



DEPARTMENT OF JUSTICE

*On the Occasion of the 62nd Recognition Rites
"Challenges of Exemplary Public Administration"*

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KEYNOTE SPEECH

by

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The Administrators, officials, employees of the University of the Philippines (UP) National College of Public Administration and Governance

Esteemed members of the faculty

The members of the graduating class of 2015

To their Parents and loved ones

Friends

Ladies and gentlemen:

Good afternoon!

It is a great honor to be invited by this esteemed institution to be the Guest Speaker for these Recognition Rites. In your invitation, you said that my vision, advocacy, practice and leadership in good governance will be a valuable inspiration for this year's graduates, and

you further described me, in the Programme, “[a]s one of the more prominent government officials under the Aquino III administration [who] is known for her advocacy and commitment to advance human rights, the rule of law and accountability.” Those kind words gain a deeper meaning and bring me greater honor and pleasure, knowing I am among those who devoted years of their lives to defining, studying and developing the principles of “Exemplary Public Administration.” That is high praise, indeed, for me who, more or less, was serendipitously and unexpectedly given the opportunity to enter public service.

The theme of today’s event, “Challenges to Exemplary Public Administration”, calls to mind a problem we have been having in the office lately. I don’t know if the problem is specific to the Department, or is being experienced by others under contract with the same subscriber, but we have been having trouble with our internet connection.

The truth behind the saying that “you don’t miss the water until the well runs dry” is never better displayed than when, while you are going about your usual tasks – which, these days, inevitably require some use of the internet, especially for virtually instantaneously sending urgently needed documents – you suddenly see that little yellow triangle and exclamation point where your network connection indicator is, indicating you have been disconnected from cyberspace.

It is at that moment that you become painfully aware of the scores of ways you have taken for granted by which an internet connection has made your life easy, and which are all now beyond your reach. Suddenly, attaching a 900KB-sized file to your email becomes a stressful exercise in patience and suspense, as you wait and see whether the trouble will resolve itself, or would require a phone call to the IT department or, worse, a phone call by them to the service provider, only to be told that the latter is “working on the problem” and, “no, they can’t say how long it would take.”

I imagine it is the same frustration that Globe and Smart subscribers felt when they couldn’t send or receive a simple text message to or from subscribers of the other due to some interconnection issue. Suddenly, the public is in a clamor, which from what I recall prompted the National Telecommunications Commission to intervene.

Like internet and telecommunications services, public administration is intrinsically service and performance- or output-oriented. In fact, Woodrow Wilson, who would go on to become the 28th

President of the United States, published an essay on "The Study of Administration" while he was a professor at Bryn Mawr saying that, "It is the object of administrative study to discover, first, what government can properly and successfully do, and, secondly, how it can do these proper things with the utmost possible efficiency and at the least possible cost either of money or of energy."

So, too, like the trouble with internet and telecommunications services, the "Challenges to Exemplary Public Administration" are largely due to certain forms of "Disconnection", at least as far as I have observed based on my own experience in public service these past seven (7) years.

First, and perhaps the most obvious, there is a disconnect between what public officials and administrators are *mandated* to do on the one hand – which, by the definition of what are the "goals of the field of public administration," is the improvement of the democratic values of equality, justice, security, efficiency, effectiveness of public service¹; and, on the other, the *motivation* to make decisions in consideration of debts they incurred in order to attain and retain their position and power.

While there is no dispute that the public is entitled to their complete and full commitment to the improvement of those democratic values, the reality is much more jaded than that. For as long as there are those who attain their positions by bartering for votes and favors, their loyalty will always be divided between the Filipino people who *supposedly elected* them and the people who *got them elected* – which, unfortunately, is not necessarily one and the same.

This form of disconnect – between the weight of duty and the weight of debts and favors owed – is a blight on public administration for it replaces good intentions, good policies, good judgment and the ability to make the right choices with slavery to corruption and what some euphemistically call "transactional form of governance", where everything – from lucrative government deals; key or influential government posts, even those that should be shielded from partisan politics; even silence, convenient versions of the quote-unquote "Truth" and impunity – can be bought and sold for the right price.

¹Dubois, Hans F. W.; Fattore, Giovanni (2009). *International Journal of Public Administration* 32 (8). Routledge Taylor & Francis Group. pp. 704-727.

That's how government officials find the gumption *and* the motivation to blatantly steal from public coffers, to shamelessly rig procurement processes, to loftily believe that they can get away with the slaughter of more than 50 people in broad daylight. After all, people who have sold their souls to the devil in exchange for power, money and influence can hardly be expected to feel any shame, even while they retain the capability to feign and claim innocence.

While it is true that corruption has been endemic to the bureaucracy, it once was, and could again get, worse: there are those to whom corruption *itself* is their chosen method of governance.

That is the first most obvious challenge to exemplary public administration.

But the future, I believe is not so bleak. In fact, the future for Philippine public administration is very promising because, while the present administration has admittedly had its share of troubles, it has, for the most part, proved that corruption can be made to pay and, perhaps, eventually curtailed.

The very election of President S. Benigno Aquino III proved that, when one's mandate comes directly from the people, and was obtained through the trust and confidence in the *principles* that a candidate stands for, and not bought through the trite but nonetheless Terrible Trio of "Guns", "Goons" and "Gold", we can eliminate the disconnect between mandate and motivation. There is only one motivation: discharge one's mandate.

I, for myself, can speak from experience how liberating it is to not be beholden to anyone for being appointed to the posts I have thus far held. By whatever convergence of serendipitous and fateful circumstances, I was appointed as Chairperson of the Commission on Human Rights and, thereafter, as Secretary of Justice under two different and politically opposed Administrations, without having lobbied for it and beyond, and in fact *against*, any expectations I had.

It is, in truth, still surreal to me to look back as to how I suddenly found myself appointed to a position as critical as that of Secretary of Justice, by a President-elect who was personally unknown to me and vice versa, to say the least. I would guess that I shared the assumption of even the most modestly politically aware persons that such a post would be given to an ally, or as a reward to someone who was instrumental

during the campaign. But that's not how President Aquino made his decision.

And here I am.

I stand before you, not just because I am the Secretary of Justice, but because I was given the unexpected opportunity to serve the public under ideal circumstances – where the only expectation the President has from me is to discharge by mandate faithfully and with integrity. And I made the best of that opportunity as I could, by making difficult decisions – in the face of countless obstacles, threats and even attempts at character assassination – based on what I believe to be right, not on what is profitable or convenient or the path of least resistance.

Had things unfolded differently, I would say that it is fair to wonder whether we would still have uncovered the things we know now.

For instance, would Benhur Luy and other witnesses have had the courage and sufficient trust and confidence in the Department of Justice to approach the Secretary with their revelations about a grand conspiracy to defraud the public, involving some of the highest ranking government officials? After all, that trust and confidence were not easily established overnight. They were built over the years by proving that it is possible for a government official to discharge his or her mandate without fear or favor.

It hadn't been easy – far from it. In fact, I recall being warned by someone to tread lightly in relation to the PDAF investigation because I could potentially “bring the government to its knees”. There were difficult decisions that some people tried to make even more difficult with arguments that essentially implied that the Filipino people are best served by keeping them ignorant of the Truth. Some did more than imply, some have tried to railroad the Truth by filing cases against me and other public officials who are only discharging their mandate, or by using the legal and mass media machinery to impede or restrain fact-finding efforts.

As if the Filipino people are too weak to handle the Truth. As if the Constitutional principles of accountability meant nothing. As if being a popular public figure, with a high enough political office and family members all over the government structure, is above the law and the Constitution.

I admit that it is not always easy to challenge these powers-that-be, but it can be done.

The challenge is for you, as those learned in the ways of Public Administration, and for all of us, as ordinary citizens to have the wisdom, integrity, moral fiber and fortitude to *make* the right choices and *demand* them from those bound to serve.

Therein lies a second form of disconnect: the disconnect between *knowing* the traits and the kind of leaders we need and deserve, and the *manner* by which we select our leaders.

There is a reason why “charisma” is one of the factors by which political pundits weigh the prospects of a candidate: because, historically, Filipino people make decisions based on what they *perceive to be the image a candidate projects*. After all, how and why else would a candidate, who was born to wealth, power and influence, would have wanted to project herself during the campaign in the image of one of the masses’ beloved actress, who was known for her dirt-poor beginnings and similar roles in the movies?

For so long, Philippine elections have virtually been zarzuelas, with candidates singing, dancing and catering to the entertainment whims of the masses, rather than engaging in substantive information campaign and debates about their policies, programs, track record and concrete plans for the next several years. Candidates engage in these contrived activities, not because they particularly want to, but because such strategies have been historically known to work. Elections are won by those who can build around themselves the most compelling Cult of Personality.

Yet, it is not necessarily because the electorate do not know what kind of leaders they want. It is not as if they truly believe that the nations’ problems can be solved when the President randomly breaks into a song-and-dance number. And, these days, it is increasingly obvious that it is not because they are apathetic. People *do* care about choosing the best candidate. It is no longer a problem of apathy but, as I observe, a disconnect between knowing the kind of leader they want and how they go about selecting such leader.

For some reason, people still go for the charismatic leader or the one with the closest affiliation to a charismatic personality – forgetting or not knowing, perhaps, that Adolf Hitler himself was a master orator

who oozed of charisma; forgetting that age-old adage that you cannot judge a book by its cover; that the best and most successful criminals and con artists are those who *don't* look, sound or act like criminals and con artists.

The key to eliminating this disconnect is to deemphasize looks, personality or that indefinable factor called "charisma", and instead put greater emphasis on substantive factors: like track record, their position on important issues, their exhibited propensity for Truth, as opposed to lies or evasions; and discerning, based on their acts and utterances, whether they are in the path towards the *Tuwid Na Daan* with integrity, accountability and through ethical administration, or on the path of consolidating absolute power in themselves, their family members and cohorts.

The third kind of disconnect is the communication between the public and the public administrators. We speak of transparency and participation, yet we still get cases where public hearings are being done just for compliance, and not to truly obtain the views of the public; or there is a disconnect when rehearsed and professionally crafted words fail to connect with the public.

For my part and my own personal choice, I always speak for myself, and not through mouthpieces. It is for the same reason why, despite being criticized – quite rudely, at times – of quote-unquote "talking too much", I choose to be open and direct. For it is important for me to know that people can tell whether I mean what I say and am saying what I mean. When you look a person in the eye, there is a better chance of ascertaining where the script and the spin ends, and where the Truth begins. The more a person attempts to dissemble and speak pretty words, the harder it is to convince the people of one's sincerity.

I think, therefore, that there is a need to bridge this disconnect. It is a challenge for Public Administration because it is not just about government being effective and successful in serving the public, it is also important for the people to *understand* and *know* just what makes it effective and successful.

The fourth kind of disconnect, I believe, is perhaps the most important to mention on this occasion, for it is one where you, as the academics, the professionals and the ones learned in the field of Public Administration are in the best position to address.

I believe that the first three forms of disconnect are rooted in one important gap: an educational gap among the citizenry about what "Exemplary Public Administration" means; what it entitles them to *and what is expected of them*.

For Public Administration is not a one-way street.

John F. Kennedy has famously said, "ask not what your country can do for you, ask what you can do for your country." On the contrary, I believe both are valid questions to ask.

As much as we want people to act honorably because we believe and hope that it is in the nature of human beings to be honorable and morally upright, we cannot rely on the variations in individual person's nature, and the effects thereon of environmental factors, and *simply expect* them to do what is right, and to give the people what is their due under the Social Contract. Sometimes, to be sure to get your due, you have to know what, when, where, why and how to demand it.

After all, the Social Contract is a reciprocal contract that entails reciprocal rights and obligations. Thus, it is as important that people know what the State *can and should do for the people*, as it is for the people to know *what the State can and will expect from them as their part of the bargain*.

For instance, when we speak of certain forms of graft and corruption, it really *does* take two to tango. As Secretary of Justice, I am on the receiving end of reports that this prosecutor or this official is on the take. Yet, those who are willing to come forward and report attempts to extort are relatively few and far between – with huge ramifications for the integrity of the institution.

I believe that there are values – democratic values, including good governance and productive citizenship values – that ought to be taught as part of basic education as early as possible.

It is folly to think that these are the domain of those who are old enough to vote or, worse, that it is the domain of public officials or public administrators and academics such as yourselves. On the contrary, I firmly believe that it is the right and obligation of all Filipinos; and to wait for them to reach tertiary level or, graduate level studies to impart and inculcate these values into their system is too little too late.

Is it any secret that one of the objections to the Sangguniang Kabataan system is that, instead of gaining useful and gainful experience in public service and administration, the observation and fear is that the youth are, instead, being exposed to corruption and, thus, themselves being corrupted at such an early age?

The youth, the future generation, are participants in society from the moment they are born and they learn things – good *and* bad – as soon as their cognitive functions are developed enough to allow it.

I believe in the power of education, of the power of countering bad habits that they may learn at home or out in public with lessons and exercises in good judgment learned and developed within a proper educational setting, perhaps inside the classroom environment.

Is it any wonder that our citizens are prone to succumb to Cults of Personality when their education about our history and our society is about memorizing names and dates, and regurgitating them during exams? They know the names, but do they know the deeds well enough to know what these people did right? Or what they could have done differently? And what could have been the consequences of those choices?

The key words, I believe, are consequences and choices.

It was once said that “We all make choices, but in the end our choices make us” (Ken Levine).

Indeed, we are the consequences of our choices and our actions. If we want a strong nation, we must build a strong citizenry. To build a strong citizenry, they must learn to choose the paths that will make them stronger. To learn to choose well, they must learn about consequences. They must learn the consequence of voting based on charisma instead of substance; they must learn the consequence of violating the law; and they must learn the consequence of corrupting the system.

That is my vision: Exemplary Public Administration is something that is built from the ground up. To expect an adult to make the right decisions when his or her time comes, the foundation for making the right choices should be as much a part of him or her as his or her own DNA. I believe in education as a powerful foundation and building material from which such ideal can be crafted and realized.

Woodrow Wilson considered public administration as a science, as a field of scholarly study and not just empirical application. In his words, he said that "This is why there should be a science of administration which shall seek to straighten the paths of government, to make its business less unbusiness like, to strengthen and purify its organization, and to crown its duties with dutifulness." I subscribe to this view, and go on further: it is a science that should be made part of our basic education. I think you, the graduates, are in the best position to craft a proper curriculum and methodology to achieve this gradually and surely.

With that, I congratulate the graduates of the National College of Public Administration and Governance for your achievements thus far; and I challenge you, not just to rise to greater heights of exemplary public administration in your own right, but also to assist the rest of the nation in doing so.

I thank you for the opportunity to share some of my vision, advocacies and experience in public service. I am reminded of what Margaret J. Wheatley, a management consultant who studies organizational behavior, once said "Without reflection, we go blindly on our way, creating more unintended consequences, and failing to achieve anything useful."

Finally, I would like to part with this last note. Life in the public service can be as taxing as it is fulfilling. Decisions are not always as easy to discern as between black and white. No one can make those decisions for you. When the going gets tough, just know that, when you do what is right based on what is within the bounds of the law and morality, you cannot go wrong and, in the end, all the hardships are worth it. Cultivate a conscience, it will be your most loyal ally.

Again, thank you and congratulations!