

# Philippine LABOR REVIEW

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## PHILIPPINE LABOR REVIEW

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## EDITORIAL PREFACE

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Last year's celebration of the UN-sponsored *International Women's Year* and the consequent designation of 1975-1985 as *Decade for Women's Development* have merely underscored the particular plight and oppression, expressed in various forms in different parts of the world, of half of mankind. Despite the great advances women have won in the present century — from suffrage to the outlawing of all kinds of discrimination based on sex, serious inequalities between men and women continue to exist. True, there has been almost universal acceptance of the principle of equality, but as pointed out by UN Secretary-General Kurt Waldheim, "the gulf between formal acceptance of this principle and implementation in practice has been and still is very wide."

Legislations insuring equality between men and women have, of course, not been lacking. The principle of equality is enshrined in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights, and the various Conventions ratified by the International Labor Organization. There is also the landmark *Declaration on the Elimination of Discrimination Against Women*, which was adopted unanimously by member countries of the United Nations in 1967 after four years of debate and which states that discrimination against women "is fundamentally unjust and constitutes an offence against human dignity."

In the Philippines, the UN commitment to equality is reflected in the Old and New Constitutions, the New Civil Code, and in the Labor Code.

Laudable as these legislations may be, they are not, however, enough to give all women full and equal opportunities to exercise in real life their rights guaranteed by such legislations. Discrimination against women remains a pervasive fact of life in many countries and in the Philippines in particular, as the articles of Ambassador Leticia Shahani, Florida Ruth Romero, Eva Inciong and the Katipunan ng mga Bagong Pilipina abundantly show.

This situation is both tragic and unfortunate. Discrimination against the fairer sex, regardless of whether it is consciously or unconsciously being propagated by men and yes, by women themselves, constitutes a major stumbling block to real social, economic and political progress in any country. After all, half of any country's population are women, whose collective talents represent a vast human asset that can be harnessed in building a truly progressive society of human beings. By limiting women's participation in development, society in effect deprives itself of the talents and resources of half of its members.

It is thus reassuring to note that the United Nations, in leading the campaign for women's equality, has wisely linked it with the all-embracing issues of peace and development. For how can one speak of equality without speaking of development and the sharing of its fruits, and peace which makes the untrammelled development of an individual, family and society possible? As the Declaration of Mexico puts it, "the problems of women, who constitute half of the world's population, are the problems of society as a whole. Changes in the present economic, political and social situation of women must become an integral part of efforts to transform structures and attitudes that hinder the genuine satisfaction of their needs." In short, to paraphrase a radical philosopher, the development of women is the precondition for the development of the whole society.

But how then can women achieve equality in the name of peace and development?

Mrs. Imelda Romualdez Marcos, the First Lady of the land and Chairman of the National Commission on the Role of Women, in her address in the Mexico Conference, could not have put it better by emphasizing what should be the positive and active *role* of a woman rather than what ought to be her *status* in society. This simply means

that women should first transform themselves from passive onlookers of developments in society into its active change agents. "Inequalities of status can be righted by legislation," she said, "but no law can compel them (women), or men for that matter, to take an intelligent interest in national and community affairs."

This issue of the *Philippine Labor Review* is meant as a modest contribution toward the definition of what should be the role of Filipinas, the Filipino working women in particular, in the modern world and what should their menfolk and the national government do to make that role realizable and meaningful.





# The Role of Women\*

by Imelda R. Marcos

Let me begin by saying that, like all of you, I believe in the equality of the sexes. At this conference, we can surely take the principle of equality for granted. Otherwise we would not be here.

But as an oriental woman, a woman of the Third World, I should like to suggest to you that the truly important thing that should concern us now is not the principle of equality so much as the manner of its exercise.

Too often, it seems to me, the demand for equality, which was first raised by the women of our time in the more prosperous regions of the world, has come down to a demand for an equal share in political power, in economic opportunities and rewards, in the possibilities for cultural development.

Of course, there is nothing wrong with that. We Filipinas are particularly happy that this International Women's Year coincides with the 40th Anniversary of Women's Suffrage in our country, and marks the 25th Anniversary of the New Civil Code of the Philippines, which removed the last vestiges of colonial legislation classifying women with children and the feeble-minded.

Now the right of women is recognized to dispose of property and engage in business freely, without requiring the consent of their husbands.

We are also proud that our delegation to this conference is headed by a woman member of the cabinet, and counts among its members a woman who is a justice of our Supreme Court, a woman who is an ambassador, and not the only one either, and a woman who is one of our most distinguished writers, fitting examples of Filipinas who are leading participants in our national life.

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\*Speech delivered by the First Lady, Imelda Romualdez Marcos, during the conference held in Mexico in connection with the celebration of the International Women's Year, 1975.

But with all these achievements, we Filipinas realize that equality of status falls short of what should be the real goal and mission of our sex. Inequalities of status can be righted by legislation.

Women can be given the vote, as they should be, but no law can compel them, or men for that matter, to take an intelligent interest in national and community affairs. Women can be given the right to hold property, as they should, but no law can compel them, or men for that matter, to use that property with a social conscience.

That was why, when it was proposed in my country to establish a national commission on the women's movement, and some wanted to call it a national commission on the *status* of women, I insisted that it be called instead a commission on the *role* of women.

For status, as the very word implies, is static; it is passive; and to my mind, it is essential that women should take a positive part in the activities of their homes, their countries, and the world at large.

The demand for equality has too often had overtones of revenge; the venting of grievances, the acquisition of advantage, the aggression of concealed hatred and envy.

But the feminist movement should not and need not be anti-masculine.

Women are not adversaries, the enemies of men, but their equal partners. We are not surrogates of men, their substitutes; for we have our own role to play, a different role, surely, but an equally important one.

Perhaps the oriental woman, the woman of the developing countries, understands this better than her more fortunate sisters. In the harsh life in which she must play her part, many times a life haunted by hunger and fear, her concept of equality transcends the individual and her personal prerogatives, ambitions and achievements. Instead, her traditions tell her that equality for a woman is to be found in sharing fully and equally in the *fortunes* and *misfortunes* of her family and her community.

That is what I would call the mystique of the oriental woman; and that is really what equality signifies. For equality should not be selfish; its essence is generosity, and often sacrifice. Equality is participation, equal shares with men in the satisfactions and frustrations, the rewards and defeats, of life lived together.

Equal pay for equal work may appear to be an imperative for other women, but for a Vietnamese mother scrounging for her

children's food in the rubble and garbage of war, such a demand would have been meaningless.

A fixed quota of jobs for women in the bureaucracy or in industry may appear to be desirable for other women but for the wife of a man segregated in a mining camp, such a demand is sheer mockery.

The right to high management positions is the justifiable rallying cry of the college-trained western woman, but to the wife or daughter of a leader or guerilla waging a war for the complete independence of his country, it may be a reproach of his patriotism.

For these unfortunate women, equality of status has no connection with reality. Their status is one equal degradation with their men; theirs is an equal share in the struggle for bare survival.

For all that, for all their sufferings and sadness, it may be that they are happier and more fulfilled than their more prosperous sisters in other parts of the world because participation in the trials and troubles of their men has given them fulfillment and spared them the neurotic anxieties of selfish isolation and competition.

**T**he oriental woman, the woman of the Third World, has not sacrificed her femininity to individualism, but has rather enhanced it with participation; she has not striven for a sterile status, and has preferred to play her true role in nature and human society.

That role was well and memorably defined by our national hero, Jose Rizal, when in a letter to the women of our country he reminded them that only women can give birth to men; and it is their mothers and their wives who will determine what kind of men they are.

Indeed, the Filipina, like her oriental sisters, knows, by instinct and by tradition, that as the bearer of life, she has the duty, and, yes, the right to nourish it thereafter, and to cherish it, and that to cherish is to love. That is why she can never look on man as a stranger.

I trust that this conference will remember and keep in mind during its deliberations the oriental woman and her mystique, her concept of sharing and participating, her understanding that a woman does not only have an equal status but must play an equal role, and a role at that, which should not seek to divide and to antagonize but to unify. In such a partnership, we achieve our full humanity.

Thus I am glad to note that this conference has on its agenda the participation of women in ensuring international peace and in the elimination of racism and racial discrimination, and the integration of women in the processes of development. That is surely a measure of the role that we must play, and are entitled to play, in the future human race.

I sometimes think that the different stories on her origin throw a significant light on our concept of women. The bible says that woman was made from the rib of man, and that he fell because of the woman's temptation.

My own people have another story. It is said that the birth of humanity came about when a divine whim split a single bamboo and from it there sprang forth a woman and a man, and the woman was called *maganda* which means beautiful, and the man was called *malakas*, which means strong.

They were equal, and in their own way, the strong and the beautiful, they have been equal ever since.

It is with that Filipino myth, that oriental story, that I extend to all of you, sisters and brothers, friends all, my best wishes for the success of this conference in uniting us in the common search for a better world.

# Liberating the Filipino Woman\*

by Leticia R. Shahani

Women have been capturing the headlines lately due to their “liberation movements” which have sprung in several countries of the world. It looks as if society, and with it, the men, are beginning to sit up and take notice. Is there a handwriting on the wall to warn us that the old order of men-women relations is crumbling and that it should be replaced by a more equitable system for the women?

With the exception of a few societies — and these are the ones still untouched by the modern world — it must be admitted that women in most parts of the world have played far too long a subordinate role in a male-dominated society. Men, women themselves, and, consequently, society have taken it for granted that it is the women who must stay at home, look after the men, raise the children, stay in the background, look pretty and through it all, remain stupid and unquestioning. The cry among intelligent and mature women in many parts of the world is not that they should replace men. They are far too sensible to realize that this cannot be done for the simple reason that men and women have complementary — not superior or inferior — roles in life and must cooperate with each other in building society. Furthermore, nature has seen to it that, exceptions apart, men and women have specific functions in the procreation of their kind.

## Obstacles to Women's Full Realization of Equality

What women are demanding is that, where their talents and skills are equal to those of men, they must be accorded equality in rights and opportunities — both in law and in fact. To date this has not happened, and a United Nations report which was issued in final

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\*Reprinted from *The Philippine Quarterly*, Vol. 7, No. 4, National Media Production Center, December 1975.

form last year confirms this situation. The report, entitled *Participation of Women in the Economic and Social Development of Their Countries* and based on the replies of 77 member states of the United Nations and 36 non-governmental organizations, arrives at these disturbing conclusions: (1) although many countries have accepted in their constitutions and laws the fundamental principle of equal rights for men and women, in actual fact women do not enjoy equal rights and opportunities in such areas as employment, education, family law, access to executive and policy-determining posts, etc.; (2) although the role of women in economic and social development is publicly recognized and officially acclaimed, their actual participation is limited and restricted in many ways; (3) the division of the labor market into the "male sector" (finance, banking, science, technology, engineering, law, etc.) and the "female sector" (middle-level personnel, teaching, nursing, secretarial and clerical work, the salary scale of which is lower than the male sector) prevents women from entering other types of work for which they are otherwise qualified and also stop them from occupying top-level and executive posts.

The United Nations report goes on to observe that measures which are taken to increase the participation of women in national life are prompted "not so much by the desire to bring about a fundamental change in the role of men and women in society, but rather by the realization that overall development requires a greater utilization of the potential labor force." It seems inevitable, however, states the report, that sooner or later women's increasing participation in the economic and social life of their countries and their consequent emancipation will force society to adapt itself to the changing role of women. The United Nations report emphasizes that "serious efforts to find ways and means to cope with this problem are urgently needed." In the meantime, "increasing numbers of women find themselves in an ambivalent position: on the one hand, their active participation in the economic and social life of their countries is stimulated, while on the other hand, it is subject in practice to limitations and discriminations."

It is this wide discrepancy between the rights of women as pronounced in the law and these rights as exercised in fact that is, in the main, responsible for the agitation of women in many parts of the world. Women's liberation movements, particularly in the United States and England, are gathering in strength. It would be unwise to

laugh them off as exercises in absurdity and futility. Do not women, after all, constitute half of the world's population and should not their voices be heard and heeded?

### The Filipino Woman and Equality

Filipino women have been occupying a high position not only in the home but in the community and professional world as well. Think of our pre-Spanish priestesses or "katalonans," our heroines of the Spanish revolution, the women leaders of the Japanese occupation and our present crop of women public figures. Our laws have accorded the Filipino woman many rights in such areas as suffrage, employment, civil law and education. As early as 1937, our women were given the right to vote. And these rights seem to be quite well-deserved. The energy and activity of Filipino women continue to amaze Westerners and our fellow-Asians; it is, they say, a rare phenomenon both in Asia and the West. So is the right of our women to control almost absolutely the family purse strings and budget.

### Aspects of the Law

A perusal of our revised Civil Code reveals that the status of Filipino women in relation to our civil law is a strong one. Her consent to marriage, for instance, must be freely given (Article 53). Another factor which makes her position high in society is the fact that she retains ownership of the property which she brings to marriage, as well as property acquired by lucrative title, by right of redemption or that which is purchased with her exclusive money (Art. 135). This is known as "paraphernal" property which a married woman of age may mortgage, encumber, alienate or otherwise dispose of without the permission of her husband and appear alone in court to litigate with regard to the same (Art. 140). Should she die childless, the property reverts to her parents and her sibling group.

As regards the conjugal property, her equal rights therein are respected. It is owned in common by the husband and wife and although the husband is the administrator of the conjugal partnership, he cannot dispose of the real property of the conjugal partnership without the consent and approval of his wife. Upon the dissolution of the marriage or of the partnership, the net gains obtained by either spouse during marriage for their joint benefit are divided equally (Arts. 142, 143, 165, 166).



Should her husband die before her, her right to inherit as well as that of her legitimate children are explicit in the revised Civil Code. She has a share in the "legitime," which is that portion of the descendants' estate reserved solely by law for compulsory heirs (Art. 887).

What about the responsibilities of husband and wife in the marriage relationship? The Civil Code stresses the importance of the family and the uniqueness of the marriage relationship. The husband and wife are obliged to live in mutual respect and support. For his part, the husband is responsible for the support of the wife and the rest of the family. These expenses shall be met first from the conjugal property, then from the husband's capital and lastly from the wife's paraphernal property (Art. III). In keeping with the Filipino tradition that the mother is the "queen of the home," the Civil Code gives the wife the responsibility and right of managing the affairs of the household (Art. 115). It is further stipulated therein that she may purchase the necessary things for the support of the family with the conjugal partnership being bound thereby and may borrow money for this purpose, if the husband fails to deliver the proper sum. There is, however, a safeguard for the husband who has a luxury-loving wife. The Code stipulates that the purchase of luxuries by the wife is voidable, unless approved by the husband or unless it is charged against her paraphernal property.

The Filipino wife is also accorded the right to exercise any profession or occupation or engage in business. The primacy of the husband as the head of the family is, however, still asserted in that the husband has the right to object to his wife's working outside the home on condition that: (1) his income is sufficient for the family and (2) his opposition is founded on serious and valid grounds (Art. 117).

The provisions of the Civil Code concerning the rights and responsibilities of married women are a reflection of the customs and traditions affecting our women. Perhaps few observations will help to explain the sense of responsibility and discipline which continues to characterize Filipino women. In our rural areas, girls at an early age learn to undertake household responsibilities — cooking, marketing, cleaning the house, and taking care of younger brothers and sisters. This shapes their character and orientation. Rural boys, on the other hand, are free from familial obligations until they are through with school or become involved in economic activities. This situation is