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# IMPROVING COMPLIANCE TO THE GENDER-RESPONSIVE BUDGETING POLICY IN THE PHILIPPINES: THE INSIDE-OUTSIDE MODEL

Allan O. Millar

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This paper seeks to answer the question, how can the government of the Philippines improve compliance to the gender-responsive budgeting policy? Although the Philippines started gender-responsive budgeting earlier than most countries, compliance rate among national government agencies is very low. The causes of the low compliance are the following: (1) policy ambiguity; (2) absence of sanctions; and (3) minimal involvement of civil society in the budgeting process. This paper discusses these problems and recommends a solution that takes off from the lessons learned from other countries, particularly Australia and South Africa. However, learning from others and having workable implementing procedures are only the first few steps. To guarantee successful implementation, the government needs to harness the crucial roles of congress and civil society. Under a political environment marked with a dynamic interest group politics, this is not an easy task.

The succeeding portions of the paper are organized as follows: Section 2 discusses the main reasons behind the problem of low compliance. Section 3 presents the sources of information and methodology. Section 4 briefly discusses the bases for assessing the options presented. Section 5 presents the policy options and analysis, broken down into analysis of options, implementation, involvement of civil society, and congress and bureaucracy. Section 6 summarizes the main points of the paper and makes some conclusions. Finally, section 7 outlines some areas for further research.

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## Executive Summary

This paper seeks to answer the question how can the government of the Philippines improve compliance to the gender-responsive budgeting policy?

Although the Philippines started the policy on gender-responsive budgeting earlier than most countries, compliance rate among national government agencies is low. The causes of low compliance are as follows: (1) policy ambiguity; (2) absence of sanctions; and (3) minimal involvement of civil society in the budgeting process. Low compliance is a problem because it leads to further complications, namely: (1) it perpetuates greater ambiguity in the interpretation of the policy and in the implementation process; (2) it downplays the importance of the policy; and (3) it does not achieve the main purpose of the policy, i.e., to improve the quality of life of women.

The policy alternatives are: (1) status quo; (2) independent group's "outside" approach; (3) bureaucracy's "inside" method; and (4) the "inside-outside" model. The first alternative is the status quo, the source of the problem on low compliance. In the outside approach, a policy oriented non-government organization (NGO) conducts analysis of previous year's budget to determine the differentiated impacts to women and men. The inside approach is done by the government agencies. Each department conducts gender analysis of the previous year's budget, and the department heads issue statements before the budget hearings regarding the result of the analysis. The inside-outside model is a hybrid of the Australian South African experiences. Government departments conduct the analysis, and an NGO analysis is subcontracted periodically, e.g., every three years.

My analysis shows that the policy question can be answered by revising the policy to one that directs agencies to implement an inside-outside model – in-house gender analysis supplemented by a periodical independent work from outside the government. This model addresses the main causes of low compliance. The stakeholder analysis highlights the link between performance budgeting and gender-responsive budgeting, and the need to look into the broader mandates of agencies – on how to harmonize their expertise with the evolution of the policy. The proposed solution also brings in the vital role of civil society as "watchdogs" in a more systematic way of giving feedback to congress or to National Commission on the Role of Filipino Women (NCRFW) and using the budget analysis as a lobby tool to push for shifts in public spending that would reflect priorities of women. This feedback can only be effective if matched by a corresponding proxy for sanctions, i.e., the threat of being called to a congressional oversight committee hearing. The hearing and "fire alarms" serve as deterrent against implementation failure.

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# **IMPROVING COMPLIANCE TO THE GENDER-RESPONSIVE BUDGETING POLICY IN THE PHILIPPINES: THE INSIDE-OUTSIDE MODEL**

Allan O. Millar

## **1. Overview**

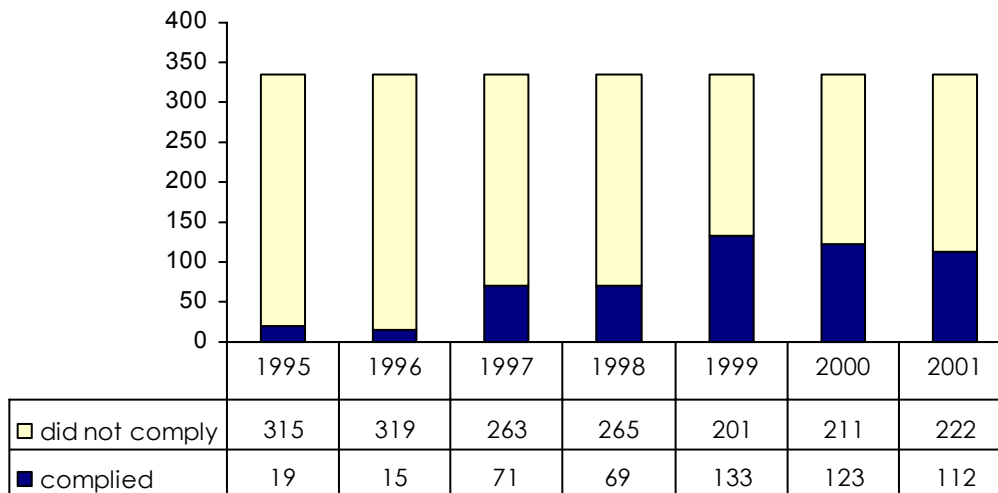
This paper seeks to answer the question, how can the government of the Philippines improve compliance to the gender-responsive budgeting policy? Although the Philippines started gender-responsive budgeting earlier than most countries, compliance rate among national government agencies is very low. The causes of the low compliance are the following: (1) policy ambiguity; (2) absence of sanctions; and (3) minimal involvement of civil society in the budgeting process. This paper discusses these problems and recommends a solution that takes off from the lessons learned from other countries, particularly Australia and South Africa. However, learning from others and having workable implementing procedures are only the first few steps. To guarantee successful implementation, the government needs to harness the crucial roles of congress and civil society. Under a political environment marked with a dynamic interest group politics, this is not an easy task.

The succeeding portions of the paper are organized as follows: Section 2 discusses the main reasons behind the problem of low compliance. Section 3 presents the sources of information and methodology. Section 4 briefly discusses the bases for assessing the options presented. Section 5 presents the policy options and analysis, broken down into analysis of options, implementation, involvement of civil society, and congress and bureaucracy. Section 6 summarizes the main points of the paper and makes some conclusions. Finally, section 7 outlines some areas for further research.

## **2. The problem of low compliance**

Reports on the implementation of the gender-responsive budgeting policy show a very low compliance rate among government agencies (excluding local government units). National Commission on the Role of Filipino Women (2002; 2001a; 1999), the government's national machinery for women's empowerment, reported that 123 agencies submitted gender-responsive agency plans in 2001. While this is an improvement from the 19 agencies, which submitted in 1995, it only represents a 37 percent compliance rate (see Figure 1).

Figure 1. Compliance to the gender-responsive budgeting policy, 1995-2001



Source: National Commission on the Role of Filipino Women (2002; 2001a; 1999)

This is a problem because the low compliance leads to further complications, namely: (1) it perpetuates greater ambiguity in the interpretation of the policy and in the implementation process; (2) it downplays the importance of the policy; and (3) it does not achieve the main purpose of the policy, i.e., to improve the quality of life of women.

Several factors contribute to the low compliance of agencies. I categorize these factors into three, namely: (1) policy ambiguity; (2) absence of sanctions; and (3) minimal involvement of civil society.

## 2.1 Policy ambiguity: The focus is not so clear to stakeholders

The current gender-responsive budgeting policy includes two components, namely: (1) the formulation of a separate gender-responsive agency plan; and (2) the minimum percentage of the agency's budget for implementing the said plan. This plan is only a section of the main agency plan. Hence, the budget for the gender-responsive agency plan is a subset of the main budget proposal of the agency. While it is not strictly a "separate" budget, the policy directs agencies to do "separate" planning and costing procedures. If gender-responsive budgeting is to be institutionalized, it needs to be integrated into the mainstream budget processes and procedures, not as an "add-on" activity done by an ah-hoc group.

**Box 1. The gender-responsive budgeting policy in the Philippines**

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“In consultation with the National Commission on the Role of Filipino Women (NCRFW), all departments including their attached agencies, offices, bureaus, state universities and colleges, government-owned and/or controlled corporations and other instrumentalities, shall formulate a Gender and Development (GAD) Plan, designed to empower women and address gender issues, in accordance with Republic Act No. 7192 (Women in Development and Nation-Building Act) and the Philippine Plan for Gender-Responsive Development (PPGD), 1995-2025. The cost of implementation of the GAD Plan shall be at least five percent (5%) of the agency’s total Fiscal Year 2002 appropriations.” (Section 28, General Appropriations Act, Fiscal Year 2001)

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(Source: Department of Budget and Management 2002)

It is interesting to note that the Philippines’ gender responsive budgeting policy (see Box 1) is regarded by other countries as a model because it is the most institutionalized initiative next to Australia (see Box 2). However, Australia’s budget initiative did not take the form of a separate gender-responsive agency plan with corresponding cost. It contained a comprehensive statement from the agency heads on the implications of their expenditures for women and men. In fact, only the Philippines uses a quota in its gender-responsive budgeting. UNDP, in its *Human Development Report 2002: Deepening Democracy in a Fragmented World*, defines gender-responsive budgets as “...not separate budgets for women and girls. Rather, they are analyses of public spending through the lens of gender” (UNDP 2002). UNDP based this definition from different countries’ initiatives. Not surprisingly, UNDP’s definition does not cover Philippines’ unique “model”. The Gender Responsive Budget Initiative (Bellanet International, [no date]) validates the UNDP definition in its survey of gender-responsive budget initiatives of countries in the world.

## **Box 2. Australian Women's Budget Initiative**

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The first Australian women's budget initiative started in 1984. It was situated inside the government and was coordinated by the then women's machinery (now gender machinery or gender management system). The hard work and commitment of the "femocrats" (feminist bureaucrats) in the pushing the initiatives forward has resulted in a government-focused initiative. It, thus, weakened the participation of the civil society.

The Australian Women's Budget statements at the national level averaged 300 pages, with a supplementary shorter and illustrated version to attract wider readership, especially among women's groups. The documents were thick because they included a comprehensive statement from each agency head as to the implication of their expenditure for women and men.

With the change in government in mid-1990s, a corresponding change of priorities also happened. There was less interest in government to continue the initiative. The initiative still continues today but not as effective as during its early years.

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(Source: Budlender 2001)

The specification of a quota may have contributed to the policy's ambiguity in terms of the agencies' and NCRFW's interpretation. There is a basic problem of lack of understanding as to what constitutes the five percent. A closer examination of the submissions from 1995 to 2001 (NCRFW 2002; NCRFW 2001a; 1999) revealed that agencies included regular and existing programs for funding in their reports. The mere fact that NCRFW classifies some regular programs submitted by agencies within the five percent quota shows that this view is not only common among agencies. As a strategic component of the total budget, five percent will never be enough to provide for agencies' regular programs and services because such programs should be funded by the rest of the budget (Corner, 16 April 2002). Ideally, the government should have institutionalized the five percent quota so that it can be a tool to influence the rest of the agencies' budget, by funding initial budget analyses - for example - on gaps between spending and target commitments or between spending and certain outcomes. Unfortunately, this is generally not happening. The government did not institutionalize the five percent quota as a tool to influence the rest of the 95 percent. Rather, the government institutionalized the five percent quota as a tool to provide at least some funding to encourage departments to implement the national plan for women.

The policy, implementing rules, and the reporting process focus on meeting the quota and/or coming up with programs for areas of concern, e.g., health issues of women for the Department of Health and employment for the Department of Labor and Employment, among others. These activities are done separately from the regular agency planning and budgeting processes. In fact, government, including agencies and NCRFW, focused mainly on the five percent component of the gender-responsive budgeting. Consequently, the assessments and budgeting procedures focused solely on the gender-

responsive agency plans without going through a conscious process of relating it with the main agency plan. This process goes against the principle of mainstreaming gender concerns in development. For example, Department of Agriculture (DA) submits an annual agency plan containing the priorities and directions for the year. To comply with the gender-responsive budgeting policy, DA also submits a gender-responsive agency plan, which then becomes the basis of DA's compliance to the policy. The gender-responsive agency plan in the previous year also becomes the basis of assessing whether or not DA achieved its targets. Thus, this perpetuates a cycle of compartmentalization of gender-responsive budgeting as a separate activity apart from the main agency planning and budgeting processes. Doing these activities separately from the regular planning and budgeting processes goes against the principle of mainstreaming.

## **2.2 Absence of sanctions lowers the cost of non-compliance**

The Philippine legislature passed gender-responsive budgeting policy in 1995 without any sanctions. The policy mandates the NCRFW to coordinate the implementation, monitor compliance, and submit a corresponding compliance report to Congress. In essence, the policy authorized NCRFW to enforce the policy. However, this delegation of power by the Congress to enforce the policy was not matched with any sanction for non-compliance.

Effective enforcement inherently implies a crucial role of sanctions in case the subjects (in this paper, government agencies) do not comply, including the imposition of such sanctions on the subjects. This paper defines enforcement as actions taken by NCRFW to ensure compliance with the gender-responsive budgeting policy.

Enforcement presupposes monitoring, which Congress also delegated to NCRFW through the gender-responsive budgeting policy. NCRFW's monitoring system is in place and is continuously evolving since 1995. However, even with a strong monitoring system in place, if the enforcement system is weak or inadequate, there is always a possibility that agencies will not take the policy seriously.

In general, any rational actor will attempt to maximize utility when left with choices for action. It is possible that he or she might decide to violate some rules or regulations if he or she thinks he or she can get away with it. The cost of violation is a function of three things: (1) probability of being caught; (2) probability of being punished; and (3) level of punishment. Therefore, it is not enough just to have a policy. We also need to put in place an enforcement mechanism that discourages non-compliance through the threat of sanctions. Because there is no sanction whatsoever, there is nothing that deters agency failure.

### **2.3 Minimal involvement of civil society: untapped “watchdogs”**

Compounding the policy ambiguity and absence of sanctions is the minimal participation of civil society in the gender-responsive budgeting process. Budgeting has been traditionally government’s domain. However, civil society groups can participate by collaborating with government with respect to program priorities and monitoring. More proactively, civil society groups can hold government to its promises and commitments by making sure that the government budget contains programs that address the needs of the people. Civil society organizations, therefore, have an important role to play as “watchdogs” against policy and implementation failures. This can further bring down monitoring cost on the part of NCRFW and Congress as these watchdogs can signal areas to focus on. The Australian model serves as a good lesson for not situating gender-responsive budgeting totally “inside” the government. The priority accorded to gender-responsive budgeting declined after the change of government in the mid-1990s (Budlender 2001). The government may fall into this trap if it does not tap the dynamism of civil society in the Philippines.

There is no systematic procedure for civil society participation in gender-responsive budgeting. This is a current weakness of gender-responsive budgeting in the Philippines despite the fact that there is a great demand for civil society participation in this area. Civil society groups rely heavily on NCRFW’s reports and their own field assessments and consultation processes. However, the government has not yet maximized the participation of civil society groups in terms of actual discussion of annual budget priorities of agencies.

### **3. Sources of information**

I utilized secondary data sources, including submissions of agencies and reports of the NCRFW from 1995-2001. The process of assessing the government's gender-responsive budget policy required a closer look on the submissions of agencies and NCRFW reports since the first year of implementation.

I analyzed the experiences of other countries, which have made significant strides in gender-responsive budgeting. Cross-country comparison have generated lessons for the Philippines.

In the end, what will work in the Philippines depends mostly on the understanding and appreciation of stakeholders. For this reason, I conducted a stakeholder analysis, which probes deeper into the nature of their roles and interests. The stakeholder analysis seeks to answer the following questions:

- (a) What are the current roles of key stakeholders?
- (b) What should be their roles?
- (c) Why should these stakeholders be interested in performing these suggested roles? What's in it for them?

In explaining the dynamics between congressional oversight committees and agencies, I used game theory – where I assume number of players and moves, payoffs, sequence of moves, and continuity (see Appendix 3).

#### **4. Criteria for assessing policy options**

There are four basic criteria for choosing among the alternatives, and these are: (1) effectiveness in addressing women's needs/rights; (2) political acceptability; (3) sustainability; and (4) administrative feasibility.

##### **4.1 Effectiveness in addressing women's needs/rights**

The alternatives must facilitate the process of addressing women's needs and rights, and empowering them to benefit from and fully participate in the development process. Therefore, two questions may be asked, namely: (1) does the alternative focus on needs? and (2) does the alternative address areas where women are disadvantaged?

##### **4.2 Political acceptability**

This criterion will identify the contributing and risk factors, which are crucial to ensure successful operationalization of the alternatives. There is no such thing as a policy good only in paper. If a policy fails in the implementation phase, then it is bad on paper, i.e., it has not taken into consideration the dynamics of its political environment. The criterion asks the following questions: (1) are stakeholders likely to accept or reject the recommendation?; and (2) will the alternative maximize support and minimize resistance from stakeholders on gender-responsive budgeting?

##### **4.3 Sustainability**

The paper also looks into the sustainability aspects. Thus, what are the prospects for institutionalizing the alternative? Is it less vulnerable to changes in administration priorities and personalities?

##### **4.4 Administrative feasibility**

The alternatives should also facilitate implementation by making sure that the measures are operational and not ambiguous. The following questions help to situate the context: (1) is it practical?; (2) are the procedures not ambiguous?; (3) is the policy easy to understand; (4) do the agencies have the capacity to implement it?

## 5. Policy options and analysis

This section presents the four main options and analyses them based on the criteria indicated in the previous section. In addition, the analysis section also presents assessment of the following: (1) implementation aspects; (2) collaboration with civil society; and (3) dynamics between congress and bureaucracy. The analysis of options determines which among the options will mostly likely bring about an improvement in compliance. The analysis of implementation aspects shows the reasons why stakeholders will most likely agree to my recommendation despite their diverse interests. I also assess civil society involvement and its importance of lowering monitoring cost. The last section of the analysis looks primarily into the core interests of congress. It also looks at how government can utilize these interests to its advantage through the conduct congressional oversight committee hearings, which, I argue, functions as a deterrent for bureaucratic failure – a proxy for sanctions.

### 5.1 Analysis of options

The options that will follow are possible solutions to address the low compliance of agencies to the gender-responsive budgeting policy. Operationally, NCRFW has defined compliance in terms of submission of gender-responsive agency plans, not strictly in terms of meeting the budget quota. This is evident in its review of agency compliance from 1995-1999 (NCRFW 1999, p. 2) and 2000-2001 (NCRFW 2002, p. 5). Therefore, the alternatives are still within the context of a quota system – a prized victory of civil society lobbying, particularly by the women’s movement in the Philippines. The policy options are: (1) status quo; (2) “outside” model; (3) “inside” model; and (4) “inside-outside” model (Box 3).

#### Box 3. The Policy Options

- 1) Do absolutely nothing/status quo (inadequate due to paradigm shift from affirmative action to rights-based)
- 2) Outside approach (South Africa) – policy oriented NGO conducts analysis of previous year’s budget to determine differentiated impact to women & men
- 3) Inside (Australia) – government departments conduct gender analysis; department heads issue statements before the budget hearings
- 4) Inside-outside – government departments to conduct analysis; an independent NGO analysis thru a subcontracted study, e.g. every 3 years

### 5.1.1 Do absolutely nothing

In general, two options are available, specifically: (1) a change of policy; and (2) status quo, do nothing to change the policy. Offhand, it seems unlikely that inaction (status quo) will result in a successful outcome, i.e., improvement of the quality of life of women. The reason is that the status quo is the source of the current problems. The policy's ambiguity, lack of sanctions and limited involvement of civil society are the main sources of low compliance. Therefore, maintaining the status quo, in any way, will not resolve the challenges faced by the government. While the status quo may be acceptable and sustainable, it is not effective in addressing women's needs and rights. Its administrative feasibility is also weak, which is behind the low compliance.

However, an evaluation of how the alternatives will change the status quo is relevant. Patton and Sawicki (1993) refer to this no-action policy as a "benchmark to which other alternatives can be compared". Hence, while it seems easy to dismiss the status quo given its weaknesses, it is reasonable to retain it as a benchmark.

The inadequacy of the status quo is more evident if we view the change in paradigm from affirmative action to a rights-based approach (see Appendix 1). Affirmative action was the spirit behind the gender-responsive budgeting when it started in 1995. Although the government did not explicitly promote affirmative action as the theme behind the gender-responsive budgeting policy, the initial rationale for the passage of the policy is similar to the underlying principles of affirmative action, namely:

- (1) society has committed discrimination in the past against a particular group of population;
- (2) government has adopted an objective of eradicating discrimination; and
- (3) society needs to take appropriate steps to end discriminatory practices and correct the imbalances that resulted from past discrimination.

The budget-based affirmative action policy for women - and any affirmative action policy for women for that matter - maximizes the minimum utility realized by women (Rawls 1985 and 1971, cited by Weimer and Vining 1999, p. 135), whose rights have generally not been met primarily due to role stereotyping. This is one of the obstacles that limits the opportunities available to women.

After a few years since it was implemented, the spirit behind the gender-responsive budgeting shifted from correcting imbalances caused by past discrimination and stereotyping to a human rights perspective – a framework "normatively based on international human rights standards and operationally directed to promoting and protecting human rights" (Office of the UN High Commissioner for Human Rights 2002). Thus, interventions centered around women's rights to safe drinking water, health, education, participation in decision making, employment and non-discrimination,

among others – all of which treats beneficiaries as the “owners of rights” which the state must respond to, and “directors of development” (Office of the UN High Commissioner for Human Rights 2002). This shift has put a greater sense of responsibility on the government to address women’s needs because such needs now constitute women’s rights. After all, women’s rights are human rights. The problems discussed in section 2, therefore, make the status quo more inadequate to address women’s needs from a rights-based perspective.

### **5.1.2 The independent group’s “outside” approach**

This alternative takes off from the experience of South Africa (Budlender 1998; see also Box 3). The basic source of information is the allocation for the previous year. An independent group will conduct the analysis of the current budget in terms of its implications for women and men. This analysis should be completed before the annual budget hearings, and will be the basis of advocacy of civil society. This will give an opportunity for stakeholders in government and civil society to critically assess the proposed budget. Aside from pointing out the gender-differentiated effects of the previous year’s budget, the analysis should also recommend where savings can be generated and where allocations can be shifted to respond to gaps identified.

The strength of this alternative is in its attempt to scrutinize the previous year’s budget with the end in view of identifying gender-related gaps, which the alternative can address by refocusing programs and funds. For example, given the rise in cases on violence against women, has government allocated funds to address this issue? Which agency should act on it? Are funds sufficient? If not, can we reallocate funds from other items in the agency’s budget? Another upside of this alternative is in the independence of its approach. As the gender analysis will be conducted by an independent group of experts, this group will have greater degree of latitude in discussing issues and challenges.

This outside approach is effective in addressing women’s needs in the sense that budgets may be focused on the most pressing needs based on the budget analysis, and priorities of women themselves. Doing an analysis of the previous year’s budget and making it a basis for lobbying of civil society will focus spending on critical gaps. The idea of conducting a budget analysis also serves as a way of addressing wasteful spending. Thus, it also hits on the principle of efficiency in budgeting. While it may be acceptable with a possibility of a strong participation of civil society, and administratively feasible (less effort on government), the weakness in sustainability arises from the fact that it is mostly an outside-government effort. The alternative is also practical, as the independent group will do the analysis of the entire (or core agencies’) budget and flag certain issues per agency. A directive can supplement this alternative, e.g., a separate section in the General Appropriations Act (GAA), which will direct agencies to allocate funds to address the gaps identified in the budget analysis.

This has worked in South Africa during the early years of democracy following the 1994 elections (Budlender 2001). The critical involvement of civil society and

having an “outside” document for political advocacy and lobbying combined with the openness of the new government to civil society participation in budgeting were the core ingredients for its success during the initial years of its implementation. A significant limitation of this approach, however, is its sustainability. In South Africa’s case, a donor is needed to fund a consultant to undertake the analysis. A major challenge is to develop expertise and sustain enthusiasm on the part of some core group that will undertake the exercise for a significant period until significant shifts in resources have been achieved.

**Box 4. South African Women’s Budget Initiative**

The Women’s Budget Initiative was established in mid-1995. The initiative was an “outside” government initiative because it was a result of a collaboration of two policy research non-government organizations (NGOs) with the Parliamentary Committee on Finance. In fact, in the first year, the initiative was funded through one of the NGOs, sourced from the US Agency for International Development and Ford Foundation. In succeeding years the initiative has received support from the Netherlands embassy, Commonwealth Secretariat, Ford Foundation, United Nations Development Fund for Women (UNIFEM) Charles Stewart Mott Foundation, Oxfam-Canada/Novib Gender and Development Fund, and GTZ Pilot Project on Gender. The outputs were analyses of programs and how they impact on women and men, packaged into reading materials, accessible to any second language speaker with about 10 years of education.

The outside government initiative continues, but it has become weak mainly because of the departure of key players during the early months of 2000. In addition, the influencing government became more difficult in contrast to the early years of the new democracy – when the bond between activists and people in government and parliament is still fresh.

The initiative has inspired similar approaches that look at the impact of the government budget on other groups, such as children and persons with disabilities. One big difference between the women’s budget initiative and the other initiatives that came out is that the new ones employ a simple “special interest group” argument whereas the women’s budget initiative argues that it is the conventional approach to economics, and in particular the blindness to the care economy, that is responsible for policy and budgets that are not gender-responsive.

(Source: Budlender 2001)

### 5.1.3 The bureaucracy’s “inside” method

This approach focuses on gender analysis by government departments of their previous year’s budget, annually, to determine its differential effects on women and men.

The analysis should also point out where savings can be generated and where allocations can be shifted to respond to gaps identified. The only major difference of this alternative with the previous one is that this analysis shall be done by the departments

concerned. This alternative takes off from the Australian experience in gender-responsive budgeting (Cagatay et al 2000, p. 34; see also Box 2).

The advantages of this alternative are similar to that of the outside model, as both seek to undertake a budget analysis as a lobbying tool for the next budget hearing. However, while this alternative satisfies the same criteria and it can even be more valuable as it institutionalizes the effort within departments, a great degree of objectivity is sacrificed. Department heads will naturally have lesser words to say in discussing weaknesses of their own work, particularly gender-responsive budgeting (Budlender 2001). As such, the promise of institutionalization is tempered with a weakened objectivity, thus lowers effectiveness in addressing women's needs based on priorities of women themselves.

This has worked initially for Australia. The analyses of departments also became the bases for assessing proposed budgets. The Australian approach also presents an administrative advantage: the receipt of the new budget was depends on the completion of the women's budget. As a result, it was taken seriously and much effort was put into it (Corner, 22 October 2002). However, after a couple of years, the weakness arising from relying on in-house effort has proven to be a downside. With the change of government in the mid-1990s, the priority accorded to gender-responsive budgeting declined (Budlender 2001; see also Box 2). The Australian experience shows that without the critical involvement of the civil society – to utilize the women's budget to lobby for changes in resource allocation - situating gender-responsive budgeting within the government is susceptible to changes in government priorities and personalities. It is likewise critical for civil society to ensure that women's budgets are not solely used by the government for political gains especially during elections.

#### **5.1.4 The inside-outside model**

The inside-outside approach combines the independent analysis of the previous year's total budget and an in-house analysis by each agency. This model links the objectivity of the independent analysis and the institutionalization aspects of the inside approach. It recognizes the potent role of civil society, and being able to have an independent document by which to assess the implications of agencies' budgets on women and men. The availability of an independent analysis vis-à-vis the in-house statements will also make it possible to "compare notes" between government agencies and civil society. The outside track can be done periodically, e.g., every three years, and the inside track annually, for dissemination to concerned groups in time for budget deliberations. In this manner, the effort is institutionalized within departments, with a countercheck, say every three years, to be done by an independent group. It also minimizes the vulnerability of gender-responsive budgeting to changes in administration and priorities.

Therefore, given its advantages over other alternatives discussed above, the inside-outside model is the best solution to address the problem of low compliance. If we do not adopt this, any of the two scenarios can occur: (1) low compliance will continue;

and (if either “inside” or “outside” is adopted) (2) it will always be vulnerable to regime change – through inadequate involvement of civil society as in the case of inside model, or through reliance to outside effort as in the case of the outside model.

The inside-outside model is also consistent with the ongoing overall budgetary reforms in government. Such reforms seek to tighten the link between planning and budgeting by requiring agencies to link their programs and projects directly to certain priorities. Otherwise, such programs and projects will not be funded or funding may be deferred to the succeeding year. The nature of the inside-outside model as an issue-based budgeting system agree with this evolving system. Moreover, the participatory nature of the proposed model gives its outputs (proposed programs resulting from the analysis and discussions) more leeway because such programs are products of collaborative efforts of government and civil society.

The main weakness of this approach is that it may be administratively more costly during the initial phase of the policy’s implementation. It requires agency-based analysis and a periodic outside analysis. These will have to be monitored and evaluated by NCRFW. While, admittedly, it may be administratively more costly in the initial stages, the effectiveness, acceptability and sustainability of the policy outweighs this short term challenge.

**Table 1. Summary assessment of options**

<b>Criteria</b>	<b>Status quo</b>	<b>Outside</b>	<b>Inside</b>	<b>Modified inside-outside</b>
<b>Effectiveness</b>	Weak	Strong	Strong	Strong
<b>Political acceptability</b>	Moderate	Moderate	Moderate	Strong
<b>Sustainability</b>	Moderate	Weak	Moderate	Strong
<b>Administrative feasibility</b>	Weak	Strong	Moderate	Moderate

## **5.2 Analysis of implementation aspects: Why would stakeholders be interested?**

The best alternative needs to consider the institutional context to ensure its subsequent operationalization. Thus, it is imperative that we ask whether it will work and in what context it will work. To do this, I map out current roles of stakeholders and suggested roles. The current roles of stakeholders are based on the agencies’ existing mandates and responsibilities in gender-responsive budgeting, which were subjected to an interagency consultation and will be published in “A Handbook on Oversight

Agencies' Roles on Gender and Development (GAD) Mainstreaming" (Erfe, forthcoming). Some additional roles are necessary to ensure adequate implementation.

In addition to roles and responsibilities, there is also a need to look closely into the interests of stakeholders, i.e., why would they be interested to undertake gender-responsive budgeting different from what they are doing at present.

Table 2 presents the current roles of the major stakeholders, suggested roles based on the recommendation, and interests of stakeholders. The suggested roles are my own assessment of their critical function in implementing the recommendation.

**Table 2. Roles, suggested roles and interests of stakeholders**

Major stakeholders	<u>Current roles</u> (Erfe, forthcoming) What are their roles?	<u>Additional/suggested roles</u> What should be their roles?	<u>Interests</u> What's in it for them? What will make them do it?
National Commission on the Role of Filipino Women (NCRFW)	<ul style="list-style-type: none"> <li>(a) Formulate guidelines on gender budgeting</li> <li>(b) Provide technical assistance to agencies on gender budgeting</li> <li>(c) Monitor and evaluate the implementation of gender-responsive agency plans, in compliance to the policy</li> </ul>	<ul style="list-style-type: none"> <li>(1) Provide technical assistance to agencies in doing in-house gender-responsive budgeting</li> <li>(2) Facilitate the conduct of an independent gender responsive budgeting, e.g., subcontracting to a group of experts</li> <li>(3) Lobby for the replacement of the gender-responsive budgeting section in the GAA to one that will direct all agency heads to produce a gender analysis of their previous year's budget</li> </ul>	<ul style="list-style-type: none"> <li>➤ The change in gender-responsive budgeting will shift NCRFW's focus from mechanisms to intended results – addressing specific issues through the budget. Hence, the change will make its work more focused.</li> </ul>
Department of Budget and Management (DBM)	<ul style="list-style-type: none"> <li>(a) Formulate guidelines for annual fiscal year budgeting</li> <li>(b) Coordinate annual technical budget hearings</li> </ul>	<ul style="list-style-type: none"> <li>(1) Monitor the agencies' budgets to ensure that submissions contain funds that will enable them to conduct in-house gender-responsive budgeting (if needed)</li> <li>(2) Act on the suggested budget transfers (from one item to another) to address gaps identified in the analysis</li> </ul>	<ul style="list-style-type: none"> <li>➤ DBM's work on gender-responsive budgeting will also be more focused as the analysis will flag gaps to be addressed and budgeted</li> <li>➤ The proposed gender budgeting is consistent with performance budgeting – it facilitates addressing of issues which were not addressed in the previous year's budget</li> </ul>
Agencies	<ul style="list-style-type: none"> <li>(a) Submit gender-responsive agency plans to NCRFW in compliance with the policy</li> <li>(b) Submit accomplishment reports on the implementation of the gender-responsive agency plans</li> </ul>	<ul style="list-style-type: none"> <li>(1) Conduct in-house gender-responsive budgeting annually</li> <li>(2) Incorporate funding requirements for the gender analysis of the previous year's budget to the main agency plan</li> <li>(3) Report accomplishments and issues to NCRFW and DBM</li> <li>(4) Propose programs and projects to address gaps identified in the gender analysis of the budget</li> </ul>	<ul style="list-style-type: none"> <li>➤ The proposed gender budgeting proceeds from issues and hence consistent with issue-based planning and budgeting</li> <li>➤ The in-house gender analysis of the previous year's budget is in the performance contract of the department heads</li> <li>➤ The congressional public hearings serves as a deterrent to bureaucratic failure</li> </ul>

Congress, i.e., Upper House (Senate) and Lower House	(a) Monitor compliance to the policy	(1) Convene public hearings to ensure compliance of agencies to the new policy (2) Induce greater compliance by acting on "feedback" of constituents or women's groups	<ul style="list-style-type: none"> <li>➤ better compliance of agencies</li> <li>➤ good public perception/ publicity as the improvement of compliance of agencies leads to better programs for women constituents</li> </ul>
Civil society, e.g., women's groups	(no role at present)	(1) Provide feedback to Congress on agency performance (2) Propose spending priorities and determine gaps that are not being met by agencies	<ul style="list-style-type: none"> <li>➤ greater and more meaningful participation in gender-responsive budgeting</li> </ul>
Office of the President (OP)	(no role at present)	(1) Ensure that the performance contracts of department heads contain an annual submission of gender analysis of previous year's budget (2) Facilitate institutionalization of gender-responsive budgeting in agency heads' performance contracts	<ul style="list-style-type: none"> <li>➤ Better basis for evaluating performance contracts of agency heads</li> <li>➤ The improvement in gender-responsive budgeting is reflected in the accomplishments of the President</li> <li>➤ The President is seen as acting on the demands of women's groups, and hence improve relationship with this particular interest group</li> </ul>

NCRFW's new roles would be focused on providing technical assistance in the conduct of in-house gender analysis of agencies. NCRFW is also tasked with subcontracting the conduct of gender analysis of the entire budget to a group of experts. This change in policy will shift NCRFW's focus from mechanisms to intended results – a move that will give NCRFW more handle and greater influence to address critical gender issues.

DBM's new roles focus on seeing to it that the in-house gender analysis is supported by a corresponding budget. The new policy also tasks DBM to ensure that the identified gaps in the gender analysis are funded through the respective budgets of the agencies concerned. As the government is now shifting to performance budgeting, it is imperative for DBM to see to it that gender-responsive budgeting operationally links to issues and development outcomes. DBM shall institutionalize the new policy as a separate section in the GAA, replacing the status quo.

The rest of the agencies will conduct in-house gender analysis of the respective budgets and incorporate funding requirements to their budget proposals. Moreover, the heads of departments will produce a gender analysis of the previous year's budget before the annual budget hearings.

The link with performance budgeting is critical in the immediate and long term prospects of gender-responsive budgeting. Gender analysis of budgets is one way of measuring results that feed directly to the agency's budget utilization. The gender analysis of budgets may be extended to measure the social impact and performance of budgets from the point of view of class, ethnicity, and location, among others. This cross-cutting attribute of gender analysis to different sectors and its functional link with performance budgeting beg the question whether or not NCRFW should forever be the repository of technical expertise in gender-responsive budgeting. This issue becomes more pronounced if we consider the link of gender-responsive budgeting to macroeconomic policies and the agencies involve in setting macroeconomic parameters (as they affect the overall government budget).

### **5.3 Civil society “fire alarms”: Bringing in the “watchdogs”**

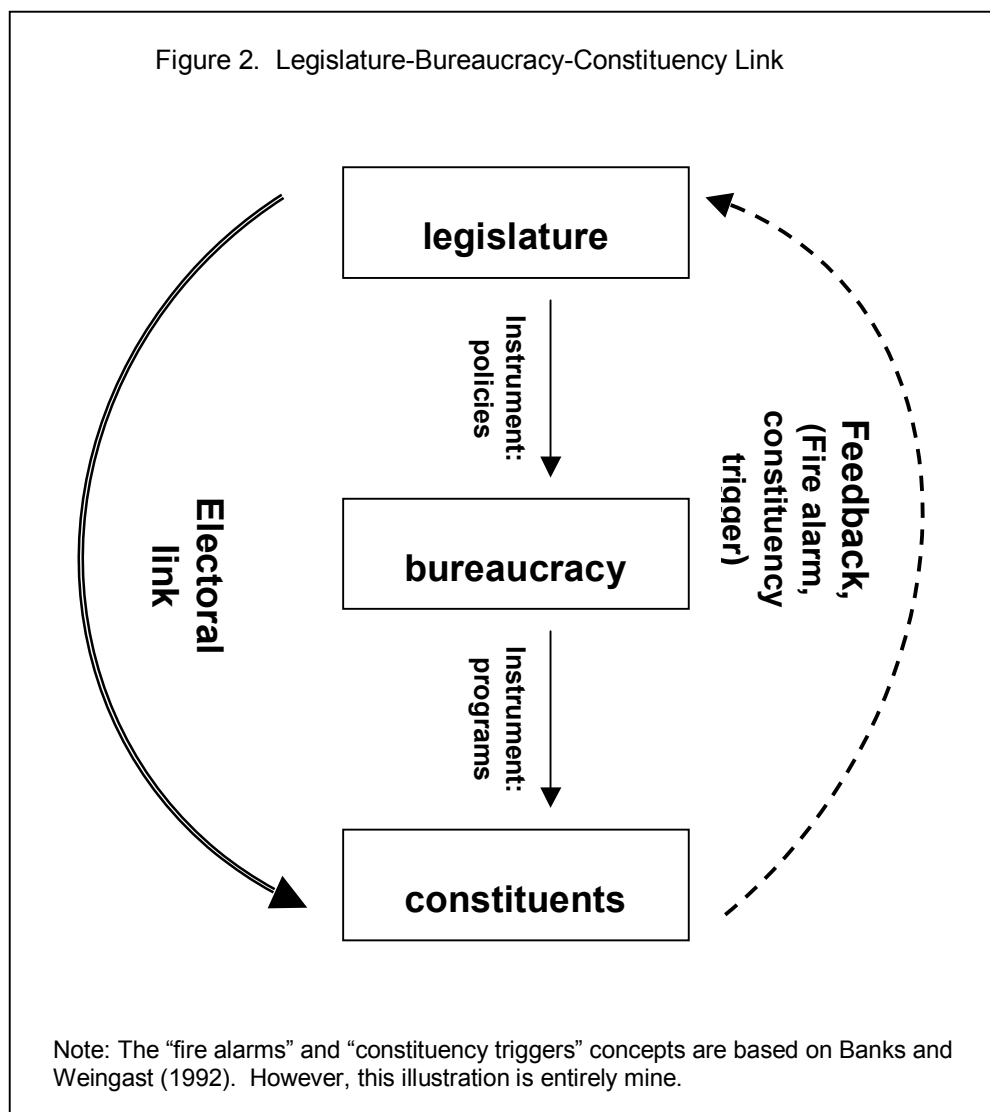
The civil society, represented here by women's groups, will have a big role to play in the new policy. Thus, the new policy is more transparent and encourages greater participation of civil society. They can use their vigilance in providing feedback to the legislature in case some agencies do not address the gaps identified in the gender analysis of budgets.

Figure 2 describes the legislative-bureaucracy-constituency link (more details on Appendix 2). While the legislature is ultimately accountable to its constituents, it utilizes the bureaucracy to deliver programs and services to their constituents. The “electoral link” also functions as the channel of electoral rewards, e.g., votes and good publicity. The legislature holds the bureaucracy accountable to it through passage of policies or laws. Constituents' feedback to the legislature often serves as a check against inadequacy of programs and services to satisfy their needs. It is also possible that feedback is given to NCRFW, which then feeds back to the legislature. Therefore, having an organized pressure group in itself (even without sounding the “fire alarm”) assists in the monitoring process as the feedback often flags areas that need urgent attention. In this regard, collaborating with women's groups generally lowers the monitoring cost of NCRFW and legislature. As we shall see later on, having “watchdogs” is also a deterrent against bureaucratic failure, i.e., a certain level of implementation that will generate dissatisfaction from the constituents. Aside from this, these “watchdogs” can proactively hold government agencies into account by making sure that the government budget contains programs that address the needs of the people, and by using the analysis in lobbying for spending shifts.

This is an answer for their clamor for greater role in gender-responsive budgeting – being able to influence government budgeting to improve the quality of life of women

in the Philippines. Through the two-track gender-responsive budgeting (inside-outside model), feedback from these groups can be more essential. Women’s groups can actively use the output of gender analysis of budgets to lobby for reallocation of resources for their priorities and concerns. In addition, as NCRFW could not possibly monitor compliance of all agencies, they can just focus on key agencies and respond to “fire alarms” sounded by women’s groups. What this implies to non-complying agencies is that the “fire alarm” can start a more focused hearing or inquiry on selected agencies.

On the part of the legislature, their new roles are focused on the conduct of public hearings to induce compliance to the new policy. As in the case of monitoring work of NCRFW, “fire alarms” lower the “enforcement cost” (cost of undertaking oversight committee hearings) of the legislature. The succeeding analysis will discuss this in detail.



Legend:

- ▶ Functional, i.e., related to regular discharge of functions
- =====▶ Electoral, i.e., ultimately, politicians are answerable to their constituents; elections and good publicity motivate them to listen to their constituents
- ▶ Constituents' feedback to politicians, e.g., "fire alarm" or "constituency trigger"

#### 5.4 Congress and bureaucracy: The congressional hearing game

This section presents an analysis of the dynamics between congress and bureaucracy. Congress, which is composed of the Upper House (Senate) and the Lower House (Congress), acts through their respective congressional oversight committees in seeing to it that agencies implement the policies that they enact. Congress and the agencies encounter a principal-agent problem, i.e., a problem that arises when an agent (agencies) pursues its own goals, which are not consistent with that of the principal (congress). In some cases, these hearings are political posturing (Mayhew 1974 cited by Cameron and Rosendorf 1993, p. 45). This is an opportunity for legislators to make a good impression or get media's attention. However, in some cases, these hearings are signals (Ferejohn and Shipan 1989 cited by Cameron and Rosendorf 1993, p. 45) that reveal their priorities. This is the case being shown here.

The relationship between congress and agencies may be adequately explained by game theory, particularly by the "congressional hearing game" (Table 3), the principles of which are based on "The Auditing Game" in Rasmusen (2001, p. 79). The game is played by 2 players – legislature and agencies. Congress plays the principal while government agencies play the agent. Congress convenes oversight committee hearings to check if they agencies are complying with the policy. Agencies are required to attend the hearings and be subject to the committee's inquiry. Print and TV media cover the committee hearings. Therefore, they have two strategies each. For congress, it decides whether to conduct hearings or not. For agencies, they decide whether to comply with the policy or not. The game is continuous, with congress as the first mover, i.e., signaling its resoluteness in seeing to it agencies comply. The order of payoffs are: {congress, agencies}.

Table 3. Congress vs. Bureaucracy: The Congressional Hearing Game

		Agencies	
		Do not comply	Comply
Congress	Hearing	4-C, -F $\dashrightarrow$ 4-C, -1	4-C, -1
	No hearing	0, 0 $\dashleftarrow$ 4, -1	4, -1

Note: Payoffs to {congress, agencies}  
 Benefit of calling non-complying agencies to a hearing = 4  
 Cost to congress of convening hearings = C, where  $C < 4$   
 Payoff to agencies for complying = -1  
 Payoff to non-complying agencies (hearing) = -F, where  $-F < -1$

In the absence of a direct sanction, the public hearings conducted by the legislature can function as deterrent to non-compliance. There is no Nash equilibrium here, i.e., a situation where neither player wishes to change strategies as neither one of them gains by doing so (Morrow 1994, p. 81). Upon receiving feedback, congress convenes public hearings and agencies comply with the policy (hearing, comply). Congress gains good publicity as well as agencies. Civil society groups and the public at large will view them as “doing their job” and hence giving due attention to women’s issues. However, Congress could not afford to conduct committee hearings on this particular policy all the time. Hence, the conduct of a hearing sends a signal of resoluteness of Congress to pursue the issue. When agencies start complying, Congress shifts back to “no hearing”. This situation - wherein Congress does not call agencies to a committee hearing or inquiry and agencies comply – is an ideal situation. Unfortunately, when agencies realize that Congress is not conducting committee hearings, the deterrent function of hearings is relaxed. Therefore, agencies have an incentive not to comply, or, stating it in another way, non-compliance is not penalized with any (proxy) “sanction”. When compliance falls again, Congress begins to show resoluteness on this issue, and the cycle goes on (please refer to broken arrows). The “equilibrium” here is in mixed strategies. The best strategy for Congress, for example, is to conduct hearings from time to time only, given that it is costly for them to conduct hearings all the time. The best strategy for the agencies is to comply all the time, but as soon as congress stops

conducting hearings, agencies have a bigger payoff if they do not comply. The broken arrows show the movement of mixed strategies.

#### Some words of caution on agencies with high compliance cost

The analysis above assumes that the agencies' payoff (pegged to -1) is not so high that will deter the agencies from not complying. If the cost of complying is so high for some agencies (assume greater than F), then the movements will be different. Simply put, even the threat of being subjected to a committee hearing will not deter non-compliance. In which scenario is this possible?

The budget quota is regarded as a prized victory of the women's movement in the Philippines. Therefore, any proposal to scrap the quota is not politically acceptable given the dynamic civil society in the Philippines – the reason why the alternatives are framed vis-à-vis a quota system. This is fine insofar as the operational definition of compliance (submission, see section 5.1) is maintained. If it is extended to cover meeting the quota, most agencies will have difficulty in complying. This will reflect a lower compliance rate. For example, among the 123 agencies which complied (submitted gender-responsive plan) in 2000, only 33 agencies allocated at least five percent of their total budgets to gender concerns. In our game matrix above, if the cost of compliance is higher, hearings will not be a deterrent. Ultimately, even congress may decide not to conduct hearings at all if they see no effect on overall compliance.

## 6. Summary and conclusion

The question how can the government of the Philippines improve compliance to the gender-responsive budgeting policy can be answered succinctly by revising the policy to one that directs agencies to implement an “inside-outside” model – in-house gender analysis supplemented by an independent work from outside the government periodically. This model addresses the main causes of low compliance, namely: (1) policy ambiguity; (2) absence of sanctions; and (3) minimal involvement of civil society in the budgeting process.

The proposed solution recognizes the experiences of other countries, especially Australia and South Africa. It brings in the vital role of civil society as “watchdogs” in a more systematic way of giving feedback to congress or NCRFW, and using the budget analysis as lobby tool to push for shifts in spending that would reflect the priorities of women themselves. This feedback can only be effective if it is matched by a corresponding proxy for sanctions, i.e., the threat of being called to a congressional oversight committee hearing. The hearing plus the “fire alarms” serve as deterrent against implementation failure. Definitely, the task of implementing a new policy is difficult, especially in a political system marked with interest group politics. However, as the discussions have explicitly stated, knowing the interests of stakeholders and appealing to them is a key to maximize support. Given the operational definition of compliance as submission, this definition may also be applied to the new policy as “submission of gender analysis of previous year’s budget”. Extending the definition to cover meeting the quota, however, is fraught with more difficulties.

The assessment of current and future roles of stakeholders highlights immediate and long-term implication of the link between performance budgeting and gender-responsive budgeting. Improving compliance to gender-responsive budgeting necessitates looking into the relevance of the broader mandates of the government agencies concerned in view of their respective expertise. More specifically, the stakeholder analysis recognizes that, while NCRFW has the monitoring and evaluation expertise, the budgeting aspects are in the domain of DBM. Harmonizing these roles in appreciation of the “best fit” in terms of agency expertise vis-à-vis the intricacies of gender-responsive budgeting is crucial to improving compliance, and policy implementation in general.

Any policy change needs a transition plan. Once the new policy is adopted, NCRFW must prepare a transition plan, which will essentially focus on clarifying the operationalization aspects with the agencies. For this reason, NCRFW should conduct briefings and meetings to make sure that the agencies fully understood the details of the new policy.

## **7. Areas for further research**

The ambiguity of the policy has constrained further analysis of the impact of the policy at present on certain outcome indicators, e.g., if it contributed to the decline in wage and earnings gaps between males and females. The ability to correlate gender-responsive budgeting to certain human development outcomes may establish the link (directly or indirectly) of the policy to its ultimate objective, i.e., improvement of the quality of life of women (proxied by some outcome indicators). Hence, one major research area is a correlation analysis. This may be possible after a few years of implementing the inside-outside model.

The new gender-responsive budgeting in the form of the inside-outside model must also be assessed in terms of its contribution to the overall efficiency of the budgeting system. Further research may be undertaken on whether it contributes to reduction of budget deficit through a more prudent issue-based allocation.

The uniqueness of gender budgeting in the Philippines particularly its historical link with the national plan for women makes it difficult to bring in the revenue side of the budget. Future research may tackle on the possibility of extending gender analysis on the revenue side of the budget in the Philippine context.

Lastly, more research is welcome on using the gender-responsive budget analysis to improve accountability of government as an element of good governance. Focus may be on the broader work that is going on in the Philippines that may be related to participatory budgeting and more active roles of civil society, e.g., Micro-Impacts of Macroeconomic Adjustments (MIMAP) Programme, and USAID global programme on governance, civil society and budgeting, and see why gender analysis has only occasionally been brought to these broader movements.

## **Appendix 1. From affirmative action to rights-based approach**

As women in most parts of the world are increasingly participating in development, it is imperative that we take cognizant of the shifting development perspectives that influence how we undertake development interventions today. In terms of gender-responsive budgeting, this perspective has moved from affirmative action to a rights-based approach.

Affirmative action has been defined and undertaken in many ways, although such definitions center on a common theme: correcting imbalances arising from negative actions in the past. Affirmative action was also the spirit behind gender-responsive budgeting being done in different countries until the early 90s.

Cahn (1995, p. xi) defines affirmative action as “taking appropriate steps to eradicate the then widespread practices of racial, religious, and ethnic discrimination”. Newman (1989, p. 32) makes specific reference to affirmative action as “... any race- or sex-conscious employment practices devised with the intention of redressing past racial or gender imbalances and injustices”. Taylor (1995, p. 9-14) characterizes these measures as reverse discrimination and compensatory justice “carried out by organized agencies of the central government representing the whole people”. The underlying assumption here is that societal injustice can only be corrected by societal compensation.

These definitions capture the most common concepts of affirmative action. They share important attributes, namely:

- (4) society has committed discrimination in the past against a particular group of population;
- (5) government has adopted an objective of eradicating discrimination;  
and
- (6) society needs to take appropriate steps to end discriminatory practices and correct the imbalances that resulted from past discrimination.

These “correction” processes done in the past decades necessitated governments to implement programs that favor a particular population group. This is done by implementing focused programs with targets or quota on skills training, school admissions, employment, military service and public service (Newman 1989, p. 35-42). These are the outputs of affirmative action. Thus, for those directly favored by affirmative action programs, we would expect to see an overall increase over time in skills training, school admissions, and employment levels, among others. The experiences of the United States in past decades were consistent with this expectation (Stephanopolous and Edley 1995).

In the early 1990s, countries have taken a closer look into the government budgets as a form of affirmative action instrument for women. Countries like Australia (starting as early as in 1984) as well as Canada, Tanzania, United Kingdom, Switzerland, Sri Lanka, Uganda and Zimbabwe, among others, had initiated and attempted to institutionalize gender-responsive budgeting (Alexander and Baden 2000, p.6; Budlender 2001; Center on Budget and policy Priorities [no date]).

The approach of the gender-responsive budgeting until the mid-90s depicts a Rawlsian social welfare function. The budget-based affirmative action policy for women - and any affirmative action policy for women for that matter - maximizes the minimum utility realized by women (Rawls 1985 and 1971, cited by Weimer and Vining 1999, p. 135), whose rights have generally not been met primarily due to role stereotyping. This is an obstacle that limits the opportunities available to women. Therefore, “rawlsianism” stresses a focus on the vulnerable sectors. It aims to provide them with a certain level of status that would make them equally capable to benefiting from and participate in the development process vis-à-vis with the rest of the population.

By mid-1990s, countries’ advanced from the passive affirmative action to a more active rights-based approach. Instead of focusing on correcting imbalances caused by past discrimination and stereotyping, governments began to view the interventions from a human rights perspective – a framework “normatively based on international human rights standards and operationally directed to promoting and protecting human rights” (Office of the UN High Commissioner for Human Rights 2002). Thus, interventions centered around women’s rights to safe drinking water, health, education, participation in decision making, employment and non-discrimination, among others – all of which treats beneficiaries as the “owners of rights” which the state must respond to, and “directors of development” (Office of the UN High Commissioner for Human Rights 2002).

International donor organizations contributed largely to the intensification of the shift of approach from affirmative action to rights-based approach. In its Human Development Report 2002: Deepening Democracy in a Fragmented World, UNDP presents gender-responsive budgets as “...not separate budgets for women and girls. Rather, they are analyses of public spending through the lens of gender” (UNDP 2002). It was also highlighted by the Beijing Declaration and Platform for Action, which was the output of the Fourth World Conference on Women in Beijing, China in 1995 (United Nations 1995, par. 346; United Nations Division for the Advancement of Women [no date]).

## **Appendix 2. Organized interest groups' influence on political decision-making**

To fully understand the larger picture of the political environment and interest group politics in the Philippines, one has to be aware how interest groups influence political decision-making.

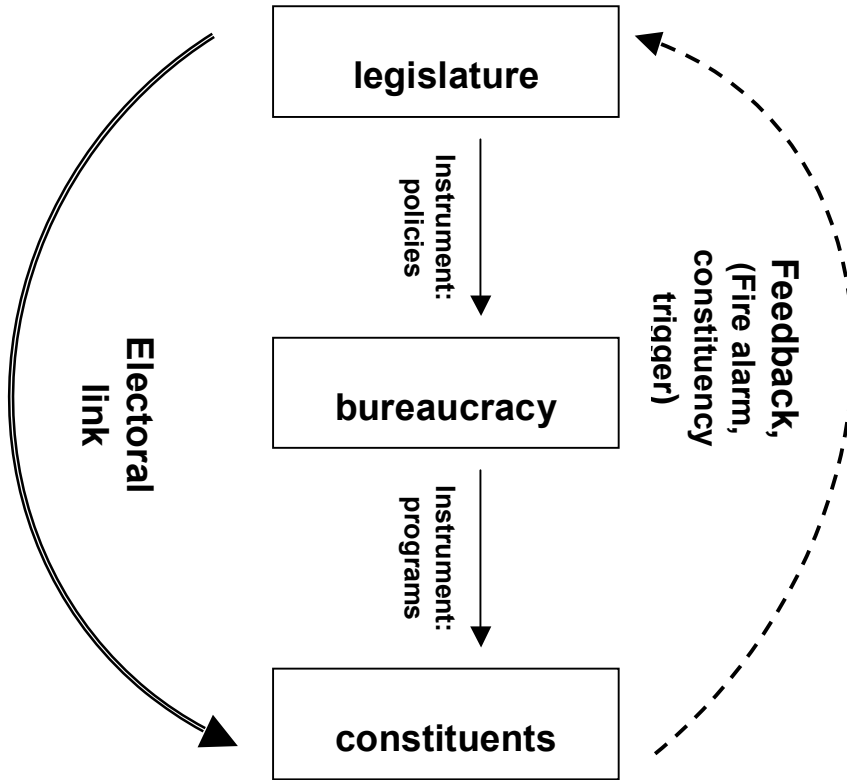
Banks and Weingast (1992, p. 509) identified two sources of influence of organized interest groups, namely:

- (1) provision of electoral rewards; and
- (2) provision of information on agencies' performance.

Electoral rewards naturally motivate aspirants for future political positions, and hence provide a handle of influence by interest groups to politicians. Provision of information on agencies' performance appeals to all political actors - including non-state actors. The second source of interest group influence generated the notion of "fire alarms" (McCubbins and Schwartz 1984 cited by Banks and Weingast 1992, p. 519) and "constituency trigger" (Weingast 1984 cited by Banks and Weingast 1992, p. 519). As the legislature cannot possibly monitor all agencies, constituents (usually organized interest groups) provide feedback to politicians especially when they are utterly disappointed with the performance of agencies. We should also expect that the more organized an interest group is, the greater is its influence. (Banks and Weingast 1992).




This influence is further depicted in Figure 2, which describes the legislative - bureaucracy-constituency link. While the legislature is ultimately accountable to its constituents, it utilizes the bureaucracy to deliver programs and services to their constituents. The "electoral link" also functions as the channel of electoral rewards. The legislature holds the bureaucracy accountable to it through passage of policies or laws. Constituents' feedback to the legislature serves as a reminder for agencies to satisfy their needs. Therefore, having an organized pressure group in itself (even without sounding the "fire alarm" is a deterrent against bureaucratic failure, i.e., a certain level of implementation that will generate dissatisfaction from the constituents.

Figure 2. Legislature-Bureaucracy-Constituency Link



Note: The “fire alarms” and “constituency triggers” concepts are based on Banks and Weingast (1992). However, this illustration is entirely mine.

Legend:

-  Functional, i.e., related to regular discharge of functions
-  Electoral, i.e., ultimately, politicians are answerable to their constituents; elections and good publicity motivate them to listen to their constituents
-  Constituents' feedback to politicians, e.g., “fire alarm” or “constituency trigger”

### **Appendix 3. Political dynamics between legislature and the bureaucracy**

To facilitate better understanding of the dynamic interaction among legislature and constituents, it is also necessary to discuss the link between legislature and the bureaucracy in greater detail. This is best framed in game theoretic ideas. Game theory is concerned with actions of decision-makers who are conscious that such actions affect each other (Rasmusen 2001, p. 12). Furthermore, the actions of the players depend on the payoffs of their choices relative to the choices available to the other player.

Cameron and Rosendorf (1993) present a signaling theory of congressional oversight, which is a bargaining game model with asymmetric information on both sides. This theory focuses on the political control of bureaucracy, wherein congressional committees and agencies are engaged in a “principal-agent problem”, i.e., a problem that arises when an agent (agencies) pursues its own goals which are not consistent with that of the principal (congress). The signaling theory further implies that congressional hearings can signal the resoluteness of the committee and that the threat of hearings is sufficient to deter bureaucratic failures.

This paper discusses a similar principal-agent problem, i.e., between the legislature and government agencies. The legislature, which is composed of the Upper House (Senate) and the Lower House (Congress), act through their respective congressional oversight committees. My “congressional hearing game” is played by 2 players – legislature and agencies. The legislature plays the principal who monitors the agencies’ implementation of their respective gender responsive budgets. The government agencies play the agent who is required to implement the provisions of the law. The legislature uses committee hearings to monitor (hence, induce) compliance of agencies.

Modeling the dynamic interaction between the bureaucracy and legislature as a game facilitates understanding as to how legislature uses the conduct of hearings as a sanction for agencies which do not comply with the policy. Imagine that the legislature has more power than the agencies. It can call on all agencies to attend their congressional committee hearings. In some cases, these hearings are political posturing (Mayhew 1974 cited by Cameron and Rosendorf 1993, p. 45). This is an opportunity for legislators to make an impression or get media’s attention. However, in some cases, these hearings are signals (Ferejohn and Shipan 1989 cited by Cameron and Rosendorf 1993, p. 45) that reveal their priorities. This means that for the duration of their term, they are most likely to be conducting committee hearings on the same topics for monitoring purposes. This paper explores this possibility because in the absence of a direct sanction, the public hearings conducted by the legislature can function as deterrence to non-compliance.

## Appendix 4

**DEPARTMENT OF BUDGET AND MANAGEMENT  
NATIONAL ECONOMIC AND DEVELOPMENT AUTHORITY  
NATIONAL COMMISSION ON THE ROLE OF FILIPINO WOMEN**

**JOINT CIRCULAR NO. -----  
August , 2001**

**TO :** All Heads of Departments/Agencies/State Universities and Colleges and Other Offices of the National Government, Government Owned and/or Controlled Corporations, Local Government Units and All Others Concerned

**SUBJECT :** **Guidelines To Implement Gender Mainstreaming and Institutionalization in the Existing Agency's Programs, Activities and Projects.**

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### 1.0 PURPOSE

- 1.1 To issue guidelines to implement gender mainstreaming and institutionalization in the existing agency's programs, activities and projects (PAPs).
- 1.2 To provide the mechanics for the implementation of the Framework Plan for Women, as enunciated by the government, in order to promote women's human rights and widen women's economic opportunities.
- 1.3 To prescribe additional and/or clarificatory budgeting and reporting requirements to ensure effective implementation and monitoring of agency's GAD plan and budget.

### 2.0 POLICY GUIDELINES

- 2.1 Pursuant to Executive Order No. 273 (Approving and Adopting the Philippine Plan for Gender-Responsive Development, 1995-2025), agencies are mandated to institutionalize GAD efforts in government by incorporating GAD concerns, as spelled out in the Philippine Plan for Gender-responsive Development (PPGD), in their annual planning, programming and budgeting processes. The same Executive Order also mandates agencies to incorporate and reflect GAD issues/concerns in their annual budget proposals and work and financial plans.
- 2.2 Gender mainstreaming and institutionalization shall be invoked during the regular annual planning exercises of agencies. The agency heads shall emphasize and ensure the implementation of GAD agenda at all levels of their organizations. They shall also ensure that gender mainstreaming and institutionalization are integrated in all their processes involving planning, programming, budgeting, implementation, monitoring, and evaluation of existing programs, activities and projects.
- 2.3 Gender perspective shall be imbued in all agencies' existing administrative and financial rules and regulations, policy statements as spelled out in various agencies' issuances, guidelines and instructions.
- 2.4 Agency heads shall formulate their GAD Plans in accordance with R.A. No. 7192, the PPGD and the Framework Plan for Women. The Plan shall be prepared within the

context of the overall agency plans and programs. It contains existing agency PAPs where GAD has been integrated and activities which address gender issues and concerns of their clients and personnel.

- 2.5 Agencies are authorized to utilize at least five percent (5%) of their total budget appropriations for GAD related activities, as authorized under the annual General Appropriations Act. The necessary cost to implement these GAD-related activities shall be specifically included in the agency GAD budget and attributed to existing PAPs as a component of the total agency budget.

### **3.0 DEFINITION OF TERMS**

For purposes of this Circular, the following terminologies shall mean:

- 3.1 Agency - refers to any of the various units of the government, including a department, bureau, office, state university and college, school, instrumentality, or government owned and/or controlled corporations, or a local government unit or a district unit therein.
- 3.2 Agency head – refers to the top or highest official of an agency, state university and college, government owned and/or controlled corporation, or a local chief executive of a local government unit.
- 3.3 Budget Proposal for GAD – is the agency’s yearly translation of the three-year GAD Plan.
- 3.4 Gender and Development (GAD) – is a development approach that focuses on the social, economic, political and cultural forces that determine how differently women and men participate in, benefit from, and control resources and activities. It considers the unequal relations between women and men and recognizes their different roles, interests and needs. Thus, GAD deliberately focuses on the gender relations that generate differences in their access to benefits and participation and addresses these inequalities through gender mainstreaming.
- 3.5 Client-focused GAD Activities - are work processes integrated within authorized agencies’ PAPs that seek to address gender issues or concerns of its clientele. These also include the capability building activity on GAD for people in the agency, with the end goal of enhancing services for their clients.
- 3.6 Organization-focused GAD Activities – are work processes integrated within authorized agencies’ PAPs that seek to address gender issues within the agency, particularly those that affect the welfare and participation of women employees (e.g. multiple burden). These activities also comprise the work processes related to the management of the agency focal point and the continuing advocacy for GAD (e.g., advocacy to top level officials) in the organization.
- 3.7 GAD Focal Point – serves as the technical working group who facilitates the preparation of agency GAD plan, catalyzes, coordinates, provide directions and monitors the programs/projects on gender and development concerns within the agency. The size, structure, function, and composition may vary depending on the needs of the agency and its clientele.

- 3.8 Gender Institutionalization – is the systematic and sustained inclusion of GAD concerns in the planning, programming, budgeting, implementing and monitoring processes, particularly in the formulation, assessment and updating of the annual agency plan on a continuing basis so that GAD consciousness in the bureaucracy shall commence and serve as the foundation of government commitments.
- 3.9 Gender Mainstreaming – is a process or strategy through which gender perspective are integrated into the overall operations of an agency. It is an organized effort to bring gender perspective in the goals, policies, structures, processes, programs and projects of the agency. It also focuses on developing institutional mechanisms and strategy to address specific gender issues or concerns.
- 3.10 GAD Perspective – is the ability of agencies to analyze the socioeconomic, political, cultural, and psychological levels of an issue to understand how the differences between the sexes affect and are affected by policies, programs, and projects. It assesses how these factors relate to discrimination based on sex and how they impose obstacles to a person's opportunities and self-development.
- 3.11 GAD Plan – is a three-year plan document that spells out an agency's thrust or agenda on gender and development. It contains specific gender issues, particularly on the protection of women's human rights and economic empowerment for women, that the agency is committed to address, the existing PAPs that are modified or enhanced to respond to such issues, the targets to be achieved in three years and the indicators that will measure the accomplishment of set targets. The plan shall cover both client-focused and organization-focused PAPs.
- 3.12 GAD Programs, Activities and Projects (PAPs) – are interventions and measures that systematically incorporate or address gender issues/concerns identified in the three-year GAD Plan of an agency. These interventions can be the existing PAPs identified in the GAA that were reviewed and redesigned to make them gender-responsive or new PAPs designed to address specific gender issues.
- 3.13 Philippine Plan for Gender Responsive Development (PPGD), 1995 - 2025 - is the Philippine government's 30-year perspective framework to pursue full equality and development for women and men, in compliance with Women in Development and Nation-Building Act (Republic Act 7192) and the constitutional provision on gender equality (Art. II, Section 14). It spells out the goals and issues of various sectors on gender and sets forth policies, strategies and programs to be addressed and implemented.

#### **4.0 GENERAL GUIDELINES**

- 4.1 Agencies shall formulate their three-year GAD plans within the context of the overall agency plans and programs. The GAD plan shall contain PAPs that will address existing and emerging gender issues affecting their clients and personnel based on agencies' mandates and functions. Initially, agencies can make use of the initial listing of gender issues/concerns across sectors (refer to Annex A) in the preparation of their GAD Plans. Agencies, however, can identify other gender issues/concerns not included in the said list.

GOCCs/LGUs are likewise encouraged, whenever applicable, to adopt the gender issues found in Annex A hereof. The agency GAD Plan shall reflect a three-year rolling GAD Plan to allow continuity and sustainability of GAD activities, e.g., the agency GAD Plan prepared in year 2001 will cover the period 2002 to 2004. The said Plan

shall be updated in year 2002 to come up with the 2003-2005 agency GAD Plan, and so on. The existing agency PAPs shall likewise be reviewed annually to ensure that agencies address the priority gender issues/concerns identified by the NCRFW focusing on (a) promoting women's economic empowerment, (b) promoting, protecting and defending women's human rights, and (c) promoting and strengthening gender responsive governance. Agencies shall anchor their GAD Plans on these three major issues.

- 4.2 Gender mainstreaming and institutionalization shall be carried out in all existing agencies' plans, policies, programs, and administrative/financial procedures to achieve promotion of gender equality and women empowerment.
- 4.3 The National Economic and Development Authority (NEDA) shall ensure that gender concerns are incorporated in the Medium Term Philippine Development Plan (MTPDP) and the priority gender PAPs to be certified by NCRFW are evaluated for inclusion in the Medium-Term Public Investment Program.
- 4.4 Agency heads shall give priority to GAD PAPs in their resource allocation. In the case of national government agencies (NGAs), they shall ensure that the cost to implement GAD is part of their baseline ceilings.
- 4.6 Agencies shall develop GAD performance indicators, which are consistent with the Organization Performance Indicator Framework (OPIF) of the DBM and NEDA. These indicators are subject to the review and endorsement of the NCRFW. The GAD indicators must define not only the expected outputs and the targeted beneficiaries but also the measurable desirable outcomes of gender mainstreaming and institutionalization within the organization as well as the impact to their clients. The GAD indicators serve as the bases for monitoring, evaluation, assessment and accomplishments of gender mainstreaming and institutionalization.

## **5.0 PROCEDURAL GUIDELINES**

- 5.1 The NGAs and GOCCs shall submit Annex B reflecting a three-year GAD Plan, to the NCRFW not later than every 30<sup>th</sup> day of October of the year preceding the budget preparation period for a given budget year. The initial GAD plan covering the period 2002 – 2004 can be based on gender issues/concerns identified under Annex A hereof. As the need arises, NCRFW, in consultation with the agencies, shall update the said listing to include priority thrusts of the government.
- 5.2 The NCRFW shall prepare the planning guidelines for the formulation of the agency GAD Plans. The Commission shall (1) review individual agency GAD Plans and integrate these into a national GAD Plan, (2) evaluate the GAD-related programs and projects as the bases of the annual priority agenda, (3) submit to the DBM the prioritized list of programs and projects to be given budgetary allocation, and (4) submit to the President and Congress a progress/status report on gender and development including the budgetary allocation provided for GAD activities.
- 5.3 NGAs and GOCCs shall adopt the NCRFW-endorsed GAD plans in the preparation of their annual GAD budgets. The GAD budgets shall include the cost of implementing organization-focused and client-focused GAD activities.

- 5.4 The GAD budgets shall identify the five percent (5%) allocation attributed to the existing regular agency PAPs. The GAD budgets form part of the agencies' total annual budget proposals.
- 5.5 The DBM shall support the gender mainstreaming and institutionalization efforts of the government. It shall see to it that agencies have included in their annual budget proposals the 5% mandated budgetary requirements to implement their GAD-related activities. In the case of GOCCs not requesting any budgetary support from the national government, the DBM shall see to it that the budgets for gender-related activities are reflected in their corporate operating budgets (COBs) to be submitted to DBM in compliance to RA No. 7192.
- 5.6 Agencies shall submit the GAD Accomplishment Report using Annex C form to NCRFW, copy furnish the DBM, not later than every 31<sup>st</sup> of March of the following year. The NCRFW shall assess the actual accomplishments of agencies against their targeted outputs based on the approved GAD performance indicators. The NCRFW shall prepare annually a consolidated agency accomplishment report and an over-all integrated GAD accomplishment report for submission to Congress, copy furnish the Office of the President and the DBM. The DBM shall use these reports in the review and evaluation of the agency budget proposals.

#### **6.0 Local Government Units (LGUs)**

- 6.1 LGUs shall formulate their three-year GAD Plans within the context of their local development plans and the overall national GAD policies and pronouncements. The GAD Plan shall identify specific activities and projects addressing existing and emerging gender issues at local level.
- 6.2 Gender mainstreaming and institutionalization must be carried out in all existing Plans/Programs/Activities (P/P/As) of LGUs. The GAD activities to be mainstreamed and institutionalized must address local needs and priorities. The GAD PPAs can be the existing PPAs that were reviewed and redesigned to make these gender-responsive or new PPAs designed to address specific gender issues.
- 6.3 In implementing GAD related P/P/As, LGUs shall identify the cost and specify the amounts allocated for the GAD PPAs chargeable against the minimum five percent (5%) budgetary allocation authorized under their total annual and supplemental budgets appropriated for the year. These allocations shall include the LGU share in the Internal Revenue Allotment (IRA) and other revenue sources budgeted for the year. LGUs are likewise encouraged to tap external sources of funding for GAD projects, such as, but not limited to NGOs and private sector assistance, grants from domestic/foreign funders and other sources.
- 6.4 Provincial and highly urbanized city governments shall also submit copies of their GAD plans and accomplishment reports to DBM regional offices. Component cities, municipalities and barangays shall submit these requirements to the Sanggunian reviewing their budgets.
- 6.5 The Department of Interior and Local Government shall issue the necessary guidelines and provide technical assistance to implement the above provisions.

**7.0 Government Owned and/or Controlled Corporations (GOCCs)**

- 7.1 Corporate heads are enjoined to prepare and submit their GAD Plans to NCRFW following the guidelines applicable to NGAs.
- 7.2 Gender mainstreaming and institutionalization may be attributed to the existing PAPs of GOCCs. These shall be reflected in their COBs and/or corporate budget proposals.
- 7.3 GOCCs shall also accomplish and submit to DBM, the GAD Accomplishment Reports and a copy of the NCRFW endorsed Corporate GAD Plans following the deadline stated under item 5.6 above.

**8.0 RESOLUTION CLAUSE**

- 8.1 Cases not covered by this Circular shall be referred to DBM, NEDA and/or NCRFW for resolution.

**9.0 EFFECTIVITY**

- 9.1 This Circular shall take effect immediately.

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Secretary  
Department of Budget and Management

**DANTE CANLAS**  
Secretary  
National Economic and Dev't. Authority

**AURORA JAVATE - DE DIOS**  
Chairperson  
National Commission on the Role of Filipino Women

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