

# Domestic violence and migration in the Philippines

From actresses to migrant workers, stories of women from all socioeconomic groups, who courageously break their silence to speak up about domestic violence, show that despite the enactment in 2004 of Republic Act (RA) 9262 (the Anti-Violence Against Women and Their Children Act), domestic violence remains rampant in the Philippines. With the inability of the law to stem domestic violence and by extension, gender-based discrimination, women have looked outside the confines of the state and family for ways to escape abuse.

Cheryll Alipio

WHILE A CONSIDERABLE AMOUNT of academic research has been done on domestic violence in recent years, and research on domestic violence in immigrant communities continues to emerge, inquiries into the implications of domestic violence on migration and religion remain minimal, often focusing on the 'running away' experience of women. Drawing upon ethnographic fieldwork in San Pablo City (Southern Tagalog province of Laguna, Philippines) carried out between 2006 and 2007, this article explores the migration decisions, economic strategies and familial sacrifices that women make when faced with domestic violence.

The patriarchal ideologies and institutions underlying structural inequality and gender-based discrimination govern the extent to which Filipino women and their interests are reflected in the legal system. Using feminist approaches to law, human rights, ethnography and poetry, I "probe[s] beyond the realm of filial piety and finances" to understand how "something wrong at home" could cause women to leave the Philippines as migrant workers.<sup>1</sup> Despite the opportunities for self-transformation and empowerment from labour migration, women continue to struggle transnationally as they move from one form of abuse to another.

## Colonial and Catholic constructions of gender

The roots of violence against women as a form of gender-based discrimination can be traced to Spanish and American colonization and its introduction of the male-centred and male-dominated religion of Roman Catholicism. Spanish colonizers used the religion to facilitate their rule over the local people. Laws such as the institutionalization of property ownership, passed during this time, deprived women of their independence. The legal rights given to men subsequently made women dependent, even subordinate, to male figures in their.

In her poem, *Ang Pagiging Babae ay Pamumuhay sa Panahong Digma* [To Be a Woman is to Live at a Time of War], the Filipino poet, scholar and activist, Joi Barrios, writes: "I grew up with fear beside me/Uncertain of a future/Hinged/To the men of my life:/Father, brother/Husband, son."<sup>2</sup> Like Chandra Mohanty who points out that women are "constituted as women through the complex interaction between class, culture, religion, and other ideological institutions and frameworks,"<sup>3</sup> Barrios describes how Filipino women and their lives are defined in relation to men. Similar to Dianne Otto's view that women, as depicted in the text of the International Covenant on Civil and Political Rights (ICCPR) of 1966, are constructed in "procreative and heterosexual terms as mother and wife and as inevitably subject to and dependent on 'men' in their various forms: individually as fathers and husbands and collectively as the State, the military";<sup>4</sup> and I would include the Church as well as Barrios illustrates Catholicism's strong influence, that is, the 'fear' it imposes in women's lives. The poem also points to the Church's protective and paternalistic ideology that places controls on women's future movements, a 'hinge' that restricts their education to rudimentary reading and arithmetic, home crafts, the Christian doctrine and to any wishes and whims made by the men in their lives.

American colonial rule in the Philippines did very little to eradicate the patriarchal norms, beliefs and practices introduced by the Spanish colonizers. The American schooling system maintained the same sexual division of labour and even encouraged women to pursue careers that were compatible with their 'womanly' qualities. The socialization of Filipino women, consequently, placed an emphasis and primacy on the female reproductive role as mother, wife and daughter. Cultural beliefs further intensified the necessity for regulating the mobility of females to the private sphere of the home. Using their physical weakness and their 'dangerous' reproductive capacity as justification for protection, rural females were discouraged from roaming freely outside or even within their *barangay* (village). Thus, the American colonial education laid great emphasis on Castilian values and norms of sexual behaviour, such that the practice of monogamy and chastity prevails today. Tellingly, prior to RA 9262, rape was classified as a crime against chastity and was a private offense, which implied that the women who had been violated became unchaste and that only the chaste could be violated. Courts tended to treat these as crimes of lust and passion, conveniently excusing the rampant violations against women and disregarding their basic rights in the process. With RA 9262, rape is now classified as a crime against persons and is considered a public offense.

The heterosexual and patriarchal beliefs that prevail over family formation, personal relations and cultural, spiritual and political practices in the Philippines demonstrate not only the limited extent of the legal system to capture the multiple identities and intersectionality of women's lives and voices, but also indexes the wide extent to which the 'public' continues to be prioritized over the 'private'. By essentializing women to a common experience and identity, and privileging male hegemony over public life, gender discrimination remains the unresolved issue in the close connection between gender-based violence and violations of human rights and fundamental freedoms. In other words, the major forms of disenfranchisement, exclusion and oppression of women are bound to the disadvantages they suffer in cultural, social and economic realms. As Barrios writes in her poem, "... the cruelty of war/ Lies not on heads that roll/But tables always empty" – a stark reminder that we must also "look at poverty's face". Below, I argue that Filipino women are resilient, turning to opportunities outside of the home and nation for the physical safety, psychological comfort and even financial security that they cannot fully gain domestically through legal means.

## Transnational sites of struggle and sacrifice

"To be a woman", as Neferti Tadiar states in her reading of Barrios' poem, "is a way of life in a time of war; it is to make a living out of conditions of war", such that "women's being as a living... [is] an active undertaking". If we further read the "conditions of war" as being the colonial and Catholic ideologies and institutions that structure women's lives, then women's "being and becoming are cast as a form of work and survival as well as the practice of defiance under general, socialized terror".<sup>5</sup> That is, as Barrios reveals: "No moment/Is without danger/At home/To speak, to defy/Is to challenge violence itself/On the street/Walking at nightfall/Is to invite a stranger's attack/In my country/To fight against oppression/Is to lay down one's life for the struggle." The fear that comes from colonial and Catholic forces is, therefore, turned into a direct "challenge [of] violence itself," which requires a recognition that one's own body and life is the site of such a fight and that the transformative struggle must actively take place both at home and in society. As Barrios declares: "I seek to know this war/To be a woman is a never ceasing struggle/To live and be free despite the danger, terror and fear." "To speak, to defy", however, is clearly a risk-taking activity that Tadiar suggests is "brought about precisely by the gambling gestures women make" to reclaim futures and achieve another destiny that are not defined by the men in their lives.

Laura<sup>6</sup> is a woman who dared to "make a living" out of abusive conditions by following in the footsteps of her mother. At the time of my fieldwork, Laura was 30 years old and had just returned to the Philippines after leaving behind her four young boys at home with their father while she worked as a domestic helper in France for three years. It was not until she was married that her husband started taking drugs and became physically and verbally abusive. Because she loved her husband, Laura put up with him, eventually becoming addicted to drugs herself. Ultimately, she sought help for her addiction and realizing what her life had become, Laura decided to escape her abusive husband by going abroad like her mother, who had left her at the age of seven. When she returned to the Philippines, she was forced to separate from her husband and is now waiting to return to Europe, to her mother and siblings who are also there. Despite finding a solution to the domestic violence at home, Laura is tempted not only by the increased monthly income she would earn as an overseas Filipino worker, but also by the future opportunities and possibilities it affords.

While the labour migration would mean leaving behind her children again, it is a sacrifice Laura has chosen to make, saying she has many dreams not for herself but, rather, for her family. "When I was a child," Laura recounts, "my dream was to have a good home... I don't want my children to experience the hardships of life." She states, "OFWs work abroad for the sake of their family and loved ones. Because of the difficulties of life, we think we have to leave the family and migrate to other countries and work there." Like Laura, another woman who chose to escape the physical abuse meted out by her husband is Maria, 46 years old, who left the Philippines to work in Saudi Arabia. However, on a visit back to the Philippines,

she chose to go back to her husband. At first, everything seemed better so she stayed, opening up a little tindahan (small grocery store) to help support her three children who had remained in the Philippines; but then the abuse started again. Eventually Maria separated from her husband and went back to Saudi Arabia.

In a community with a long history of family migration to France, Spain, Italy and Saudi Arabia, going abroad is seen as a viable and convenient alternative to abusive relationships, especially with poor economic conditions and limited legal rights at home in Catholic Philippines, where divorce is illegal. Thus, the decision by Laura and Maria to become OFWs rather than abused wives at home proclaims that they are willing to escape abuse in search of a better life elsewhere even though labour migration does not wholly promise liberation or happiness. Many female migrant workers explain their decision to go abroad in terms of *pakikipagsapalaran*, or fate playing. This is an act of faith, where one risks and gambles on the chance of another future, of a different life hopefully free from abuse.<sup>7</sup>

It may be the opportunities for self-transformation they find in their countries of destination that empower them to return back to the Philippines and articulate their grievances. The increased incomes and possibilities for

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a relationship free from violence, in addition to the mere act of leaving home or 'running away', became a kind of 'leveraging tool' through which women, like Laura and Maria, are able to negotiate the conditions of their domestic situations and to separate from their abusive husbands. In this empowered transformation, they undermine what Ratna Kapur has criticized as the image production of a "truncated Third World woman who is sexually constrained, tradition-bound, incarcerated in the home, illiterate and poor."<sup>8</sup> Instead, Laura and Maria represent a growing group of women from low-income families who are educated, mobile and participating in the global economy.

### Conclusion

Filipino women have long gambled on the prospect of better lives, taking risks in spite of their fears. Women, who choose to defy traditional gendered expectations and obligations in order to fight against oppressive abuse or poverty by migrating for work overseas, are more likely to face guilt and come up against criticism than to encounter praise for their initiative from those who control and normalize regimes of power and knowledge. Discourses on the traditional and ideal family remain strong and calls for its stability echo throughout the nation, from the media to the classrooms. Such media representations and national discourses vilify and shame migrating women, allowing the public an opportunity to further morally discipline women and resist changes in gender equality, family formation and household structure. As Arjun Appadurai observes, globalization has commonly led to "ideas about gender and modernity that create large female work forces at the same time that cross-national ideologies of 'culture', 'authenticity', and national honor put increasing pressure on various communities to morally discipline working women."<sup>9</sup> Filipino women, who migrate to challenge the very violence of unequal relations and conditions that Barrios suggests create their "... never ceasing struggle/To live and be free", are unable then to elude the traditional gender roles to which they are ascribed.

Below: Church gates, Philippines. Image reproduced under a creative commons license, courtesy of flickr.

Transnational migration, consequently, is a contradictory process, exacting both freedom and costs in a "cosmic gamble of fate."<sup>10</sup> In confronting the contradictions between the ideals of a dominant Western feminism and the lives of women in non-Western societies, Lila Abu-Lughod asks: "What does freedom mean if we accept the fundamental premise that humans are social beings, always raised in certain social and historical contexts and belonging to particular communities that shape their desires and understandings of the world?"<sup>11</sup> Tadiar replies that "communities are not simply given but, indeed, shaped by and called into being by the very cultural practices of freedom and power that Filipinas exercise through their imaginative and bodily capacities."<sup>12</sup> To lessen domestic violence in the barangay, community members must pay attention to the actions of women like Laura and Maria, who choose to leave rather than find solutions and support from within their communities.

For women who do leave violent relationships, it is indeed a gamble to migrate and leave their children behind with the abusive father, especially if social services, government offices and legal laws are unavailable or ineffective. Women, therefore, face the cruel decision of staying at home or leaving, one struggle of being a woman – per Barrios' definition – "at a time of war". As women choose to migrate from home to work abroad, the risk does not seem to bring a clear benefit to women. Instead, as women struggle transnationally – still hinged – they move from one form of abuse to another with the patriarchal beliefs and spirituality that first structured the discrimination they are subject to in cultural, social, economic and legal realms, now ironically resurging as a coping measure, reaffirming their suffering and sacrifice as they free themselves from unbearable conditions of violence and poverty. "Religious faith," Laura poignantly expresses, "is important, You turn to 'Him' in times of trouble and when you are very down."

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### Notes

- 1 Constable, N. 1999. 'At Home but Not at Home: Filipina Narratives of Ambivalent Returns', *Cultural Anthropology* 14(2):203-228 (p.212)
- 2 Barrios, J. 1990. *Ang Pagiging Babae ay Pamumuhay sa Panahon ng Digma [To Be a Woman Is to Live in a Time of War]*. Manila: Babaylan Women's Publishing Collective, Institute of Women's Studies, St. Scholastica's College.
- 3 Mohanty, C.T. 1991. 'Under Western Eyes: Feminist Scholarship and Colonial Discourses', in C.T. Mohanty, A. Russo & Lourdes Torres (eds.) *Third World Women and the Politics of Feminism*, Bloomington: Indiana University Press, pp. 51-80 (p.74)
- 4 Otto, D. 1999. 'A Post-Beijing Reflection on the Limitations and Potential of Human Rights Discourse for Women', in K.D. Askin & D.M. Koenig (eds.) *Women and International Human Rights Law: Volume 1*, Ardsley, NY: Transnational Publishers, pp.115-135 (p.118)
- 5 Tadiar, N.X.M. 2008. *Things Fall Away: Philippine Historical Experience and the Makings of Globalization*, Durham, NC: Duke University Press (p.100)
- 6 Here and in the book chapter, I have changed the names of informants in order to protect their privacy.
- 7 Tadiar, *ibid.*, pp.98-99
- 8 Kapur, R. 2002. 'The Tragedy of Victimization Rhetoric: Resurrecting the "Native" Subject in International/ Post-Colonial Feminist Legal Politics', *Harvard Human Rights Journal* 15(1):1-38 (p.18)
- 9 Appadurai, A. 1999. 'Globalization and the Research Imagination', *International Social Science Journal* 160(June): 229-238 (p.231)
- 10 Tadiar, *ibid.*, p.123
- 11 Abu-Lughod, L. 2002. 'Do Muslim Women Need Saving? Anthropological Reflections in Cultural Relativism and Its Others', *American Anthropologist* 104(3):783-790 (p.786)
- 12 Tadiar, *ibid.*, p.137

