new paradigm of governance." The significance then of passing a law on reengineering the bureaucracy is:

In the absence of a law which enshrines the Principles of Governance and identifies the power, scope, functions, and organization of government, there will be no philosophical basis for future reorganization and streamlining efforts (PCSB n.d.: 26).

### **The Problem of Defining the Philosophy**

The philosophy of this new reengineering program borrows substantially from Osborne and Gaebler's *Reinventing Government*. Osborne and Gaebler (1993: 25) define catalytic government as "steering rather than rowing."

Governments that focus on steering actively shape their communities, states, and nations. They make *more* policy decisions. They put *more* social and economic institutions into motion. Some even do *more* regulating. Rather than hiring more public employees, they make sure *other* institutions are delivering services and meeting the community's needs.

A central message of "Re-engineering" (PCSB 1995: 5) is thus: "The role of the national government in the sectors shall be to steer rather than to row."

The bills in Congress say the same thing. House Bill No. 5671 states: "The proper role of government in the various sectors shall be on steering and mobilizing the instruments that contribute to achieving sectoral objectives." The Shahani Bill (S.B. No. 1374) says: "The role of the national government in the sectors shall be to steer rather than to row." In the Ople Bill (S.B. No. 636), "The proper role of government in the various sectors shall be steering and mobilizing the instruments that contribute in the achievement of sectoral objectives."

The principle of steering is unquestionable. The problem with Philippine reengineering, however, is found in the interpretation, contextualization, and application of the principle. One must note that the formulations of Osborne and Gaebler possess significant nuances, contexts, and qualifications (Sta. Ana 1996: 3).

In elaborating the principle of steering, "Re-engineering" defines the government relationship with the private sector (PCSB 1995: 6):

- a) Government will strive to let the market operate by itself. It will establish a stable policy environment, set minimum and appropriate rules and provide information, rather than directly engage in the provision and production of goods and services;
- b) The private sector will be encouraged to share, to the extent possible, in the responsibility and the cost of the provision of public goods and services;
- c) The private sector will assume the primary responsibility for the production of public goods and services.

The Bills in Congress echo the same line. House Bill No. 5671 declares: "To the extent possible, government shall limit direct provision and productions (sic) of public goods and encourage more private sector participation." The Shahani Bill (S.B. No. 1374), arguably the more comprehensive and elaborative bill in the Senate, states under the rubric of the principle of steering: "The government shall, to the extent possible, assume an indirect role in the sectors, intervening through market mechanisms. It shall likewise find ways to create conditions to stimulate more private sector participation." Uncannily, the Drilon Bill (S.B. No. 1111) contains the same words and phrases used by Shahani (or is it the other way around?): "the State shall [a]ssume an indirect role in the sectors, intervening through market mechanisms creating thereby conditions to stimulate more private sectoral participations (sic)."

How government defines its relationship with the private sector—as enumerated above—is in a manner tantamount to subordinating government to the market and the private sector. Nowhere in *Reinventing Government* can one find a statement agreeing "to let the market operate by itself" or let the private sector "assume the primary responsibility for the production of public goods and services."

On the contrary, Osborne and Gaebler (1993: 35) stress:

Government agencies remain as service providers in many cases—although they often have to compete with private producers for that privilege. But these public service producers are separate from the policy management organizations, and "in-house production" is only "one of the available alternatives."

In other words, *Reinventing Government* (Osborne and Gaebler 1993: 35-37) prefers "steering organizations that shop around" for multiple service providers, *including the public sector*, to promote comprehensive solutions, specialization, flexibility, experimentation, and accountability. Steering is

separated from rowing in order that the people involved in policymaking can focus on developing holistic, comprehensive strategies and mobilizing "many different oarsmen (oarspeople?)," composed of nongovernment and government personnel, to carry out the strategies.

To put it another way, *Reinventing Government* dismisses the idea that "government cannot compete with business." Further: "Not only can it compete, it can win." In identifying the types of competition, it includes "public versus private competition" and "public versus public competition." It likewise dwells on government agencies competing for internal government services (Osborne and Gaebler 1993: 84-92).

All this, to be sure, does not in any way indicate that "the private sector will assume the primary responsibility for the production of goods and services." Neither does it suggest that government "shall limit the direct provision of goods" and "assume an indirect role in the sectors."

Furthermore, while *Reinventing Government* advocates a market-oriented government, it frowns on "letting the market operate by itself" (Osborne and Gaebler 1993: 282-84). The key is for governments to "use their immense leverage to structure the market." Osborne and Gaebler clarify this "*has nothing to do with conservative calls to 'leave it to the market,'* however. *Structuring the market to achieve a public purpose is in fact the opposite of leaving matters to the 'free market' (italics mine)*—it is a form of *intervention* in the market."

In a word then, even if the current Philippine version of reengineering the bureaucracy adopts in words the progressive principle of steering, it does not give justice to the substance of the principle. In fact, it distorts the meaning of the principle.

### The Ambiguity of Key Concepts

The problematic philosophical basis of reengineering the Philippine bureaucracy is likewise related to the vagueness or lack of definition of key concepts. Alfiler has raised this crucial point; specifically, she proposes that fundamental terms such as "public goods" and "privatization" be clearly defined and that the responsibilities of governance and the parameters of reorganization be distinctly drawn.<sup>10</sup>

Take, for example, the definition of the private sector. In conventional usage, it refers to that part of the economy that makes up the privately owned companies, or to be more exact, companies for profits. However, the prevailing tendency is to counterpoise or counterpoint the private sector with the public sector. The private sector is defined in relation to the public sector.

However, such a construct does not help locate other nongovernmental groups or entities that are not "for-profit" organizations. Osborne and Gaebler (1993: 43-45, 347-48) recognize the strengths of these voluntary or nonprofit organizations,<sup>11</sup> which they categorize as the "third sector."

In this regard, it is lamentable that not one of the principles guiding the government reengineering program recognizes the role of the "third sector" in the provision of services or the production of goods. The reorganization bills in the Senate and the House also fail to define the role of this sector.

Needless to say, the third sector can perform better than the private sector in many areas such as promoting equity, social cohesion, and values. The "third sector" organizations also have the comparative advantage in commitment, compassion, trustworthiness, and close links with the people.

To be sure, the definition of "public" likewise needs reexamination. According to De Guzman (1993: 4, 9) "public" in its traditional meaning connotes "governmental," but a new interpretation of "public" refers to "people." Thus, "public administration may refer to cooperative human action whether within the public bureaucracy, the private sector, or in nongovernmental organizations aimed at delivering services to the people." Hence, the emergence of "alternative delivery channels" is a new field of study.

Furthermore, Haque (1996: 524) says the "common tendency... to identify the public with the state or government, irrespective of its nature, role, and ideology... leads to fundamental conceptual problems." Examples abound in which states serve the interests of the elite and not the public. A competing interpretation of "public" comes from the public choice school of thought. Haque (1996: 524), however, argues that the public choice interpretation is weak, for its underlying premise of selfish, atomized individuals seeking maximum utility already contradicts "the idea of the public that implies the existence of consciously interactive and cooperative individuals with some common bond."

The definition of public goods vis-à-vis private goods is likewise problematic. For example, "A Primer on the Reengineering of the Bureaucracy" (PCSB n.d.: 3) cites the "dysfunctions" in bureaucracy, questioning among other things government's "direct responsibility even for the production of private goods." The bad part is it classifies "maintenance/operation of radio and television station" and "development and maintenance of parks and tourist spots" as production of private goods!

Indeed, good riddance with, say, the care and maintenance of breeding horses, but to lump together maintaining parks and breeding horses under the rubric of private goods is utterly abominable. Apparently, the formulators of



"Re-engineering" have forgotten about the exclusion principle<sup>12</sup> and the payments principle<sup>13</sup> as criteria to distinguish a private good from a public good. Further, in the real world, many goods are partly public and partly private.

The mention of parks (and hence gardens) reminds me of a statement and account by Nove. Nove uses "the planting of attractive followers in a neighbour's garden" as an example of "externalities" beneficial to society. And he asserts that

instances exist, and are recognised by all schools and ideologies, in which (such) externalities matter.... In our modern world the number of instances in which externalities matter seems to be increasing. So, therefore, does the number of occasions in which private or sectional interest can conflict with a more general interest (Nove 1991: 7).

In another instance, Nove (1991: 9) relates:

Concern for quality of life frequently collides with the profit motive.... In my own city of Glasgow, an excellent parks department has built a splendid walkway along a river, and maintains fine botanic gardens, available to the public free.

Another baffling example regarding the definition of public goods provision is found in the Shahani Bill (S.B. No. 1374). Against the broader context that "government shall refrain from engaging in the direct production of public goods," the bill recognizes certain conditions in which the government may engage in the direct production of some public goods. One condition is the production of public goods involving national security.

But then, what types of production of goods involve national security? One can convincingly argue, for instance, that banking and oil refining involve national security. Should that mean reversing the privatization of the Philippine National Bank and Petron?

The point is this: Any attempt to put down in writing and legislate a philosophy and its principles necessitates an act of clearly defining the core concepts and their relationships. This is painstaking and complicated, but it has to be done.

### **Controversial Assumptions and Missing Values**

Another basic weakness of the reengineering program is that some of its underlying assumptions and principles are questionable.

There is, for example, the assumption of "a bloated bureaucracy,"<sup>14</sup> even as government, to its credit, acknowledges that the solution does not lie in a one-time abolition of agencies and the sharp retrenchment of civil servants.

The assumption of “a bloated bureaucracy,” a term which can be a pejorative substitute for the development of bureaucracy, is theoretically debatable and empirically flawed.

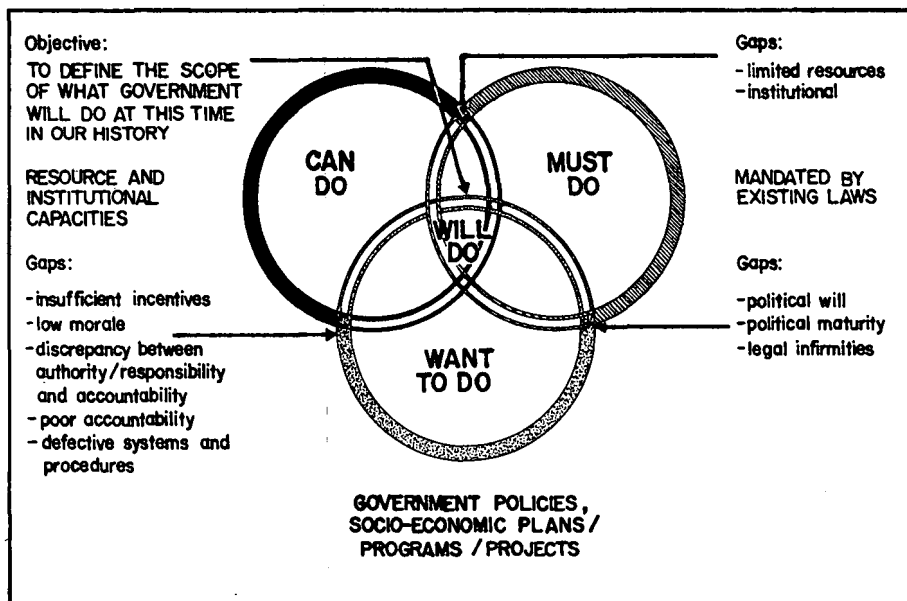
Nell (1988: 156) summarizes:

The development of bureaucracy is not something opposed to the ‘market economy,’ as is often contended. It is part and parcel of the development of capital, in particular of the institutions by means of which capital can exercise the kind of control required for success in competitive conflicts, control over conditions both of production and of marketing. Moreover, the rationalization of the hierarchy requires the state to shift from a nightwatchman to an interventionist stance, and so to take over education, promote regulatory services, and act as an arbitrator in disputes, *all of which leads to the development of counterpart bureaucracies on the part of the state itself.* (Italics mine).

On the empirical level, Sto. Tomas (1995: 273-77) concludes that the Philippine bureaucracy is shrinking and is becoming more professional. On the other hand, she concedes that the bureaucracy is still centralized and that political patronage remains an obstruction to professionalization.

Another issue relates to the principle of frugality and prioritization. The model in “Re-engineering” which illustrates what government will do, must do, can do, and wants to do—provides a snapshot of the scope of governance. (See Figure 1.) But a snapshot freezes a particular moment, while life moves on. For example, the gap of having limited resources should not be seen as a

Figure 1. Scope of Governance



From: PCSB 1995: 3.

constant. In the concrete, the potential of increasing resources through, say, efficient tax collection remains huge.<sup>15</sup> This in turn enlarges the space of intersection of what government wants to do, can do, and must do.

Finally, the type of intervention that "Re-engineering" assigns to government is a recycling of classical-liberal thought, as if the Philippines were reliving the years of Adam Smith. In the contemporary setting, this kind of intervention corresponds with Hayekesque public choice, which glorifies the private and the individual.

Note, for example, the first ground for government intervention:

To provide guidance for private decisions, promote the free exercise of individual choice or the preference of the majority, and permit such choice and preference to be made more efficiently; or correct failures in the process by which private choice and decision are exercised (PCSB 1996: 7).

Curiously lacking in any of the reengineering documents is a strong statement of principle regarding the most fundamental development problem, which is poverty together with social inequity. The closest to it is buried under the rubric of grounds for direct government provision of public goods. The formulation is limited, conditional and tentative: "The government may directly provide public goods and services... if the provision is needed to correct severe poverty situations (*such as primary health care, basic education*)."

At this point, one can conclude that what Alfiler (1993: 490) calls "the magic of efficiency" has rubbed off on the reengineering program. Or to invoke the lamentation of Haque (1996: 518), the reengineering of the Philippine bureaucracy has succumbed to the assumptions of privatization, and consequently "the basic guiding norms of public administration, such as public accountability, representativeness, equality, and welfare have been... replaced by the norms of the private market."

Subsequently, too, the progressive aspects of "reinventing government" have been lost in the complexity of defining the relationships of public and private, of state, market, and civil society.

And as the reengineering program awaits legislation, those advocating progressive reinvention and reengineering must contemplate the saying: "Law is merely the expression of the will of the strongest for the time being"—Brooks Adams.

### Endnotes

<sup>1</sup>For an elaborative review of Osborne and Gaebler, refer to Sta. Ana, "Reinventing Government is Strengthening Government," 17 October 1996, a book review submitted in partial fulfillment of the requirements for Public Administration (PA) 201.

<sup>2</sup>The Senate bills (S.B.) are S.B. No. 636, introduced by Senator Blas Ople; S.B. No. 1111, introduced by Senator Franklin Drilon; and S.B. 1374, introduced by Senator Leticia Shahani. Senator Edgardo J. Angara withdrew S.B. No. 668, without giving a public explanation.

<sup>3</sup>The study shows that the 100 biggest economies comprise 51 corporations and 49 countries, although the richest countries occupy the top 21 slots. The study calculates that Mitsubishi's annual sales are greater than Indonesia's gross domestic product (GDP). Using the same units of measurement, the report also says that Ford surpasses Hong Kong in the same way Wal-Mart tops Israel. See "Corporations are world economic giants," *Today*, 19 October 1996: 15.

<sup>4</sup>The only word on the need to equip government in facing globalization came from Undersecretary Emilia Boncodin of the Department of Budget and Management during a meeting of the House of Representatives Committee on Government Reorganization. See Minutes of Meeting of the Committee on Government Reorganization held on 5 September 1995.

<sup>5</sup>See Minutes of Meeting of the (House) Committee on Government Reorganization held on 5 September 1995.

<sup>6</sup>As Haque (1996: 523) has emphasized, the "ideological dimension matters more for the current intellectual crisis in the (public administration) field."

<sup>7</sup>Does the passage of time likewise suggest the need for a new reorganization?

<sup>8</sup>The reorganization effort during Aquino's term was unique, for its legality as well as legitimacy was derived from Aquino's power as head of a revolutionary government.

<sup>9</sup>See Minutes of Meeting of the (House) Committee on Government Reorganization held on 7 November 1995.

<sup>10</sup>See Minutes of Meeting of the (House) Committee on Government Reorganization held on 5 September 1995.

<sup>11</sup>In the Philippine setting, the voluntary or non-profit organizations are probably known as NGOs (nongovernment organizations) and POs (people's organizations). Cooperatives likewise belong to this category.

<sup>12</sup>A person's consumption of a particular good prevents another from consuming the same item.

<sup>13</sup>The person who pays for a particular good decides who shall use the good.

<sup>14</sup>The general introduction of "Re-engineering" begins with the question: "What is a bloated bureaucracy?" (PCSB 1995: vii).

<sup>15</sup>Guevara (n.d.: 2), for example, states the following figures. Revenue foregone in 1994 because of tax exemptions amounted to PhP31.7 billion, equivalent to 75 percent of corporate tax collection. The latest estimates on the ratio of actual income tax collected to potential tax collection were low, from 16.3 percent to 35.7 percent.

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1995b Senate Bill No. 1111. *An Act Reorganizing Bureaucracy for Better Governance, Granting and Defining the Authority of the President therefor, and for other related Purposes*. Introduced by Senator Franklin Drilon. 24 October.