

Philippines

FILIPINO WOMEN AND SEXUAL VIOLENCE: SPEAKING OUT AND PROVIDING SERVICES

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INTRODUCTION

This forum is being held in the area which is known today as Musgrave Park; a domain which has been a traditional gathering place of Aboriginal people for thousands of centuries. We are mindful of the significance of this place and we acknowledge and pay respect to the indigenous people who care for and love this land so dearly. We make our presentation to this forum in memory of the women who lived and died here.

We would like to begin with a poem in Tagalog, *Ang pagiging babae ay pamumuhay sa panahon ng digma*, and its English translation, *To be a woman is to live at a time of war*, so you can hear the beauty of one of the languages spoken in the Philippines, and experience this ardent narrative of Filipino women's war against violence.

Ang pagiging babae ay pamumuhay sa panahon ng digma, To be a woman is to live at a time of war by Joi Barrios. [1]

We have also brought along two pieces representative of the art of Filipino women's weaving. One piece is a *tapis* of Bontoc weave from the Cordillera region in the north, the other, a *malong* from Mindanao in southern Philippines. Two very different pieces in style and design, they illustrate the cultural diversity of the peoples of our country. They also demonstrate adaptability because as well as being women's garments they are also used for carrying babies and goods, wall decorations, coverlets and sleeping bag, etc.

You may be surprised to learn that Filipinos speak many languages and dialects; 186 according to one ethnolinguistic research. Some of the most widely spoken languages are Cebuano, Ilocano, Tagalog, Bicol, Hiligaynon, and Waray. The Philippines is comprised of more than 7,000 islands shared by a wide diversity of cultural communities who live in both upland and lowland country; some also still preserve their traditional maritime society living in boats on the sea. Outside the urbanised areas, many communities have managed to keep alive their traditional spiritual and social practices.

In the course of researching material for this paper, two aspects stand out for comment:

One, is the vast amount of material written by and about the situation of Filipino women at home and abroad. This in no small part is due to the development since the early 1980s of a vibrant, vocal and distinctly Filipino feminist movement; a movement that for twenty years has been drawing together the strands of women's concerns from across the diversity of Filipino cultural communities.

The second, is that the violence suffered by the majority of women throughout the world, while having their own specific forms, is painfully similar and oftentimes exactly the same.

Sharing our experiences, as we are doing today, gives us hope for learning more about how to put an end to the violence; we will internalise what we learn today and draw those strands too into our understanding; and we will not forget your stories while we weave the fabric that dresses and decorates our women's network.

Isis International-Manila, is an NGO that promotes networking, communication and cooperation among women and groups working for women's empowerment. [2] In *Changing Lenses*, their recent publication on women and media in ten countries across the Asia-Pacific region, Isis confirms that in the Philippines violence against women remains a deeply-rooted problem in society.

The 1995 fourth periodic report for the United Nations Committee on the Elimination of All Forms of Discrimination Against Women (CEDAW) showed that from December 1992 to November 1995, "cases of rape and other incidences of violence against women have been increasing but only a small number of offenders are apprehended and convicted." [3]

SIBOL [4], a legislative advocacy formation of 12 women's organizations in the Philippines lists the forms of sexual violations against women:

The most common of these in the Philippines are rape, incest, spouse or partner sexual abuse, sexual harassment, prostitution, trafficking, and pornography. [5]

In this paper we quote at length from the book *Women's Health and the Law*, an excellent resource on legislation, policy and programs related to women's health in the Philippines which is written in accessible language despite the necessity of legal references. *Women's Health and the Law* was prepared and published in 1997 for SIBOL by the Women's Legal Bureau, Inc., (Philippines). The Women's Legal Bureau is a feminist legal resource NGO servicing women and women's organisations on matters involving gender-related issues.

Some of what we present here may seem to be outside the scope of this forum's topic of sexual violence. In the context of the Philippines, however, it would be an incomplete picture if we did not connect sexual violence with the related issues of sexuality, abortion, no divorce law, the double standard in marital infidelity, the death penalty, migration, the world wide web of exploitation, and the feminist movement's response.

With such an abundance of material from the Philippine women's movement, academia and other sectors, we have resorted to giving pointers to many documents

and there is included a bibliography of resources. You can access all this material in the Centre for Philippine Concerns (CPCA) Brisbane Branch library. [6] There is also appended a list of addresses of some of the women-friendly agencies in the Philippines.

In closing this introduction, we offer you a few lines from the poem *'To the young women walking the path of feminism'* by Aida Santos. [7]

*we begin to love each other
when we begin to make the connection
between your empowerment and my
disempowerment, we are sisters when we
recognize and touch each other's pains like
touching the glow of the moon when it seems
so distant and impossible, when we cry
because another woman cries, when we hold
a grieving sister even when we feel the depths
of our own wounding, when we laugh as the
tears dry laughing with the going of sorrows,
when we break our silences even when it is
difficult to find the words that will describe the
growing grief of loves lost and lost hopes...*

CULTURAL CONTEXT

The cultural context within which Filipino women have been defined is embedded in a patriarchal system, as in other parts of the world. Gender and female sexuality are defined by the dominant social group (men) through a socialisation process mediated by family and community, school, church and the media. In practice, this has come to mean male dominance/female subordination.

Traditionally, the husband is expected to be the main breadwinner, chiefly responsible for the financial sustenance of the family, and the wife is "queen of the home". As she takes care of the budget and "holds the purse strings" (the husband usually hands over his monthly pay to the wife and gets a regular allowance from her), she is seen as a power to reckon with in the family.

However, this often-repeated incantation and the commonly held idea that today's Filipino family displays "matriarchal tendencies" attributed to the power held by women before the Spanish conquest, as well as the assertion that the position of Filipino women improved as a result of American influence during its occupation of the country, are now challenged by the empirical studies of social scientists as some of the "myths" surrounding the belief that Filipino women do not need "liberation". [8]

Additionally, the traditional view of a full-time Filipino mother and wife is also being challenged by the necessity in contemporary Philippines for women to seek paid work outside the home; even outside the country. A common phenomenon is labor

migration which began in the early 1920s. The "brain drain" reached crisis proportions in the late 1970s when the Marcos government actually promoted the deployment of Filipinos for overseas jobs to deflate unemployment and earn foreign exchange from income remittances to offset the debt crisis. There are now an estimated 7 million Filipinos working in 129 countries all over the world with the trend showing an increased feminisation of migrant workers.

Women migrant workers are more susceptible to mal-treatment, physical and sexual abuse. Most prone are the domestic helpers and those in the entertain-ment trade. They have experienced humiliation, abuse, torture and slavery. Many have returned home dead or badly bruised or psychologically impaired. [9]

The earliest representations of Filipino women that have survived the march of time were written by Spanish chroniclers. Pre-colonial Filipinos, or "indios" as we were called by the Spanish, wrote on material like leaves and wood or even fragile rice paper. Nevertheless, some ancient scripts did survive in remote areas and are still used to this day.

In the almost total absence of history written by pre-colonial inhabitants, the origins of the Filipino peoples are preserved in oral traditions of myths and legends. One legend tells the story of creation quite differently from the Judeo-Christian biblical account. In this version, woman and man emerged simultaneously from a bamboo cylinder when a bird pecked at it. Another legend has it that the first humans on earth came down from the sky as adults, fully formed, comprising of men and women. The egalitarian theme is once again evident. [10]

Mainstream history was almost always written from a male perspective and the participation of women in the life of the community was glossed over. A joint study conducted by five Filipino women argues that:

Research done by women historians has established the more egalitarian status of women during the pre-Spanish period. Encarnacion Alzona enumerates the following rights enjoyed by the pre-Spanish Filipino woman: (1) to be treated as an equal by her husband and to share his honors; (2) to retain her maiden name; (3) to freely dispose of the property she had brought into the marriage; (4) to be consulted or informed by her husband about his business affairs and contracts; (6) to divorce her husband in case of non-support or maltreatment; and (7) to assume the headship in the *barangay*. To this list Mary John Mananzan adds: (1) to have a baby or not, whether she is married or not; and (2) to name her children. Moreover, women had an unquestioned preferred role in religious ceremonies as *babaylanes* or *catalones* (priestesses). [11]

This Filipino woman of strength and power was transformed during the almost 400 years of Spanish colonisation, as the social system itself was transformed into a patriarchy. With values and cultural expectations shaped under Spanish tutelage, the Filipina became the "shy, diffident, puritanical, tearstained little woman of the late nineteenth century" so well immortalised in literature. (Carmen Guerrero Nakpil) [12]

It is asserted however that this "Maria Clara" [13] type of Filipino woman was more typical among the upper class. Rural women and women of the labouring classes were

not transformed completely and this is attributed to the economic pressures and harsh conditions in which they lived. [14]

For a more comprehensive account of the evolution of the Filipino woman, see *The Filipino Woman 1565-1973* by Encarnacion Alzona. [15]

The Philippines today is predominantly Catholic, so personal and community values echo the teachings of the Roman Catholic Church, which is male-centred and male-dominated. The value placed on virginity until marriage and sex only for procreation, reflect the Catholic upbringing of most Filipinos, as do the indissolubility of marriage and the belief that the husband is head of the household with absolute authority over his wife and children. The father's word is law and his behaviour cannot be questioned. All these values have consequences for women who experience sexual assault and domestic violence, for example, the reluctance to report rape or incest and the tendency to stay in untenable violent relationships even if their lives are at risk. They also partly explain the fear, shame and guilt that overwhelm victims of these crimes.

Sex is a taboo subject. The sensitive parts of the body are not to be mentioned, and in fact there are no specific words assigned to some of them, as well as some sexual behaviours, so that it is not possible to translate the English word equivalent. When talking about sex, Filipinos use euphemisms instead.

In this context, the use of qualified and skilled interpreters especially in the medical and legal fields to communicate with women who are not confident about their English, is critical in Australia. In Queensland, this right is yet to be enshrined in law. Until it is, women of language and cultural backgrounds other than Anglo/Celtic-Australian are being denied a basic human right. For service providers, it is imperative that translated information in print should be supplemented by interpreters to ensure effective communication. The requirement for a qualified interpreter where needed, at the appropriate level of skills, should be part of service provision standards.

FILIPINO SEXUALITY

The Filipino concept of sexuality is ambiguous, its meaning socially and personally defined by the dominant cultural group and prescribed by social expectations usually in terms of masculinity and femininity. Consequently, as SIBOL argues:

The long tradition of women's cultural, economic and social subordination has subjected them to sexual repression, effectively denying control over their own bodies and, in many cases, to sexual violence. [16]

Sexuality in the Philippines is distinguished by a double standard that expects women to remain virgins until marriage while men are allowed to enjoy sexual freedom. This double standard is reflected in the attitude towards wives who commit adultery (morally unacceptable) while unfaithful husbands are condoned, "they are men, after all...". Young women who lose their virginity before marriage, whether through rape or in a relationship, diminish their chances for a "good" marriage, while young men can "sow wild oats" with abandon and be even admired for being so "manly".

Young women feel pressured into early marriages to legalize sexual relations or to avoid the stigma of becoming "old maids". Young men, on the other hand, are allowed to express their sexuality freely, and are sometimes initiated by fathers who take their sons to brothels for sexual intercourse with women. [17]

In the realm of the extended family, the control of women's sexuality aims to regulate inheritance; as Atty. Evalyn Ursua argues, "to guard against the introduction of illegitimate children into the family." Philippine laws on adultery and concubinage simply reflect society's double standard in the treatment of sexual infidelity. [18]

By making a distinction between 'legitimate' and 'illegitimate' children, between 'legitimate' and 'illegitimate' families, society justifies treating 'wives' and 'concubines', and their children, differently as far as property inheritance is concerned. This differential treatment also influences how 'illegitimate' members of the family are treated and 'used' by the patriarch. (For a further discussion on this issue see the section of this paper headed The Double Standard In Marital Infidelity.)

Religion, specifically Roman Catholicism, was introduced by the Spanish colonizers to facilitate their rule over the local people, especially to neutralize the influence of independent women at that time.... Monogamous marriage and chastity were inculcated alongside the institutionalization of property ownership. The Filipino woman then became subordinate to a male figure: her father before marriage, her husband after marriage. [19]

For a discussion on cultural prescriptions for women's domesticity and status in the context of cultural sexism, see "The Ideology of Female Domesticity: Its Impact on the Status of Filipino Women" by Carolyn Israel-Sobritchea. [20]

Filipino sexuality is conditioned by many factors; by social institutions like school, church and the mass media.

Mass media, especially movies, television, and entertainment magazines, treat women as sexual objects. Cyberspace technology has of late been an added source of sexuality constructs as pornography becomes popularly available to users. [21]

Through specific provisions in the Constitution, even the State has a hand in defining Filipino sexuality. Policies concretely link marriage, the family and society: marriage is the foundation of the family, and the family is the foundation of the nation. The sexual act, by virtue of Church and State edicts, should occur only in marriage for procreation. Sex for sheer pleasure is morally unacceptable even as society has a silent, tacit acceptance of sex outside marriage. The debate over homosexuality, let alone same-sex marriages, is scuttled by both Church and State. Sexuality, therefore, despite the insistence of some quarters that it is a purely private decision, has never been private. Governing rules and institutions, official or traditional, shape people's consciousness of what is acceptable and unacceptable, what is normal and what is deviant or perverse. [22]

Homosexuality is not illegal in the Philippines. However, only the Family Code [23] specifically mentions homosexuality. SIBOL argues that "The treatment of homosexuality and homosexuals in the legal system may be described in three ways:

(1) homosexuality is an aberration; (2) homosexuals are invisible; (3) homosexuals are denied rights granted to heterosexuals." [24]

Marriage and family are heterosexual units in the Family Code. Marriage between couples of the same sex is thus not possible under Philippine law and homosexual relationships are not included in the legal concept of family. "Lesbianism or homosexuality" of one party to the marriage is stated as grounds for legal separation and for the annulment of marriage. [25]

Upon the severance of the marital union either through legal separation or annulment, the homosexual spouse is considered the guilty party and loses her/his rights of inheritance from the other spouse, and as well as any claim to the conjugal property, she/he may also lose custody of the children. [26]

SIBOL sees the treatment of homosexuals in law as a reflection of the homophobia pervasive in social institutions and Philippine society in general. The way homosexuals are treated under the legal system is a clear violation of the constitutional mandates of "equal protection of the law" and "equality before the law of women and men." [27]

THE CULTURE OF SILENCE AND THE CYCLE OF VIOLENCE

Michael Tan, executive director of the Manila-based Health Action Information Network (HAIN) says:

VAW [violence against women] occurs because our social norms become ambiguous... VAW exists because we refuse to face up to the roots of the problem. We dismiss rape as an occasional crime, and think the death penalty will eradicate it. It will not, because our social norms continue to encourage VAW. Think hard about it: even our norms about being a 'gentleman' may in fact contribute to VAW. The concept of the 'gentleman' is actually very feudal. Chivalry is expected of the Pinoy [28] 'gentleman' only under certain conditions, meaning if the woman is loyal and servile. In fact, even the prohibition on picking a fight with a woman is partly based on the idea that men are superior and should not stoop to the level of women. And when a woman dares to talk 'too much', asks 'too much', then the 'gentleman' façade gives way to stern machismo: she has to be put in her place, through a beating if necessary. Is this too harsh an indictment of Pinoy culture? I don't think so. [29]

Increasingly, as the culture of silence is broken, women are coming forward and reporting their experiences of violation. Isis International makes the observation that documented cases in the last five to ten years show the extent of family violence with women suffering in silence so as not to put the family to shame. [30] Arugaan ng Kalakasan, a crisis intervention agency based in Quezon City says that some of the reasons women keep silent about their experience and remain in violent relationships are: "shame, the hope that the abusive partner will change, threats from or the moral ascendancy of the abuser, lack of financial resources, lack of support from relatives, concern for the children, and social pressure to keep the family together." [31]

RAPE

On 30 September 1997, The Anti-Rape Law (Republic Act No 8353) was signed amending the provisions of the Revised Penal Code on rape. The law was enacted after years of advocacy by women's groups, particularly SIBOL.

SIBOL points to the three significant changes in the law on rape, as a result of the 1997 Anti-Rape Law, being:

1. the broadening of the definition of rape;
2. the recognition of marital rape; and
3. the reclassification of rape as a crime against persons from a crime against chastity. [32]

Rape is now defined broadly. The previous definition of rape was limited to the penetration by the penis of a woman's vaginal orifice. SIBOL sees the expanded definition as a immense improvement. Although, having broadened the definition of rape to include acts not traditionally considered rape, the law still makes a distinction in the penalties to be imposed, and by imposing lesser penalties, in effect deems them to be less serious violations; penile penetration of the vagina is punished heavily compared with the other acts of rape such as penetration of the anus, for example. [33]

Rape is now classified as a crime against persons and is therefore a public offence. Previously, rape was classified as a crime against chastity and a private offence. SIBOL argues however that, "all sexual violations against women violate their person and inflict irreparable injury not limited to the physical. In classifying the sexual violations against women as crimes against chastity, the law implies that the women violated become unchaste or that only the chaste can be violated." SIBOL further argues that the courts treat these as crimes of lust or passion; conveniently excusing the rampant violations of women. "There is nothing about "lust" or "passion" in these crimes," says SIBOL, "these are crimes of power and control by the dominant (men) against the subordinated (women)." (See Part Four, Section 1 of *Women's Health and the Law* for a thorough description of "crimes against persons" and "crimes against chastity", the difference in penalties imposed, and the provision for pardon.) [34]

MARITAL RAPE

In this scheme of things, it is not at all surprising that women can be viewed as sexual objects for men. Traditionally, Filipino women accept that part of their role in marriage is to satisfy the sexual needs of their husbands, whether they like it or not. That is why it is difficult for them to understand the concept of rape in marriage, or to consider this behaviour as criminal. Abuse and violence is often accepted as part of married life.

The majority of the assailants of abused women are their partners or spouses and, most often, spousal beating is followed by marital rape. (Lyn Lee 1992, 'Perspectives on Domestic Violence', KALAKASAN.) [35]

The Anti-Rape Law of 1997 reversed the view prevailing under the old law that except in cases of legal separation, a husband may not be guilty of rape, no matter

how violent or violating the sexual act is to the wife. Additionally, under the new law, both husband or wife may be charged with rape.

INCEST

No law in the Philippines specifically names, defines and penalizes incest. Incest cases are prosecuted using any of a number of different crimes. [36]

Sexual abuse of female children by their fathers and other male relatives is also on the rise. Sexual abuse of young women is widespread. A recent study on family violence revealed that 98% of the victims are women. It also showed incest to comprise 33% of violence committed against children. (Women in Development Inter-Agency Committee Fourth Country Programme for Children, University of the Philippines Center for Women's Studies Foundation, Inc., and U.N. International Children's Fund, *Breaking the Silence* , September 1996). [37]

THE DEATH PENALTY

The Philippines reintroduced the death penalty in 1994 for specified "heinous crimes", which includes the rape of children under the age of 18 within a family. The first execution under this new law was carried out in 1999 when a Filipino man was executed by lethal injection for the rape of his 11-year-old stepdaughter. [38]

The death penalty is also imposed for the crime of rape under any of these other circumstances: the offender knowingly infects the victim with HIV/AIDS or any sexually transmissible disease; or knows the victim is pregnant or has a mental disability, emotional disorder or physical handicap; or knows the victim is in religious vocation; if the victim suffers permanent physical mutilation or disability; when the victim is in police or military custody; if the rape is committed in full view of the victim's family; and, when the victim is a child below seven years old. [39]

MILITARY SEXUAL VIOLENCE

In the early 1990s women began to speak out and demand compensation for the war crimes of "military sexual slavery" during the Second World War. It is estimated that "200,000 women aged between 11 and 20 years from all over Asia were officially reduced to sexual slavery and were requested to have intercourse with 10 to 40 soldiers per day; only 30% of these women survived to the end of the war." [40]

Lourdes Sajor of ASCENT, an organisation that has worked on the issue of Filipino "comfort women" since 1992 argues that "The violence of the culture of war, and the use of rape as a weapon of war, has its roots in patriarchal systems." In the case of the "Asian Comfort Women" of the Japanese Imperial Army during World War II, "the government itself systematically planned, ordered, conscripted, established and controlled the army brothels, and forcibly abducted the women from the occupied territories and countries using the entire army apparatus." [41]

Maria Rosa Henson broke half-a-century's silence when in 1992 she spoke out publicly about her ordeal as a "comfort woman" in a World War II rape camp. She was 14 when she was raped by three Japanese soldiers in 1942. Two years after, while

active in the resistance movement, she was captured again and used as a "comfort woman" for nine harrowing months until she was rescued. She died in 1997, a year after her autobiography was published. [42]

Felicidad de Los Reyes was abducted from school by Japanese soldiers in 1943 when she was only 14 years old. She was continually beaten and raped for four days. She survived her experience unlike her older sister who died in a "comfort station". [43]

Homosexuals were also used by the Japanese military in this way. Walter Dempster Jr. was working in Manila nightclubs as a cross-dressing entertainer during the war. While out walking one night dressed in women's clothes, Walter and his friends were taken to military headquarters where they were raped at least three times every day. [44]

During the Marcos regime, many women students and members of resistance groups were raped, tortured and died in military custody. [45]

"Rape continues to be a strategy of armed conflict in the Philippines because it affects a woman's husband and children and the entire community to learn she has been violated," explained Indai Lourdes Sajor. As to how government is fulfilling the strategic objectives of promoting non-violent forms of conflict resolutions and of recognizing the role of women in promoting a culture of peace especially at the community level, Sajor laments that these have not happened, even after the [Marcos] dictatorship. [46]

TRAFFICKING

Fifty percent of the 50,000 to 70,000 women trafficked each year throughout the world (mostly from Southeast Asia), are Filipino. This statistic was given by the National Commission on the Role of Filipino Women, which led the Philippine delegation to the recently concluded UN Special Session on Women in New York. [47]

Many women are victims of trafficking for purposes of prostitution within their countries and abroad. They are deceived by employment agencies that use the promise of legitimate jobs but are instead made to work as prostitutes, or through marriage bureaus that collude with foreign males to arrange sham marriages, or they never even get to marry and end up being forced into prostitution. [48]

Although trafficking is usually seen as an international trade, it is also a common internal practice within the Philippines and other countries. When bars, brothels, massage parlors and other prostitution fronts are unable to fill their quota, they resort to trafficking in women from rural areas to urban centers.

Some would say trafficked women are not always naive victims and many willingly resort to being trafficked as a survival strategy. Isis International reminds us that, "trafficking is not only a survival strategy of individual women. It is also that of governments, both in the developing and developed world." [49]

In 1999 the International Organisation for Migration produced a half hour video of Maria Socorro Paulin-Ballesteros' play *Sex Trafficking: We're So Syndicated, Ma'am* . [50] Translated into five Philippine regional languages and English, 50,000 copies were reproduced for free distribution with funding from the Belgian Administration for Development Cooperation. The video can be used in training sessions with KALAYAAN's manual *Community Action Against Sex Trafficking* . [51]

PROSTITUTION

Even while Philippine laws do not define prostitution, prostitutes are criminals. Clients, or men who avail of 'sex' from women in prostitution, are not expressly penalised, but clients of child prostitutes are. The following persons involved in prostitution are penalised through the various Philippine criminal provisions relating to the prostitution of women: (1) prostitutes (except children); (2) pimps and procurers; (3) those engaged in the business of prostitution; (4) those profiting from the business; (5) those enlisting the services of women and children in prostitution. [52]

SIBOL argues that, "Although adult prostitutes are criminals under Philippine law, and engaging in the business of prostitution is a crime, prostitution is, in reality, de facto legal." Both the Labor Code and local regulations such as the Sanitation Code contain provisions pertaining to "certain" women workers in night clubs, cocktail lounges, massage clinics, sauna baths, bars etc. which indirectly recognise that prostitution is part of the establishment's business. Thousands of so-called "streetwalkers" are imprisoned for vagrancy. Those in bars and similar establishments are rounded up in raids. Meanwhile the men who exploit women in prostitution are largely left untouched. [53]

Cecilia Hofmann, from the Coalition Against Trafficking in Women-Asia Pacific, argues that, "If the prostitution of women were to be regarded in the same light as the prostitution of children, in other words as abuse, harm and human rights violation, and further, as discrimination against women as a group, then the same legal treatment would not only be possible but necessary. Abusers and profiteers would be legally liable while the women would be considered as offended parties." [54]

Reports on the numbers of children in prostitution depict the immense hardships that plague the Filipino family.

Of the 1.5 million streetchildren, 60,000 are prostituted (ECPAT 1996). The DSWD [Department of Social Work and Development] claims that the annual average increase of prostituted children is 3,266. The Philippines is the fourth country with the most number of prostituted children (Intersect, December 1995). Research studies conducted in schools show that for every 3 Filipino children, one child experiences abuse (Manila Bulletin, 11 February 1996). During the first semester of 1999 alone, there were 2,393 children who fell prey to rape, attempted rape, incest, acts of lasciviousness and prostitution (DSWD 1st semester, 1999). [55]

SEX TOURISM

Fifteen Australian and New Zealander women, including eight Filipinas, travelled to the Philippines in 1995 to look at the experience of Filipino women in prostitution, the role of Australian men, the Australian government and the Australia-based sex trade industry. A report of the study tour was published including recommendations to the Australian and Philippine governments. [56]

THE "LAY DOWN OR LAY OFF POLICY" IN THE WORKPLACE

Many women workers are subjected to sexual harassment or sexual violence in the workplace. (Bureau of Women and Young Workers, *Sexual Harassment at the Workplace*, 1991.) [57]

There is a phrase in the Philippines that sums up the sexual violence experienced by women in the workplace. We call it the "Lay Down or Lay Off Policy".

Prior to the enactment of the Anti-Sexual Harassment Act of 1995 (RA 7877), women resorted to the pertinent provisions of the Revised Penal Code to seek redress for sexual harassment. SIBOL comments that, "While Republic Act No. 7877 is a step forward in addressing sexual harassment, it has several significant limitations." [58]

NO DIVORCE

Gina Mission, an independent journalist based in the Philippines, writing about the history of divorce in the Philippines comments that, "Filipino couples have only three ways to change the status of their marriage: legal separation, declaration of nullity, and annulment. Legal separation allows spouses to live separately but they may not remarry. Declaration of nullity presupposes that the marriage is void from the beginning and the court declares its non-existence. Annulment legally cancels the marriage and both spouses are restored to their single status." [59]

Recounting the history of divorce in the Philippines, Mission reminds us that divorce is already legal for part of Filipino society; its Muslim population [60], and some indigenous cultures also practice divorce. Divorce is not a new concept in the Philippines; in the pre-colonial period, absolute divorce had been widely practiced among tribal communities. Under the Spanish, legal separation was allowed. Under the Americans, divorce was allowed only on the grounds of adultery on the wife's part and concubinage on the husband's. Under the Japanese, the grounds for divorce were expanded. But, by 1950 the Civil Code of the Philippines allowed only legal separation. The 1988 Family Code further tightened the laws against divorce." [61]

SIBOL argues that even though the 1987 Constitution declares marriage to be "an inviolable social institution," this does not prevent the legalisation of divorce in the Philippines. Yet, it is invoked as the basis for restricting the dissolution of marriage. Furthermore, the article on "strengthening" the solidarity of the family is invoked in domestic violence cases to preserve marital unity. "This manner of application of the State policies on marriage and the family is inconsistent with the human rights and social justice provisions of the Constitution." [62]

Media commentators are of the opinion that a recent proposal to legalise divorce may not make it through the House Committee on revision of law as supporters have

withdrawn due to pressure from the Catholic Church and the approaching elections in 2001. [63]

For a brief comparison of Australian with Philippine law see "Divorce and Annulment in the Philippines and Australia" by Michael Jones. [64]

DOMESTIC VIOLENCE

SIBOL argues the necessity for domestic violence legislation that covers psychological and economic abuse as well as physical and sexual abuse. Currently, there is no legislation that specifically addresses and provides remedies for domestic violence as an independent area of concern, although there are several proposals pending in Congress. [65]

One proposal, Senate Bill No. 1458, in its explanatory note gives statistics which indicate that husbands and partners were the most common abusers of women. These statistics were taken from various research reports and client records of agencies assisting victims/survivors. [66]

Currently, the only legislation that specifically mentions domestic violence is the Family Courts Act of 1997 (Republic Act No. 8369), which mandates the creation of family courts to resolve domestic violence cases and provide restraining orders. [67]

THE DOUBLE STANDARD IN MARITAL INFIDELITY

Philippine law penalises a married woman's infidelity differently and more heavily than a married man's transgression.

An act of sexual intercourse by a married woman with a man not her husband constitutes the crime of *adultery*. On the other hand, a man's sexual infidelity with a woman not his wife is not a crime, unless there is cohabitation (which implies some degree of permanency) or the sexual infidelity was committed under scandalous circumstances; it is only then that the crime of *concubinage* is committed. [68]

SIBOL argues that this legal double standard is based on women's child-bearing ability and men's claims of natural sexual needs or drive, which are the same justifications used to maintain prostitution. "Clearly, these laws discriminate against women and violate their human and constitutional rights to fundamental equality before the law." [69]

ABORTION

Abortion is illegal in the Philippines and the provisions of the Revised Penal Code specific to abortion have not been amended since enacted in 1930. Abortion is widespread even though it is classified as a crime against persons, along with infanticide, murder, parricide and homicide. Many women die from unsafe abortions. [70]

The 1987 Constitution provides that the State "shall equally protect the life of the mother and the unborn from conception." The only exception is therapeutic abortion.

Women's groups mobilised against the inclusion of this provision, but their efforts were defeated by a strong church lobby. [71]

Most women who choose to undergo induced abortion belong to the 20-24 age bracket. Fifty five per cent are high-school graduates, 65 per cent are homemakers and 92 per cent of those who have had an abortion are Catholics. (*Abortion: A Public Health Concern*, 1996.) [72]

The current laws on abortion may not be repealed because of Article II, Section 12 of the 1987 Constitution whose clear intent is to prevent the legislature from decriminalizing or legalizing abortion. Before the 1987 Constitution, there was no constitutional impediment to the passage of a law decriminalizing or legalizing abortion. [73]

SIBOL argues that abortion is a health issue as well as a class based issue. Poor women do not have the means, and thus, have no choice but to resort to self-help methods, or untrained practitioners. [74]

Because of stiff legal and social penalties, those who perform abortions rarely speak out. "Shadows in the Abortion Debate" by Sharon Cabusao contains interviews with two women who perform the abortion procedure, one is an experienced midwife, the other a traditional healer. [75]

PORNOGRAPHY

Pornography, *per se*, is not expressly defined in Philippine criminal law (statutory or judicial). Instead, various acts that are considered to manifest obscenity or indecency, are penalized as *immoral doctrines, obscene publications and exhibitions and indecent shows* under the Revised Penal Code. Republic Act No. 7610, the special law on child abuse, exploitation and discrimination, may also apply when children are involved. [76]

Pornography is a contentious issue in the women's movement. On one side are those who see pornography as "centrally implicated in women's oppression" and on the other are those who "seek to appropriate erotic imagery for women". Civil libertarians join the debate from an anti-censorship perspective. For a brief discussion on the relationship between pornography and sexual violence see 'Defining Pornography' by Leti Boniol. [77]

INTRODUCTION AGENCIES

The Mail-Order Bride Law [Republic Act No. 6955] penalises the practice of matching Filipino women for marriage to foreign nationals on a mail-order basis. SIBOL observes that when this law was enacted in 1990, advertisements for commercially-arranged marriages disappeared but, in reality, the mail-order bride business thrives underground because the law does not assign a monitoring agency to ensure implementation. Also, marriage matching via the Internet is beyond the reach of the law. It is estimated that 1,000 to 2,000 Filipino women enlist with mail-order agencies annually, with almost all resulting in marriage. [78]

THE WORLD WIDE WEB OF EXPLOITATION

Shopping for women in cyberspace is one of the means by which introduction agencies circumvent the Mail-Order Bride Law. Cunneen and Stubbs discuss this relatively new phenomenon in their book *Gender, 'Race' and International Relations: Violence Against Filipino Women in Australia* [79] and in their journal article, 'Male violence, male fantasy and the commodification of women through the Internet'. [80]

For a comprehensive examination of how men are using the Internet to engage in and promote the global sexual exploitation of women and children, see *Pimps and Predators on the Internet*, by Donna M. Hughes. [81]

Recent research commissioned by the U.S. Immigration and Naturalization Service estimates that "between 100,000 and 150,000 women from a variety of countries (including the U.S., Canada, Europe, and Australia) annually advertise themselves as available for marriage." The Philippines provides a large number of the Asian listings with Thailand, China, Indonesia, Malaysia, Korea, and Japan also often given as the woman's native country. "In recent years, a large increase in listings has been due to the influx of services focused on women of Russia and the former Soviet Union" [82]

The Commission on Filipinos Overseas (CFO), an agency of the Philippine Government, reports that so-called "mail-order brides" constitute 10% of the marriages between Filipinos and foreign nationals. Between 1989-1994, 95,000 Filipino men and women were engaged to be married to foreigners, the great majority of whom met their partners through work or personal introductions. (Catherine Paredes-Maceda 1995, 'Data from Filipino women and intermarriages') [83]

We should bear in mind however that this data compiled by CFO is supplied by the women themselves and their fiances/husbands. As "mail-order" marriage agencies are illegal in the Philippines, the couples would most likely refrain from stating this as the mode of their introduction.

The Internet is a powerful tool for constructing a global image of women as "victim" or "vamp". What would stop us from using it to break down the culture of silence that has perpetuated the cycle of violence against women?

THE RESPONSE

The Philippine House of Representatives Committee on Women states:

The Philippine Congress is presently at the crossroads in dealing with women's issues in legislation. The institution is gradually evolving from espousing traditional and conventional concepts and perspectives to adopting more realistic and responsive approaches and strategies in integrating women's concerns in the legislative process. This trend in the reform of Philippine statutes affecting women who constitute more than half of the Philippine population is well-exemplified in the enactment by the 10th Congress of the Anti-Rape Bill after almost a decade of legislative deliberations and advocacy by women NGOs. [84]

SIBOL observes that there are several family planning programs available which appear to be massive and well-funded and these should reach Filipino women nationwide. Although programs to assist women victims of violence are more numerous, they are comparatively smaller in scope, with fewer services and limited funding. [85]

There are two government agencies actively engaged in the development of policy proposals on women's health whose efforts could expand the purview and enhance the government's appreciation of women's health: the National Commission on the Role of Filipino Women and the Commission on Population. [86]

SIBOL hopes that the general public is now better informed after nearly a decade of NGO advocacy, actions and accompanying media attention on the prevalence, gravity, and the social cost of this form of severe discrimination against women. Yet, the enormous toll that violence in all its forms takes on women's health has not been thoroughly addressed by the health sector. As no medical school in the Philippines includes violence against women as a specific subject in the curriculum, the medical community is not prepared to be watchful for signs of violence and, much less, to adequately and appropriately respond to the needs of women who experience violence. [87]

Raquel Tiglao, executive director of the Women's Crisis Center is not too optimistic about the Philippine government's efforts to end violence against women. Although she concedes that it has signed all the declarations and conventions that pertain to women and is fulfilling the objective of providing shelters and legal services, she challenges its commitment to provide the necessary funding, asserting that many feel that this is just lip service. [88]

The University of the Philippines Center for Women's Studies in *Breaking the Silence: the Realities of Family Violence in the Philippines and Recommendations for Change*, a study conducted and published by the UCWS and the U.N. Fund for Children says, "It is essential to transcend traditional social-science research methodologies to be able to explore various dimensions of domestic violence through the eyes and perspectives of women victims and survivors." The study hinges its recommendations on the belief that actions should be made "in view of the reality that the circle of violence can only be broken through policies and intervention strategies." [89]

SIBOL concludes:

The present state of laws, policies and programs directly concerned with or related to women's reproductive health, sexuality, and violence against women is a maze of both the "old" and the "new". "Old" refers to the laws, policies and programs that were instituted prior to the 1980s, a period marked by the rise of a strong and visible women's movement that led, in turn, to the start of gender mainstreaming efforts within government. These old laws and policies reflect a perspective that rests on the traditional and, thus, sexist construction of women and their sexuality - as wives whose child-bearing capacity must be "guarded", or as "good" and "bad" women.

On the other hand, there are the new laws, policies and programs that bring forward a more progressive, pro-women point of view. These were of more recent origin, emerging during the period of increased recognition of women's rights through the advocacy of feminists and the women's movement at both the national and global levels. The new viewpoint on women is more respectful of their rights as individuals and responsive to their needs as citizens, in their own right and in their various roles. [90]

Since the "old" and "new" carry a fundamental conflict in orientation, their side by side existence tends to project a confusing and confused state concerning government's position on women's rights in general and women's health in particular. They do not only send conflicting messages to the public; they also make government agencies act or decide in contradictory ways. This is especially true in legal precepts on sexual abuse of women. ... Governmental action in the entire area of sexual violations against women - rich with sexist construction of women's sexuality - has yet to improve with the new legislative developments. [91]

However, one can positively view the current situation as an indication of a slow shifting of government's lens away from gender blindness and sex stereotyping. ... The government is party to all recent pro-women international documents and has issued policy pronouncements and program plans whose texts are in tune with some demands and advocacy of the women's movement. [92]

Another area for improving performance concerns the legislature. At the time of the research, there were many bills on women pending in both the lower and upper chambers of the Philippine Congress, such as on domestic violence, pornography, and trafficking in women. Some of these bills have been pending for years. ... a landmark law on women may take three to five years before it is finally passed into law. The legislature has to make bills on women part of its priority agenda, and seriously take into account the inputs of advocates from the women's movement in enacting legislation for women. [93]

HURIDOCS: DOCUMENTING HUMAN RIGHTS VIOLATIONS

Documenting human rights violations, and studying developments and trends, is an important tool in addressing violence. It can, however, be an overwhelming task for small organisations. To address this, the Geneva-based human rights organisation, HURIDOCS International, has developed WinEvsys, a database program to do this task that can be adapted for local needs and customised for individual agencies and organizations who do not have the resources to author their own documentation system.

For quite some time, CPCA has been documenting the reported incidents of the deaths and disappearances of Filipino women and their children in Australia. We are finding this task grows in complexity as our information sources expand and as the number of cases increase. The database developed by HURIDOCS could be the solution to our need to record, retrieve and analyse this data.

Over the past five years, the Coalition against Trafficking in Women-Asia Pacific based in Manila, Philippines has worked with HURIDOCS to adapt WinEvsys to

better reflect violations against women relevant to the Asia-Pacific region. Consequently, WinEvsys is now a very appropriate and helpful tool for women's organisations, particularly those addressing violence against women.

In recent months, a number of women in Brisbane, Sydney and Melbourne have been exploring the idea of utilising WinEvsys in a range of Australian organisations addressing violence against women. A member of our Solidarity Philippines Australia Network is the coordinator for Australia on the International Advisory Council of HURIDOCS-Asia and is trained in using the WinEvsys program.

If the work of your group has a need, but not the resources for this kind of data collection or if you have a project in mind that might benefit from developing this sort of database, please get in touch with CPCA-Brisbane so we can discuss the possibility of jointly organising a HURIDOCS project in Brisbane. Contact: Dee Hunt by email at DHunt@cpcabrisbane.org or write to CPCA-Brisbane, 84 Park Road, Woolloongabba Qld 4102.

FILIPINO WOMEN IN AUSTRALIA In November 1996 the Institute of Criminology (University of Sydney) released a report commissioned by the Human Rights and Equal Opportunity Commission in response to community pressure for the raising of public awareness of the vulnerability of Filipino women to violence, which showed that Filipino women living in Australia are almost six times over-represented as victims of homicide. CPCA was instrumental in the initial data collection that brought this research about. In February 1998, a second edition of the report was published as a book entitled *Gender, 'Race' and International Relations: Violence Against Filipino Women in Australia*. [94]

Chat Garcia, who is currently based in Manila working with the Association for Progressive Communication Women's Networking Support Programme, in her review of Cunneen and Stubbs' book says it goes beyond present-ing the facts to trace the trends and the intersection of race and gender in the cases they studied. The authors cite previous studies on masculinity and murder that identify homicide as a masculine offence, with masculine power and control being central features in spousal homicides. Garcia says, "Particularly enlightening is the discussion on the role of masculinity and violence in constructing a male fantasy of Filipino women." [95]

Data compilation on the deaths and disappearances of Filipino women and their children in Australia is an ongoing project of CPCA. Contact CPCA-Brisbane Branch for more information and a summary of updated statistics.

The Filipino community in Australia has been outspoken in its response to violence against women and maintains its communication with cause-oriented organisations and networks in the Philippines. This year alone, two gatherings took place on the issue of violence against Filipino women in Australia. In February, a forum including a panel of reactors from the Philippine government and the Australian embassy was organised in Manila by Kakammpi, Inc. in cooperation with CPCA and SPAN. [96] For Domestic Violence Prevention Week in May, a memorial mass was held in Acacia Ridge, Brisbane in remembrance of the 32 Filipino women and children victims of violence. About 300 people, including family and friends of the women,

attended the mass organised by CPCA with the support of the Domestic Violence Resource Centre and the Immigrant Women's Support Service. [97]

The Women's Rights Network has published a preliminary report on their recent international survey of service provision for "Intimate Partner Sexual Abuse" (IPSA) which aims to gather a more comprehensive culturally relevant global understanding of IPSA including its link to other social issues. [98]

In an attempt to understand what immigrants experience, the process itself has been described as a series of stages. The decision to leave home generates mixed feelings of anxiety, grief, loss, relief and anticipation, followed by confusion and excitement on arrival in the host country. The initial adjustment period in the host country is marked by misery, dealing with a sense of not belonging, and questioning of the decision to migrate. A major turning point is reached when the immigrant is successful in study or in seeking employment and there is a renewed sense of hope and belonging. This process has been modelled in the U Curve of Adjustment.

As a model, the U Curve is only indicative of what the immigrant may actually experience. Refugees, for example, go through more traumatic experiences than "normal" immigrants. Some may experience a relatively smooth transition, while others meet more difficulties. Still others may never adjust and "get stuck" at the bottom of the curve. The extreme loneliness, isolation, depression and alienation resulting from this experience can trigger memories of past abuse. Service providers and other personnel need to be aware and sensitive to these stages. (A copy of The U curve of Adjustment graphic is appended.)

According to the Australian 1981 Census, the sex ratio of Filipino women to Filipino males was 186:100, almost double, no other migrant community's sex ratios even approaches that of the RP born (Jackson 1988). [99] A significant number of Filipino women in Australia, around 70 percent, are married to non-Filipinos (Masian, 1990:182) [100], and their resettlement experience can be made more problematic in adjusting to a cross-cultural relationship. In fact, they often experience domestic violence, including sexual assault within the relationship. Young women born in the Philippines who immigrated with their mothers may be subjected to incest by their stepfathers. [101] As with other women of colour who become victims/survivors of domestic violence and sexual assault, Filipino women often have to deal with the racist attitudes of the perpetrators and, in some cases, service providers such as the police.

There is a clear need for information for immigrant women of a non-English cultural background such as those from the Philippines, about their rights and the laws relevant to sexual assault and domestic violence; the range of behaviours that are abusive, violent and criminal under the law; the existing services they can tap into; and the structure and proceedings of the criminal justice system.

It is not unreasonable to assume that the women would have come from a close-knit family and community which constituted their support system. In the Australian context, this source of support does not necessarily exist except in the form of community services. It is also important to be mindful that there are many factors which impinge on Filipino women's values and attitudes, including whether they were

socialised in an urban or rural setting, whether they are from the middle or working class, the additional dimension of the immigration and resettlement experience, and their position in the social hierarchy of their adopted country.

The women need to know the range of behaviours covered in the term "sexual assault", for example. They have to be familiar with their rights as Australian residents, as victims and as complainants in a legal case. It would be useful if such information were to be given as soon as practicable after arrival.

They have to be familiar with existing agencies and contact numbers in a readily accessible form. Announcements on community radio is an effective way of disseminating information, as well as Filipino community newsletters. These media, however, should be seen as supplementary to face- to-face information giving.

The specific needs of women in isolated and remote areas need to be highlighted and addressed. Again, the situation of Filipino women in cross-cultural relationships who are in these geographical areas is exacerbated by cultural and language barriers. Finally, smaller communities are more prone to 'gossip' in school, on the streets and the shops. Incest, rape and other acts of sexual violence are not talked about. This is a powerful deterrent to reporting by victims or their families, especially if they as women of colour feel that they do not belong, are not "one of them", and perceive racial discrimination.

In a previous discussion about older women of non-English speaking background including Filipino women who are victims/survivors of violence, their reluctance to report their experience to authorities was partly explained by a range of fears. They are afraid of not being believed, being embarrassed, blamed and ostracised by their community. Being in relatively unfamiliar environment, the women would be afraid to face economic insecurity. The threat of deportation and retaliation by the perpetrators is very real for Filipino women in cross-cultural relationships. Finally, there is the fear of being victimised again in dealing with the police and the legal system, particularly if they are not too confident in their English skills.

These fears reflect the sense of powerlessness common among immigrants who are marginalised in their adopted community, and is mirrored in the situation of Filipino women victims of sexual violence, often, if not always, in the hands of Australian nationals who are in their element and are more familiar with the dominant culture. [102]

It should be highlighted that in terms of powerlessness, research has shown that younger women (15-29 years of age) and older women of a non-English speaking background are even lower in the pecking order within the family and, in terms of access to services, are more "invisible" than other women of the same background.

Cultural issues and barriers to accessing services for young women of non-English speaking background and recommendations for addressing them, are discussed in *I Sometimes Want to Move Out...* by M. Theresa Gatbonton [103] and, *Working with Diversity* by D. Hughes and T. Gatbonton [104].

Older women of non-English speaking background and their issues are addressed in 'Victim/survivors of violence: Responding to older women of non-English speaking background' by Cora Sta. Ana-Gatbonton. [105]

As with any other victims/survivors of sexual assault, Filipino women need to be empowered in dealing with their situation and in seeking justice. Empowerment can occur with being informed about their rights and entitlements, and the legal and judicial processes involved in fighting for these rights. Providing the women with appropriate support is also empowering, for example, assistance with specific needs (e.g. medical, housing, income security); using qualified and specialist interpreters; assistance of a court support officer; and ensuring that staff dealing with them are trained in providing culturally sensitive service.

For a fuller discussion of the barriers faced by non-English speaking background women in accessing the criminal system in Queensland, see *Women of Non-English Speaking Background within the Criminal Justice System*, Qld Department of Justice, 1997. [106]

The foregoing discussion has outlined the cultural and immigration factors that may impinge on the experience of Filipino women victims/survivors of sexual violence. In responding to their needs, service providers, policymakers and those in the area of program development in the wide range of relevant service sectors would not be fully equipped unless they are informed about these factors. They also need skilling in the specialist area of cross-cultural sensitivity and communication, including the effective use of multilingual information and interpreters. It is also important to emphasise the need for employing accredited and professionally trained interpreters in these sensitive situations. Women understandably prefer women interpreters. There may be a preference also for interpreters from outside their own immediate community. In this situation, a telephone interpreter from interstate may be more appropriate and can be arranged through the Translation and Interpreter Service in the State government. [107] As well, service providers have to be prepared to deal with Filipino woman who may need an interpreter in a Philippine language other than Tagalog. In some of our languages, particular words in one can have quite the opposite meaning in another.

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ENDNOTES

[1] Joi Barrios, *Ang pagiging babae ay pamumuhay sa panahon ng digma (To be a woman is to live at a time of war)*, Babaylan Women's Publishing Collective, Institute of Women's Studies, St Scholastica's College, Manila, Philippines, 1990, pp. 144-145. The full text of this poem as reprinted in Philippine Australia Solidarity Group (Qld.) Newsletter (now titled *Kasama*), Vol. 6. No. 1 Jan/Feb 1992, is appended to this paper.

[2] There are three independent Isis offices: Asia (Manila, Philippines), Africa (Kampala, Uganda) and Latin America (Santiago, Chile).

[3] Isis International, *Changing Lenses: Women's Perspectives on Media*, Quezon City, Philippines, 1999, p.103.

[4] SIBOL is the acronym for *Sama-Samang Inisyatiba ng Kababaihan sa Pagbabago ng Batas at Lipunan* (Women's Joint Initiative for Legal and Social Change).

[5] SIBOL, *Women's Health and the Law*, ed. Evalyn G. Ursua, Women's Legal Bureau, Quezon City, Philippines, 1997, p. 69.

[6] CPCA-Brisbane Branch, Justice Place, 84 Park Road, Woolloongabba Qld 4102. Phone: (07) 3891 5877. Fax: (07) 3891 6944. Email: cpcabris@cpcabrisbane.org. Web site: <http://www.cpcabrisbane.org>

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[8] Delia D. Aguilar, 'The social construction of the Filipino woman', *Diliman Review* Vol. 35 No. 1, University of the Philippines, Diliman, Quezon City, Philippines, 1987, pp. 50-62.

[9] Rep. Loretta Ann P. Rosales, "The Feminization of our Migrant Workers", speech delivered on International Women's Day 1999 at the Philippine House of Representatives, reprinted in *Kasama*, Vol. 13 No. 1, Jan/March 1999, SPAN, Australia, pp. 5-6.

[10] Fr. Francisco R. Demetrio, s.j., 'Cosmogonic myths and the mythologically instructed community', *Ani* Vol. IV No. 2, Coordinating Center for Literature, Cultural Center of the Philippines, Manila, 1990, pp. 151 & 153.

[11] EATWOT (Ecumenical Association of Third World Theologians), *Toward An Asian Principle of Interpretation: A Filipino Women's Experience*, Forum for

Interdisciplinary Endeavors and Studies/Institute of Women Studies/EATWOT, 1991, p. 9.

[12] Quoted in Betty Jamie Chung & Shui Meng Ng, *The Status of Women in Law, A Comparison of Four Asian Countries*, Occasional Papers Series No. 49, Institute of Southeast Asian Studies, Singapore, 1977, p. 4.

[13] Maria Clara is the heroine in Rizal's classic Philippine novel *Noli Me Tangere* (Touch Me Not). Jose Rizal was martyred by the Spanish colonial government for his revolutionary writings. *Noli Me Tangere* and his other novel, *El Filibusterismo*, written in Spanish, were instrumental in raising the consciousness of Filipino intellectuals who were mostly educated in Europe and who provided the intellectual leadership for the Philippine revolution against Spain.

[14] Betty Jamie Chung & Shui Meng Ng, op. cit., p. 5.

[15] Encarnacion Alzona, *The Filipino Woman 1565-1973*, Benipayo Press, Manila, Philippines, 1934.

[16] SIBOL, op. cit., p. 27. [17] Ibid. [18] Ibid., p. 121.

[19] Luz Lopez Rodriguez, 'Patriarchy and women's subordination in the Philippines', *Review of Women's Studies*, Vol. 1 No. 1 (1990-1991), University Centre for Women's Studies, University of the Philippines, p. 20.

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[21] SIBOL, op. cit., p.28. [22] Ibid., p.28-29.

[23] The Family Code of the Philippines, Executive Order No. 209, July 6, 1987 (Republic of The Philippines). The full text of EO 209 can be viewed on the Chan Robles Virtual Law Library web site at <http://www.chanrobles.com>

[24] SIBOL, op. cit., p. 134. [25] Ibid. [26] Ibid., p. 135. [27] Ibid.

[28] *Pinoy* is our colloquial word meaning the Filipino male; *Pinay* for the Filipino woman.

[29] Michael Tan, 'Breaking the silence', *Health Alert*, November 28, Health Action Information Network, Manila, Philippines, 1998.

[30] Isis International, *Changing Lenses*, op. cit., p.110.

[31] Quoted in SIBOL, op. cit., p.111. [32] Ibid., p.70. [33] Ibid., pp.70-71.

[34] Ibid., pp.69-74. [35] Quoted in SIBOL, Ibid., p.9. [36] Ibid., p.74.

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- [42] Maria Rosa Henson, *Comfort Woman: Slave of Destiny* , Philippine Center for Investigative Journalism, Manila, Philippines, 1996.
- [43] Anthony Brown, 'Japanese comfort women: One woman's story', *Kasama* , Vol. 9 No. 4, June/Aug 1995, SPAN, Australia, pp. 10-11 & 16.
- [44] Rina Jimenez-David, 'There were 'comfort gays' too', *Philippine Daily Inquirer* , Manila, Philippines, January 27, 2000.
- [45] Ferdinand Marcos was re-elected as President in November 1969 supposedly to serve for another four years. Marcos, however, declared martial law in 1971 and remained in power until his expulsion on February 25, 1986.
- [46] Quoted in 'Women work to end armed conflict', *PBSB Bulletin* , October 1999, Philippine NGO Beijing Score Board.
- [47] Gerald G. Lacuarta, '50% of trafficked women in SE Asia are Filipinos', *Philippine Daily Inquirer* , Manila, Philippines, July 1, 2000.
- [48] SIBOL, *op. cit.*, p. 86.
- [49] Isis International, *Let Our Silenced Voices Be Heard: The Traffic in Asian Women* , Quezon City, Philippines, 1993, Foreword p. iii.
- [50] Maria Socorro Paulin-Ballesteros, *Sex Trafficking: We're So Syndicated, Ma'am* , Theatre Without Borders, 31-minute video, English sub-titles, International Organization for Migration, Philippines, December 1999.
- [51] *Community Action Against Sex Trafficking: A Trainor's Manual* , KALAYAAN, Inc., Quezon City, Philippines, 1999.
- [52] SIBOL, *op. cit.*, p. 87. [53] *Ibid.*, pp. 87-89.
- [54] Cecilia Hofmann, *Questions and Issues on Prostitution* , Coalition Against Trafficking in Women-Asia Pacific, Quezon City, Philippines, 1998, p. 44.

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[57] SIBOL, op. cit., p. 9. [58] Ibid., pp. 75-77.

[59] Gina Mission, 'Breaking the ties that bind', *WIN Magazine*, Issue 27, 1999.

[60] 1977 Presidential Decree No. 1083, otherwise known as the Code of Muslim Personal Laws, permits divorce in marriages where both spouses are Muslims or where only the male is Muslim but the marriage was solemnized in accordance with Muslim Law. For an outline of Muslim law as applied in the Philippines, see *Islamic Family Law*, Emory University School of Law.

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