

# *domestic violence*



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## ***YOU ARE NOT ALONE ...***

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- ❑ The Women's Crisis Center in Manila receives about 100 calls a week from battered women seeking counsel or shelter from violent relationships
- ❑ Battered women come from all ages, income brackets and sectors, noted Quezon City-based KALAKASAN, which runs a hotline for victims of domestic violence.

### ***Speak, or forever hold your peace***

Most women view domestic violence as a family problem (“usapang mag-asawa”) and choose to keep quiet about it. The same attitude prompt their neighbors, police officers and the courts to dismiss wife-beating as a “private affair,” even an acceptable way of disciplining one's partner.

Other women look at wife-beating as part of the risks of getting married. But most battered women stay in a violent relationship to keep the family together. Being unemployed, most of the women doubt if they can support the children by themselves.

### ***Help is just a phone call away***

Keeping domestic violence a secret can be a heavy burden for most women. Just telling somebody willing to listen helps. Call KALAKASAN (921-2222/921-3423) or the Women's Crisis Center (596958) for counselling, information on available shelters, or just to pour out your story. Or call the Women's Legal Bureau (921-3893/921-4389/921-8053) to help you take that crucial first step out of a violent home. The women's desk in the Central Police station and other precincts can also help.

### ***Lend an ear, a hand, an eye***

You can do something to stop the violence. You can organize the community to monitor violent spouses and come to the aid of battered women. Local police, barangay officials and medics can be trained on a more caring and sensitive way to deal with the women. Or you can simply listen and guide the women towards available services to help them rebuild their shattered lives.

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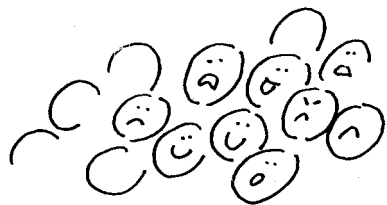
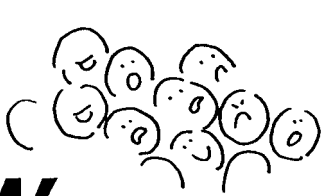
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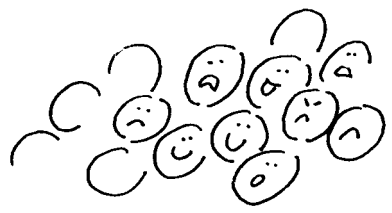
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**W**e usually hear about battered women only from neighborhood gossip. Is there really a problem or is it all idle talk? Just how prevalent is domestic violence?

Wife-beating is so prevalent that most women consider it part of the risks of getting married. Consider the following:

- The Women's Crisis Center, which offers counselling and shelter to battered women, reports getting an average of 100 calls each week from abused women.
- KALAKASAN, with its "Tigil Bugbog" hotline, says it receives about 20 calls a day.
- Six out of 10 women in Cebu are battered, according to a Lihok-Pilipina survey in Cebu City. The group's "Bantay-Banay" project on domestic violence noted that only 8.2% of cases are reported because wife-beating is often viewed as "a family matter."



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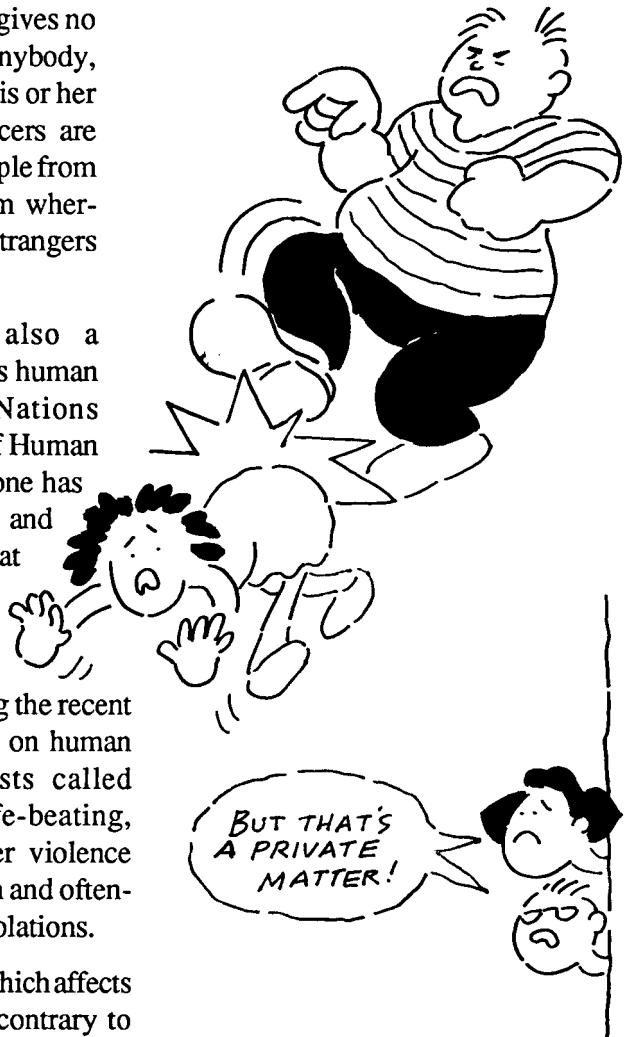
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- ❑ HASIK (for Harnessing Self-Reliant Initiatives for Knowledge, Inc.), another Metro Manila-based group working with urban poor communities, reports that up to 60% of women in the neighborhood are regularly battered by their spouses or live-in partners.

***But isn't domestic violence, in fact, a "private matter" between couples?***

The right to privacy gives no one the right to hurt anybody, least of all members of his or her family. Our law enforcers are also sworn to protect people from crime and physical harm wherever it is coming from--strangers or relatives alike.

Wife-beating is also a violation of the woman's human rights. The United Nations Universal Declaration of Human Rights states that everyone has the right to life, liberty and security of person, and that no one shall be subject to torture or to cruel, inhuman or degrading treatment. In fact, during the recent international conference on human rights, women activists called attention to rape, wife-beating, sexual assault and other violence against women as hidden and often-ignored human rights violations.

Domestic violence, which affects mainly women, is also contrary to



the UN Convention on the Elimination of All Forms of Discrimination Against Women, to which the Philippines is a signatory.

***B***ut women who get beaten must have brought it upon themselves. Why blame the men who are already highly-pressured as breadwinners and who, as heads of households, are given the responsibility to discipline family members?

This is one attitude that we should start to question. One, because it allows violence to be part of household rules and two, because it boxes men and women into rigid roles--he as breadwinner and she, as keeper of family peace and harmony.

Cases handled by the Women's Crisis Center show that women believe they should keep silent about wife-beating because it is their role to maintain peace and harmony at home at all costs.

Observes Magdalena Lepiten, a legal consultant of Cebu's Bantay-Banay program: "Women see the abuses as their fate, or that they deserve to get beaten or raped because they did something wrong to provoke the attack."

A typical case is that of Hipolito Masculino, who hammered his wife to death on Valentine's Day in 1993. His wife, Annabelle, 32, was a teacher at the Jaro Elementary School in Iloilo. Witnesses say Masculino used to beat his wife even in public, saying she was "a masochist" who "gamely took his beatings in the past."

Atty. Emel Quintillan notes that by Philippine society's definition, being feminine means to be "passive, submissive and dependent."

WCC's Raquel Tiglao adds that media has reinforced men's view of women as sex objects who should be available at all times, cater to all his needs, and be subject to his whims and desires. In local and foreign movies, sex is often coupled with violence against women.

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***But isn't that how the world operates? By sticking to their established roles, aren't men and women contributing, in their own way, to making life easier--with everyone knowing what to expect from each other?***

Not if the roles are played out at the expense of women. Fortunately, men-women relationships are changing, mainly because economic realities have pushed women into working outside the home. Widespread education has also eroded cultural biases and showed the potential of both sexes beyond their prescribed roles. In fact, the new Family Code of the Philippines speaks of equality in the home, with both partners being responsible for keeping the family together. It is therefore this kind of liberating relationship that we should aspire for, instead of being imprisoned by rigid roles and outmoded social expectations.

***Who are most susceptible to domestic violence? Is the problem confined to the poor and the unemployed?***

Cases handled by Lihok-Pilipina, the Women's Crisis Center and KALAKASAN show that most victims are from 19 to over 50 years old, 80% have kids, and one third are high school and college graduates. The women have been beaten from two to 25 years. About 18% are professionals, 15% skilled workers, and 25% unemployed or unskilled workers. The KALAKASAN study also showed that most come from middle class or poor families, with a significant number married to police or military officials. The





rest are married to a doctor, company executives, clerks, schoolteachers, dock hands, and jobless men.

But one should also consider that women from the upper class are less likely to use women's shelters or public hospitals and report their cases to the police, so that they have remained largely invisible in present research. In fact, anecdotal material support the general contention that battered women come from all classes, educational background, age and economic class.

***Is there a way of predicting or identifying men who are potential wife-beaters?***

Unfortunately, there is none. Any man, regardless of income, profession, age or race can be a wife-beater. Cases handled by Lihok-Pilipina, the WCC and KALAKASAN, however show that a typical wife-beater is usually married, aged 25-39, professionals (22%), skilled workers (15%), and unemployed or unskilled workers (24%), and are often lucid (not drunk) while beating up their spouses.

***If the problem is so widespread, why do we hear so little from the women themselves? Why don't more victims come forward with their stories?***

Because prevailing myths or attitudes about domestic violence discourage their going public. These include:

- The view that battering is an outlet for male frustration.
- The men are drunk (and their behavior excusable).
- Male aggression is 'natural' and as household head, a man can be aggressive to maintain discipline in the family.
- Battering is primarily a woman's fault; she must have provoked him by neglecting her chores, nagging, being unfaithful, etc.

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- Women want to be battered and dominated by “real men.”
  - She is exaggerating and would have left if the situation was that bad.
  - She should maintain family harmony and protect her husband’s name at all costs.
  - A man would stop the battering if the woman showed more sympathy to his remorse.

In fact, women who seek outside help showed signs of guilt, shame and fear, according to medical social workers at the Philippine General Hospital. They recalled that most battered women come in the evening wearing sunglasses or heavy make-up, tried to cover their faces and hair with their hands, and gave guarded responses to questions.

### ***J*ust how bad does the situation get? What are the most common injuries suffered by battered women?**

The situation can get very bad, since the violence ranges from verbal abuses (centered on how the woman has neglected her looks), to emotional battering (like accusing the woman of having affairs), withholding economic support and, in many instances, physical maltreatment. Physical abuse has included: shoving, cutting off of fingers, undressing a woman in front of other men and calling her a whore, attempted burning, aiming a blowgun at a woman’s genital, beating with a hammer, raining fist blows, and so on.

### ***But why do most battered women go back to their spouses even after taking the first crucial step of reporting the violence?***

Because the cycle of domestic violence lulls them into thinking that the man has changed for the better. After an outburst of violence, most men go into the “remorse phase” and woo their spouses anew. This “pursuit phase” is followed by the “honeymoon phase” when the woman starts denying the problem. Soon after, tension, depression and anxiety again build up (“buildup phase”), deteriorates into the “standover phase” and finally to outbursts of



more violence. Then it's back to the "remorse phase," and the entire cycle repeats itself. There is actually a pattern that women can discern and use as a gauge to predict the outbreak of another violent session.

***If the situation is that bad, why don't battered women leave their abusive partners?***

Again, cultural factors are at work. The "ideal wife and mother" role foisted on women

dictates that they must endure domestic violence to keep family together and for as long as the husband is responsible and hardworking.

The WCC also noted how battered women would rather accept domestic violence than their husband's philandering. "Bugbugin na lang ako kaysa palitan."

According to the Women's Legal Bureau, there are 19 most commonly-cited reasons why women stay in abusive relationships:

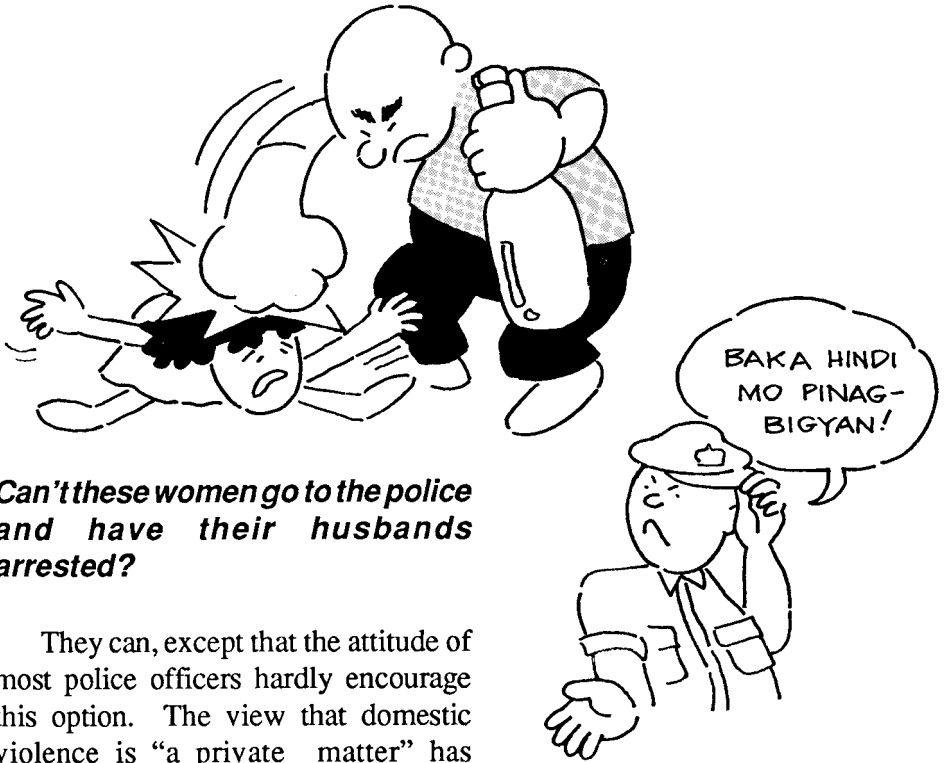
- The man might still change for the better.
- She still loves the man despite everything.
- She can't abide a broken family.
- She's doing it for the children.
- She can't support the children by herself.
- She doesn't want to be blamed by her parents for the breakup of the family.

- She is afraid of what the husband can do to her.
- The guy might take her kids.
- She probably deserves the beating.
- To maintain the good reputation of the man.
- Wife-beating is part of the hazards of getting married; it's just natural for women to get beaten.
- She pities the man because nobody else understands him.
- If she improves herself, she won't get beaten.
- She's afraid to be alone and lonely.
- She doesn't know she has rights not to be beaten.

- It's a family affair and others shouldn't meddle.
- He might lose his job if she calls the police.
- She grew up thinking that pleasing men is a woman's main responsibility.
- She's used to it and will miss it.

According to Raquel Tiglao of the Women's Crisis Center, emotional dependence has also kept women tied to the family home. Few women can reconcile the fact that she has a husband, but now she will have to live by herself. This is due to the conditioning that we are not complete as women if there are no men in our lives, says Tiglao.





**Can't these women go to the police and have their husbands arrested?**

They can, except that the attitude of most police officers hardly encourage this option. The view that domestic violence is “a private matter” has prompted police to trivialize the issue, dismissing the cases as “away-mag-asawa,” or with such comments as “baka naman di mo pinagbigyan.” Women themselves often withdraw initial charges against their violent partners because of social pressures and, according to Lihok-Pilipina, the fear that their children’s father would henceforth be labeled “an ex-convict.”

Judges too betray the same bias. Tiglao recalls the case of one woman bleeding from wounds inflicted by her husband who aimed a blowgun (“sumpak”) at her genitals. The woman managed to evade it and the blowgun hit her thighs instead. Despite the woman’s condition, the judge dismissed the case as “grave threats.”

The absence of laws specifically focused on wife-beating has also discouraged women from reporting the violence. Only charges of physical injuries may be filed against the offender based on several provisions of the Penal Code. (*See separate leaflet on Domestic Violence and Philippine Laws for more details.*)

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## **What does the new Family Code say about domestic violence?**

The new Family Code provides some relief and possible recourse for battered women. Under Art. 55 of the Code, habitual cruelty, violence to one's spouse and children, and attempts on the life of the spouse are now grounds for legal separation. As proof of one's "psychological incapacity to fulfil marital obligations," wife-beating may also be a ground for the declaration of the absolute nullity of a marriage under Art. 36.

### **But what about the children?**

The new Family Code provides that custody of children under seven years shall go to the mother. If the man was the cause of legal separation, all minor children under 18 shall go to the woman. If the petition is for annulment or a declaration of absolute nullity, the court decides on child custody and will tend to favor the woman if the cause of the petition is domestic violence. The battered woman may ask for child support.

The conjugal property will be divided. In legal separation, the man may even lose some rights over property.

*(More on this in "Domestic Violence and Philippine Laws")*



### ***How does one go about filing a case?***

For less serious or slight physical injuries or maltreatment, go to the barangay officials. If the case can't be settled at the barangay level, the barangay head must issue a certification so that the court will accept the case.

For serious injuries, go to the police to have the case blotted and to give a sworn affidavit. The police must refer the victim to the medico-legal at NBI or Camp Crame.

Aside from treating one's injuries, the medico-legal or a doctor may issue a medical report that can be used as evidence against the wife-beater in case the woman later decides to seek relief in court.

### ***Are there other options that a battered woman can take?***

She can stay on in the violent relationship or separate from her abusive partner. If she stays on, she can either suffer in silence or seek the help of the police, the barangay, the community or her relatives to mediate in the conflict. If she separates from her spouse, she may just leave him or go to court for legal separation, an annulment or a declaration of nullity.

## ***W*** ***here can battered women turn to for help?***

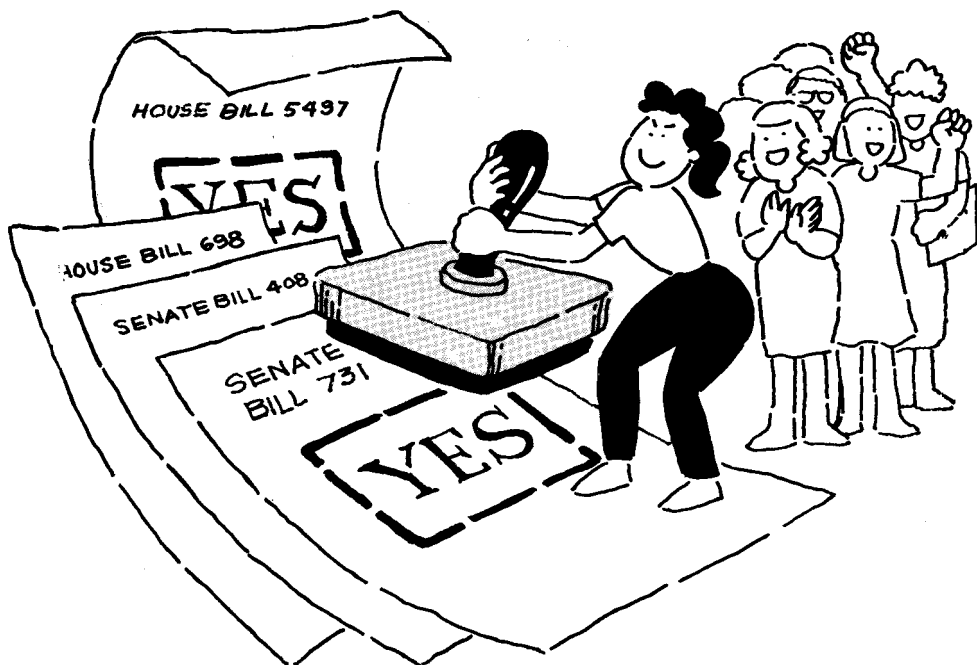
- The women's desk at the Central Police District (Station 5) Quezon City, with tel. 931-7870/931-7827. Ask for Capt. Ernesto A. Collado (chief) or SPO4 Clarita Co (women's desk).
- Medico-Legal: PC-Crime Lab., Camp Crame, QC. tel. 787961 loc. 3459
- National Bureau of Investigation: Taft Ave., Manila; tel. 587047/
- For counselling by phone: KALAKASAN or the Konsorsiyum ng Kababaihan laban sa Karahasan, tel. 921-2222/921-3423.

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- ❑ For legal advice: Women's Legal Bureau, Inc./No. 11 Matimtiman St., Teacher's Village, Diliman, QC. Tel. 921-4389/921-3893 /921-8053. Ask for Atty. Eleanor Conda.
  - ❑ For counselling and temporary shelter: Women's Crisis Center Tel. 50-2245/ 522-0077; in Cebu, Lihok-Pilipina: 75-087 / 966-28
  - ❑ For temporary residential care, counselling, referral for medical and legal services, stress reduction, livelihood training and transportation assistance: the Dept. of Social Welfare and Development which launched the Substitute Home Care for Women in Especially Difficult Circumstances in 1991. Call Asst. Director Ms. Alicia Bata at tel. 931-9631 or 931-8101 for more information.
  - ❑ The Congressional Spouses Foundation recently laid the cornerstone for a shelter for abused women in Alabang. The shelter is projected to offer medical aid, counselling, legal advice, food, shelter and rehabilitation. Call the Batasan complex, tel. 931-5370 or 931-5001 loc. 7419 for details.

### ***What can I do as an ordinary person?***

- ❑ Call your local barangay officials and ask them to step in during domestic disputes before anybody gets seriously hurt.
- ❑ Do as people did under Lihok-Pilipina's "Bantay-Banay" program: they gathered the women (and men) in the neighborhood, trooped to the house where the wife-beating was going on, and knocked hard on the door to make the man realize that the entire community knew what was going in and would not tolerate it. The men usually stopped beating the women and left the house, the group reported.
- ❑ Offer to bring the abused spouse to the doctor, the police to report the case, or to any of the groups dealing with domestic violence. Others can take care of the children while the woman is at the police station or at the hospital.





- Listen to the woman tell her story and indicate that you can help her approach the proper groups for counselling, shelter or legal advice if she's ready for them. Otherwise, assure her you will always be there to listen and to respect her decision.
- It is important to assure the woman that she did not bring on the beating. No one deserves to be beaten. Tell her that she is not expected to suffer in silence and that help and relief can be found.
- Write members of Congress and newspaper editors indicating your support for Senate Bill 731, Senate Bill 408, House Bill 698 and House Bill 5497, pending bills on domestic violence. (*More on this in the leaflet "Domestic Violence and Philippine Laws"*)
- In your letter, add a call for the establishment of more women's desks in police stations nationwide.
- Contact the Women's Legal Bureau on the possibility of having them train para-legals in your community, or conducting an information drive on women's rights and on the new Family Code.

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- ❑ With elections coming up, challenge local candidates in your district to come up with a definite commitment on the issue, as a precondition for your electoral support.
  - ❑ Volunteer your time and services to any of the groups working on the issue of domestic violence. Just answering the phone and referring abused women to the right agencies can help.

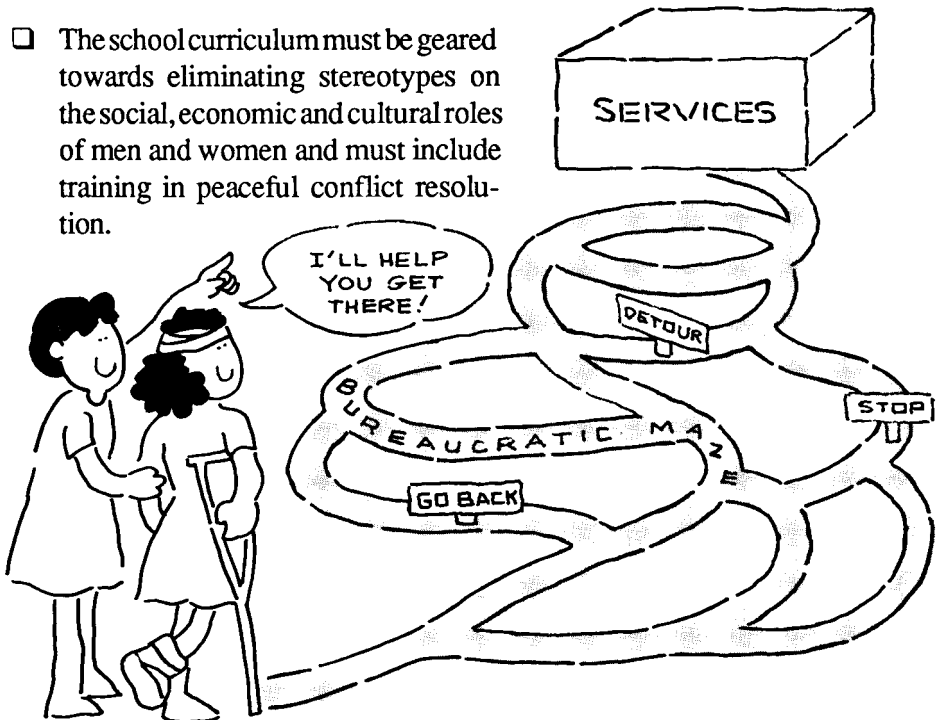
### ***What else needs to be done?***

- ❑ Livelihood programs for abused spouses must be seriously considered if women are to be encouraged to report cases of domestic violence. One community organizer observed that women are suddenly saddled with earning a living when their husbands get arrested--and subsequently lose their jobs-- after they go to the police. Most women and children in fact stay with the husband in jail just so they could get three meals a day.



- ❑ The DSWD and other government agencies can also train “victim’s advocates” who can coordinate the legal, medical, health and social services needed by battered women, to make sure she does not get lost in the usual bureaucratic maze of government offices.
- ❑ Review the judicial and legal system, especially the provisions that spouses cannot testify against each other in court, and those which allow abused spouses to drop charges of violence against their partners, to protect the woman from social pressures from family and friends. Can domestic violence, including marital rape, be reclassified as assault, subject to automatic police intervention? Do women keep silent about their plight rather than risk losing custody over their children because of current criminal procedures? Access to the courts must also be made easy and cheap.

- ❑ Bills must be passed into laws protecting women from violence at home, with corresponding procedures and penalties.
- ❑ Training programs may be put in place for judges, health and social service workers and police personnel to ensure humane treatment for battered women. NGOs can develop modules on how law enforcers and judges can best deal with domestic violence, and the modules incorporated as part of police training and judges' seminars.
- ❑ A network of support services must be created including shelters and crisis centers, free legal aid, medical assistance, welfare services and financial support.
- ❑ The government must launch an aggressive information campaign on how domestic violence undermines the Filipino family and the nation's progress, through posters in public buildings and other public places, radio and TV commercials and bill-boards.
- ❑ The school curriculum must be geared towards eliminating stereotypes on the social, economic and cultural roles of men and women and must include training in peaceful conflict resolution.



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*domestic violence*

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- There is also a need for improved research on current strategies and their effectiveness: what is the effect of shelters to the community, to the women and the children?
- Ultimately, the inferior status of women compared to that of men must be addressed, and steps taken to guarantee women equality in all spheres of life.
- We must also remember that no long-term measure will be successful unless there is fundamental change in the social and economic structures that maintain the subordination of women within marriage and within wider society.

**Main sources:**

Raquel Tiglao of Women's Crisis Center; Tessy Fernandez of Lihok-Pilipina; Dazzle Rivera of KALAKASAN; Emel Quintillan; Ma. Cristina D. Nagot, "Preliminary Investigation on Dom. Viol. Against Women" in Essays on Women, ed. Sr. Mary John Mananzan, Women's Studies Series 1, Inst. of Women's Studies, St. Scho., Manila, 1991; Carolyn Sobritchea, "Gender Ideology and the Status of Women in a Phil. Rural Community, from Essays on Women...; Rowena Unas, "Violence Against Women in the Phils.", Asia-Pacific Women's Studies Journal, No. 1, 1992. Inst. of Women's Studies, St. Scho; Esther Villoria, 'Case Study, Wife Battering: Selected Notes, Review of Women Studies, Vol. II No. 1, 1991, University Center for Women's Studies, UP; "Violence Against Women" by Jane Frances Connors, lecturer in law, School of Oriental and African Studies, University of London.

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- Domestic Violence and Philippine Laws
- Domestic Violence: Where to go for help