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Bureaucratic Red Tape in the Philippines



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Synonyms

[Accountability](#); [Bureaucracy](#); [Good local governance](#); [Positive measure against graft and corruption](#); [Transparency](#)

Definition

The Anti-Red Tape Act of 2007: Is a law passed by the Philippine Congress which articulates the government's call to improve efficiency in the delivery of public services by reducing bureaucratic red tape, preventing graft and corruption, and providing penalties therefor.

Red Tape: as it is contextualized in the Philippine bureaucracy, refers to paper works, unnecessary bureaucratic documents, requirements, forms, and procedural obsession in the delivery of public service. In recent history, the term “red tape” denotes a ribbon used to bind voluminous documents produced by retired American Civil Veterans as a prerequisite for their retirement claims.

Introduction

Transparency and accountability are essential to the operation of governments regardless of the type of regimes and territorial boundaries of states (Gabriel 2017). They are seen as complements of policy effectiveness such as when citizens collectively act against power holders who support bad policies or when they commit inaction despite the presence of urgency to commit action (Gabriel and Gutierrez 2017).

Transparency is a tool to increase government accountability to the people, at least in a democratic setup. It is the “sunlight that disinfects the dark corridors of power” from inefficiency and corrupt practices. When actual adherence is observed, they benefit citizens. Both transparency and accountability serve as cleansing mechanisms to check and exert pressure on the bureaucracy to respond to public demands with ease and quality. Transparency and accountability are the governance principles behind the passage of Republic Act 9485 or Anti-Red Tape Act (ARTA) of 2007. The primordial objective of the Act is to prevent corruption and introduce reforms in the Philippine bureaucracy. Alongside with decentralization is the effort of the government to bring efficiency in the countryside. The study assesses the implementation and formulation of the Anti-Red Tape Act of 2007 in ten municipalities of the province of Nueva Ecija, Philippines. It delves into the status of implementation and analyzes its effects on the perspectives of citizen-consumers.

The Image of Philippine Bureaucracy

The image of Philippine bureaucracy is negatively perceived. The well-entrenched graft and corrupt practices undermine not only the effectiveness of the state but also cause wide spread poverty (Bernas 1996). According to the World Bank Report (Quah 2010), there are an estimated 48 billion dollars siphoned from government coffers toward personal pockets of Philippine government officials. And the records cover only the years 1977–1997. A huge amount allocated for development projects and social services for the poor but diverted to the selfish aggrandizement of bureaucrats (Briones and Zosa 1987). Such corrupt practice continuously destroys the integrity of public institutions and, therefore, public trust (Aniga 2014).

Consequently, people in the government are generally and unfairly treated as crooks, slow in the delivery of services, inefficient, and corrupt (Brillantes and Fernandez 2011). Worse, the government as a whole is seen as unresponsive to public demands. This public perception of government conditioned the citizens to settle for substandard quality of government service (James 2011). Making the situation worst from worse is the inadequate citizen's engagement in public affairs and the inherently complex built-in procedures in the public offices which slow down the processing of transactions in the government. This picture of Philippine bureaucracy prompted the current President Rodrigo R. Duterte to issue Executive Order 286, mandating all departments and agencies of the government to speed up the process and create the Anti-Red Tape Team.

Reform Initiatives to Prevent Graft and Corruption

There have been numerous attempts to curb corruption in the Philippine bureaucracy. Many laws in the Philippines have been passed in Congress to address the issue of corruption. The 1987 Philippine Constitution, for instance, devoted an entire article to serve as guideline for public officials and employees in the execution of their

public functions (Bernas 1996). Meanwhile, Republic Act 6713 also known as the Code of Conduct and Ethical Standards for Public Officials and Employees serve as a codification of the standard of behaviors public personnel should observe in the execution of the duties of their office (Bernas 1996; Aranas 2016).

Numerous commissions, teams, and law enforcement agencies were also created to implement laws against corruption in the Philippines. Department Order No. 38-2016 created the Presidential Commission on Good Government (PCGG) purposely to recover the ill-gotten wealth of former President Ferdinand Marcos. Unfortunately, these attempts bear no substantial results due to: lack of political will on the part of the leader and agency assigned to implement conflicting laws on corruption, judicial inefficiency, low salaries of government employees, weak citizenship, absence of role model, punitive nature of anti-corrupt policies, and lack of reform priorities (Brillantes and Fernandez 2011; Carino and Alfiler 1986; Quah 2010; Reyes 1994).

According to Carino and Alfiler (1986), majority of anti-corruption laws penalize rather than prevent the commission of corrupt acts. They argued that an effective anti-corruption measure must contain both a system of punishing offenders and a built-in mechanism for prevention coupled with public support at the agency level.

The Anti-Red Tape Act of 2007

The Anti-Red Tape Act of 2007 is both punitive and preventive in nature which solicited citizens' support in terms of feedback and is implemented at the agency level. The philosophy behind the law is to inform citizens of the kind and quality of services they deserve. It is the only anti-corruption legislation based on client's perception of what efficient government should be and of how services should be delivered. It is intended to improve efficiency in the delivery of government services to the public by reducing bureaucratic red tape, preventing graft and corruption and providing penalties therefor.

The primary objective of the act is to promote integrity, accountability, prevent graft and corruption in the bureaucracy, instill transparency, and increase public accountability of government officials. It has three core components: (a) Citizen's Charter (Section 6), (b) Assurance to the citizens of their right and access to frontline services and the details that must be observed by government officials in the execution of their functions (Section 8), and (c) Use of Report Card Survey.

The first core component, the Citizen's Charter (CC) is a benchmark of performance as it serves as a social contract with the citizens regarding the manner and time necessary for a government agency to deliver a particular service. Not only does it promote effective and efficient delivery of services in the government but also promote transparency while imposing upon accountability among public officials in the performance of their duties. According to Carino, the strength of CC is that it informs citizens of the benchmark of performance so that they may demand for it (Carino and Alfiler 1986). The Act defines Citizens' Charter as:

an official document, a service standard, or a pledge that communicates in simple terms, information on the services provided by the government to its citizens. It describes the step-by-step procedure for availing of a particular service, and the guaranteed performance level that they may expect for that service. (RA9485)

According to Calina (2015), Citizen's Charter treats citizens as citizen-consumers since it is propagated under the New Public Administration Model. The idea is to replace consumer rights for political and legal rights. The citizens are considered consumers of government services hence should be the ultimate judge on the quality of services provided by the public institutions.

The second core component is its assurance to the citizens of their right and access to frontline services and the details that must be observed by government officials in the execution of their functions (Section 8). It includes the requirements as to the acceptance and denial of a request for government service, the person-in-charge, and the period within which the request must be acted upon including the appropriate explanation why

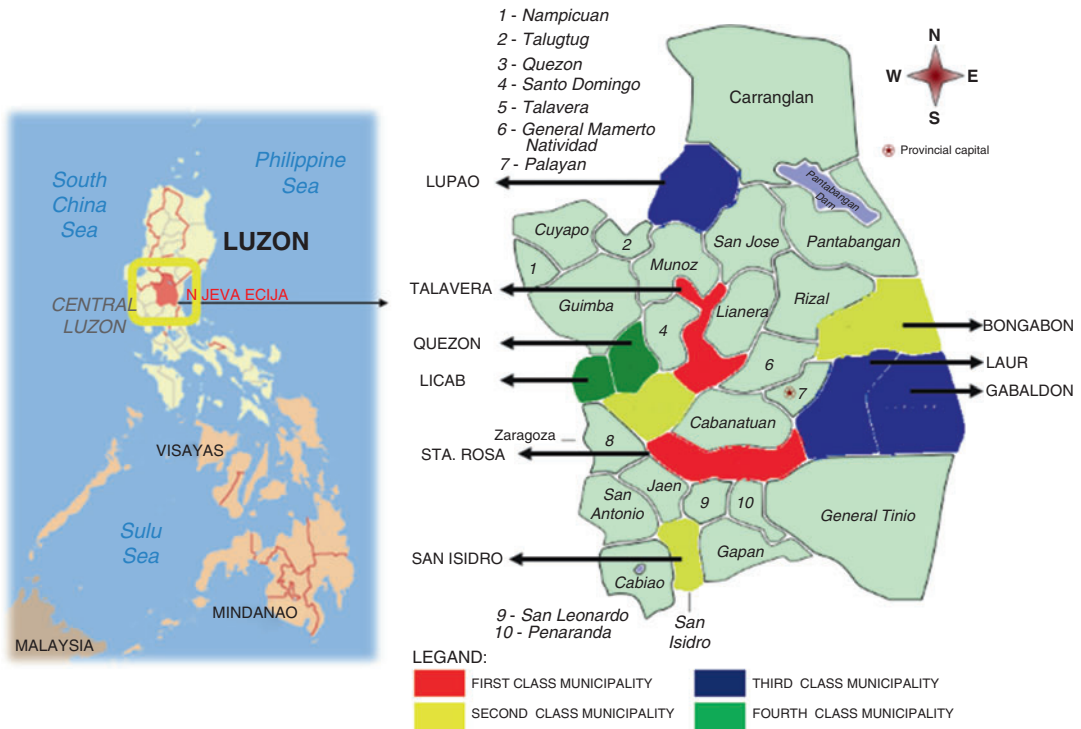
a citizen cannot avail of certain service. And to ensure observance, a complaint desk is designated in every government agency.

The last core component is the use of Report Card Survey to monitor the implementation, formulation, and observance of the requirements and standard of services that the government may deliver to its citizens. The purpose of this is to prevent red tape and obtain feedback on the implementation of the act using the perspective of public clients and service benchmark set by the Philippine Civil Service Commission.

The Formulation and Implementation of Anti-Red Tape Act in the Philippines

Recent studies on the formulation and implementation of Anti-Red Tape Act of 2007 show different findings. According to Aniga (2014), service delivery of one university has been efficient following its implementation of ARTA. Conversely, Gomez and Mudlong (2017) have observed that implementation of the same brought no significant change on the perception of student-clients of the chosen university in terms of turn-around time to finish transactions. And, exogenous factors other than university personnel's response to the student's particular demands were perceived to contribute to organizational efficiency. Meanwhile, Saguin (2013) has observed significant improvement in the overall performance, along with the line of the delivery of services, of the five cities in Metro Manila because of the ARTA. But, despite faithful compliance, respondent cities showed varying degrees of success in implementation.

The evaluation of De Leon (2016) proved that the formulation and implementation of the provisions of ARTA in the Bureau of Customs and Clark Development Authority, in the province of Pampanga, Philippines, are not fully compliant to the requirements of ARTA. This is in contrary to the result of study of the Makati Business Club (2016) which attributes the dramatic improvement on the delivery of service of ten national government agencies to the ARTA. Such development in turn has improved the country's rating in the



Bureaucratic Red Tape in the Philippines, Fig. 1 Location and map of Nueva Ecija, Philippines

negative perceptions index and substantiates the ease of doing business in the country.

Unfortunately, local government units remain behind their national counterparts when it comes to the observance of ARTA. According to Calina (2015), more than 5 years since the passage of the law, local government units still struggle in the implementation of its provisions. Although the Act is a serious attempt of the government to introduce reforms in the bureaucracy, actual practice still depends upon agency’s execution and the personnel’s skills, capacity, and knowledge of ethical standards. In the end, what matters is actual adherence and not mere observance.

The present study is an add-on to the existing literature on the evaluation and observance of ARTA provisions in the Philippines. It measures the degree of observance of the ten municipalities in the province of Nueva Ecija to the provisions of ARTA. The study was divided into three major parts, namely introduction, research methodology, and results and discussion. The specific

objectives are to: (1) check whether the Local Government Unit (LGUs) comply with the information requirements of Citizen’s Charter; (2) determine the LGUs compliance on the requisites for Front Line Services; (3) determine the degree of observance of the municipalities on Report Card Survey; and (4) provide policy recommendations.

Research Methodology

The Study Locale

The map of the province of Nueva Ecija is presented in Fig. 1.

The study used a mixture of qualitative-descriptive method of research and quantitative interpretation of the gathered data. The weighted mean and analysis of variance (ANOVA) were used as statistical treatment to determine the significant difference between and among the perception of respondent-municipalities. The study

used a set of questionnaires which was conceptualized by the researcher based on the core components of ARTA. The gathered data were validated by unstructured interviews and personal observations and secondary materials mostly, measurement of the level of formulation and implementation of ARTA. Distribution of questionnaires and interviews were conducted for ten working days during the month of January of year 2018. And each unstructured interview lasted for 10 minutes.

Participants to the Study

The participants in the study are 100 residents of the 10 municipalities in the province of Nueva Ecija, Philippines. Convenience sampling was used to identify the respondents of the study with ten participants coming from each municipality. Sample municipalities were as follows: two first class municipalities, three second class municipalities, three third class municipalities, and two fourth class municipalities. The socio-economic profiles of the municipalities are presented in Table 1.

The municipalities were categorized into classes based on the number of registered voters, land area or political territory, income, and population. It can be noted that 100% of the municipalities were still reliant on agricultural productivity as source of income. Nonetheless, there are some municipalities which are not completely dependent on farming and have other sources of income such as industry, small-scale mining, livestock, and fishing. In terms of the number of registered voters, municipality of Talavera has the greatest number with 77,407 voters, whereas municipality of Licab with 16,662 has the fewest number of registered voters. In terms of land area, the largest is the municipality of Laur with 29,588 ha, while municipality of San Isidro is considered the smallest with only 5,649 ha. In terms of barangay or smallest political unit in the Philippines with 100 families or less, municipality of Talavera, with 53 barangays, has the most number of barangays. Comparatively, municipality of San Isidro with only nine barangays has the smallest number of barangays.

Generally, the system of government is republican with check and balance between the executive, legislative, and judicial branches of government. And, they operate under the structure of two-tier administrative system which are the national and local governments (Calina 2015).

Findings

(a) *Citizens Charter*

The philosophy behind the formulation and implementation of Citizen's Charter (CC) is for government offices to have benchmark of performance as well as to inform the public of the standards of service that they deserve. For the purpose of transparency and accountability, these standards of public service must be known to the public so they may demand for effective and efficient service when necessary. As shown, the highest degree of compliance with the provisions of Citizen's Charter is 4.57, verbally described as "always." Essentially, the first class and fourth class municipalities are comparable in terms of observance of ARTA through posting of bulletins or in having social contract with the government for delivery of public service. In general, the cluster of municipalities has varying degrees of compliance and implementation of Citizen's Charter with results ranging from "almost always" to "always." Transparency through posting of the charter imposes upon an obligation to the government offices to act on citizens' request based on set of standards. This is seen as an area of accountability in case the same standard is not rendered. What imposes accountability to govern is the knowledge of the public of the services and the manner they should be delivered. It is the basis for customer's satisfaction under the New Public Management model.

(b) *Frontline Services*

The list of frontline services and their corresponding standards are reflected on Appendix 2. Based on survey results, the verbal description of overall weighted mean scores of the ten

Bureaucratic Red Tape in the Philippines, Table 1 The sociodemographic profile of municipalities in Nueva Ecija, Philippines

No	Municipality	Class	Land area (Hectares)	Population as of August 1, 2015	Registered voters as of 2010	No. of Barangays	Source of income of residents
1	Santa Rosa	1st class	14,715	69,467	40,533	33	Farming, SME
2	Talavera	1st class	14,092	124,829	77,407	53	Farming, livestock, SME
3	Aliaga	2nd class	9,004	63,543	40,667	26	Farming
4	Bongabon	2nd class	28,695	64,173	40,919	28	Farming
5	San Isidro	2nd class	5,649	51,612	27,175	9	Farming, slipper making, livestock
6	Gabalton	3rd class	24,288	35,383	19,938	16	Farming, fishing, forestry
7	Laur	3rd class	29,588	35,656	20,524	17	Farming, small-scale mining, forestry
8	Lupao	3rd class	12,133	43,788	26,668	24	Farming
9	Licab	4th class	6,737	28,254	16,662	11	Farming and livestock
10	Quezon	4th class	6,853	40,592	18,834	16	Farming, fishing, forestry

municipalities range from “almost always” to “always.” The three clusters of municipalities under study show full compliance with the requirements of frontline services as reflected by verbal description of “always.” Municipalities under the second class and fourth class have the greatest degree of observance of access and procedures in the provision of frontline services. A verbal description of “almost always” on the observance and application of Citizens Charter is nonetheless a good indicator of the positive perception of citizens toward public institutions. In general, public institutions are expected to deliver services based on the principle of transparency and accountability.

(c) *Report Card Survey*

The **Report Card Survey (RCS)** is a set of questionnaire that measures the agency’s quality of service, its adherence to the provisions of ARTA, level of implementation of citizen’s

charter, and client satisfaction based on effectiveness of frontline service providers and conduciveness of the area (Calina 2015). Third class and fourth class municipalities have higher overall weighted mean of 4.24 and 4.26, verbally described as “always” in the observance of RCS. However, there are indications that negative bureaucratic behaviors are committed in the municipalities concerned. The presence of fixers, demands for additional charges, and offering to facilitate a transaction in exchange for money is “sometimes” and “seldom” observed by public clientele. The weighted mean scores in the three practices ranges from 2.15 to 2.65. These practices, though seldom committed, must have no room in a democratic state. They are isolated cases but provide a bad impression on the effectiveness and efficiency of bureaucratic operation.

Bureaucratic Red Tape in the Philippines, Table 2 Difference in the assessment of the municipalities regarding the Citizen's Charter

ANOVA	Sum of squares	df	Mean square	F	Sig.
Between groups	3.208	3	1.069	17.995 ^a	0.000
Within groups	3.804	64	0.059		
Total	7.012	67			

^aDifference is significant @ 0.01 levels

Bureaucratic Red Tape in the Philippines, Table 3 Post hoc analysis with the use of Scheffe's test

Municipalities (Scheffe)	Mean difference	Sig.
1	2	0.31529 ^a
	3	0.11706
	4	-0.28471 ^a
2	3	-0.19824
	4	-0.60000 ^a
3	4	-0.40176 ^a

Legend: ^aThe mean difference is significant @ 0.05 levels

Conclusion

Republic Act 9485 or the Anti-Red Tape Act of 2007 was enacted to improve the efficiency in the delivery of government service to the public by reducing bureaucratic red tape, preventing graft and corruption, and providing penalties thereof.

Along with the enactment of the law, public institutions were instructed to curb fixing by posting Citizen's Charter in conspicuous areas and following the provisions of ARTA.

This entry has provided an overview of Anti-Red Tape Act in the Philippines in relation to other published works and based on the result of study conducted on the ten municipalities in Nueva Ecija.

The following analysis of variance (ANOVA) (Table 2) shows the difference in the assessment of the different municipalities in the province of Nueva Ecija in terms of their formulation and implementation of the core component provisions of the ARTA of 2007. The table shows that there is a significant difference in their assessment of the ten municipalities in the province of Nueva Ecija as shown by the significance level of less than 0.01.

The Scheffe's test analysis determines exactly the municipalities with differences in their assessment of the implementation of the ARTA 2007. Table 3 shows that there are four clusters of municipalities based on their class. When the assessment of cluster 1 consisting of first-class municipalities' matched with Cluster 2, the mean difference is 0.31529 and the significant level is 0.005. When it is matched with the assessment of Cluster 4, their assessment on Citizens Charter also shows -0.28471 correlations. This means that from the perspectives of participants public clients there are diverse responses to the same questions about the observance of Citizen Charter provisions. Thus there is a need to identify the sources of divergences. The data on table 3 shows the origins of the differences in perceptions of participants.

The rating of municipality 1 is different from the ratings of cluster municipalities 2 and 4; 2 and 4; and 3 and 4 regarding their ratings for Citizens Charter (Table 4).

The results of ANOVA insofar as frontline services show that there is no significance difference in their assessment of the observance of frontline services.

Thus there is no need to use post hoc analysis to identify the area of difference.

The ANOVA table on Report Card Survey (RCS) is presented below. As the data show, there is no significant difference between and among clusters of municipalities in terms of RCS (Table 5).

The role of accountability and transparency in the operations of government is vital to economic development. These are the principles behind the ARTA of 2007. In the era of decentralization due to the implementation of the Philippine Local

Bureaucratic Red Tape in the Philippines, Table 4 Difference in the assessment of the four municipalities regarding frontline services

<i>ANOVA</i>	Sum of squares	df	Mean square	F	Sig.
Between groups	1.751	3	0.584	2.246 ns	0.091
Within groups	16.632	64	0.260		
Total	18.382	67			

ns = No significant difference

Bureaucratic Red Tape in the Philippines, Table 5 Difference in the assessment of the four municipalities regarding report card survey

	Sum of squares	df	Mean square	F	Sig.
Between groups	2.280	3	0.760	1.275 ns	0.287
Within groups	66.773	112	0.596		
Total	69.053	115			

ns = No significant difference

Government Code of 1991, the local government bureaucrats play an important role in fostering the socioeconomic development of the communities. At this level, observance and compliance with the ARTA provisions are extremely necessary in bringing efficiency and development in the countryside.

Cross-References

- ▶ [Bureaucracy](#)
- ▶ [Ethics and Public Accountability](#)
- ▶ [Local Governance](#)
- ▶ [Public Personnel Administration](#)
- ▶ [Transparency](#)

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