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Emily Sanchez Salcedo

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IN WOMEN'S HANDS: Why the Philippine response to the COVID-19 pandemic is wanting

Introduction

On April 9, 2020, the United Nations released a policy brief calling immediate attention to the exacerbated impacts of the COVID-19 pandemic for women and girls “across every sphere, from health to the economy, security to social protection... simply by virtue of their sex” (UN Women, 2020). From the outset, women are overrepresented in service jobs most severely affected by mass lay-offs as the retail, hospitality, and tourism industries ground to a halt upon the imposition of various forms of community lockdowns. Jobs in the informal economy severely affected by the lack of mobility are also dominated by women who have no access to health insurance, paid leaves, unemployment benefits, and other forms of social protection.

While women's ability to engage in paid work has been reduced, the demand for their unpaid care work at home increased exponentially. Women's already disproportionate share in domestic duties is further strained when children do not attend schools or cannot be placed in day care facilities. Along the same vein, as hospitals and medical facilities focus their efforts on the treatment of COVID-19 patients, caring for other health issues affecting family members, specially the elderly and those burdened with disabilities, become additional responsibilities for women at home. Meanwhile, women's unique health needs, such as maternal and reproductive health care, are often overlooked in the face of the pandemic.

Written by:

DR. EMILY SANCHEZ SALCEDO
Commercial Law Department
Ramon V. del Rosario
College of Business
De La Salle University
Email: emily.sanchez@dlsu.edu.ph

In sum, “women will be the hardest hit by this pandemic,” but the policy brief declared that “they will also be the backbone of recovery in communities.” The lesson emerging from the pandemic, according to the United Nations, is that “[e]verything we do during and after the COVID-19 crisis must aim to build more equal, inclusive and sustainable economies and societies. This includes gender-responsive economic and social policies and placing women's economic lives at the heart of the pandemic response and recovery plans” (UN Women, 2020).

To achieve this, the policy brief emphasized the need to “apply an intentional gender lens to the design of fiscal stimulus packages and social assistance programmes to achieve greater equality, opportunities, and social protection.” The United Nations recommended, in no uncertain terms, that national response plans should include social assistance intervention that will directly “put cash in women's hands” (UN Women, 2020).

The Philippine Social Amelioration Program

The core of the Philippine social amelioration response to the economic crisis brought about by the COVID-19 pandemic is an emergency subsidy program that provides a minimum amount of five thousand pesos (P5,000.00) up to a maximum amount of eight thousand pesos (P8,000.00) a month, for two months (April and May, 2020), to around eighteen million (18,000,000) low-income households for the purchase of basic food, medicine and toiletries. This is one of the highlights of Republic Act No. 11469, otherwise known as the “Bayanihan to Heal As One Act,” that declared a state of national emergency and granted special powers to the President to contain the transmission of the virus and undertake a program of recovery and rehabilitation.

The Joint Memorandum Circular of the various executive departments tasked to operationalize the said statute provided specific computations of the emergency subsidy based on the prevailing minimum wage rates in the various administrative regions (Section 5.1). The Circular further provided for the means of identification of qualified beneficiaries from the most affected residents of areas placed under enhanced community quarantine. The target beneficiaries were defined as “families that belong to the poor or informal sector which are at risk of not earning a living during the Enhanced Community Quarantine, who may have at least one (1) member belonging to... vulnerable or disadvantaged sectors,” e.g., senior citizens, persons with disability, pregnant and lactating women, solo parents, overseas Filipinos in distress, indigent indigenous peoples, homeless citizens, and informal economy workers (Section 5.7). The logistics of distribution will depend on a form distributed at the barangay level that captures the family profile of the target beneficiaries. The form is called a “social amelioration card” filled out by the head of the family who will receive the emergency subsidy (Section 5.2).

In Philippine culture, the “head of the family” is a role assumed by men. The chief role of the husband is that of an economic provider. In return for supporting the family, he enjoys a position of authority, respect, and headship of the household (Medina, 2001). This set-up receives endorsement in Philippine laws as much as it enjoys automatic acceptance in today’s contemporary times.

The Legal Milieu

Our National Internal Revenue Code, as amended by the Tax Reform Act of 1997, makes an explicit assumption that the husband is the head of the family and the proper claimant of personal tax exemptions for dependent children, unless he

explicitly waives his right in favor of his wife (Section 79(F)(1)).

While the Family Code does not make an identical assumption, it comes close to making a similar proposition. To begin with, the Family Code provides that the administration and enjoyment of marital properties belong to both spouses jointly. However, in case of disagreement, the husband’s decision shall prevail, subject to recourse to the court by the wife for proper remedy (Articles 96 & 124). Similarly, the Family Code provides that the father and the mother shall jointly exercise parental authority over the persons of their common children. They shall also jointly exercise legal guardianship over the property of their minor children without the necessity of a court appointment. However, in case of disagreement, the father’s decision shall prevail, unless there is a judicial order to the contrary (Articles 211 & 225).

The Family Code’s precursor, the Civil Code, used to have more blatant preferences for the husband over the wife thereby strongly indicating the former’s status as head of the household. For instance, the family domicile is chosen by the husband who is also designated as the administrator of conjugal properties (Articles 110 & 112). The husband is explicitly mandated to support his wife and the rest of the family and can thus object to his wife’s exercise of profession, assumption of occupation, or engagement in business on the ground that his income is already sufficient (Articles 111 & 117(1)). He actually wields the power to restrain his wife’s economic activities as long as his “opposition is founded on serious and valid grounds”, practically an all-encompassing condition (Article 117(2)).

While the foregoing provisions of the Civil Code have already been superseded by the Family Code, a huge chunk of the former statute remain in effect along with the traditional implications of male superiority in marriage and family life. Perhaps the most vivid manifestation is the rule on surnames. The Civil Code requires legitimate and legitimated children to principally use the surname of their father while suggesting options for married women to assume the surname of their husbands (Arts. 364 and 370).¹ For this reason, family genealogy is traced along the paternal line. Correlated with the Civil Code provision on succession that defines the “direct line” of family relationship as that which “unites the head of the family with those that descend from him,” the assumption that the father is the head of the family becomes all the more clear (Article 964).

In not so many words, the United Nations’ recommendation to “put cash in women’s hands” will not come into fruition insofar as the Philippines’ social amelioration response to the COVID-19 pandemic. As a matter of fact, it might even sound absurd to

many Filipinos as the perpetuation of male authority is as much engrained in our way of life as it is openly embraced in our laws.

Why in Women's Hands?

The past few weeks saw a good number of women leaders fast gaining global admiration for successfully handling the health crisis in their respective countries (Henley and Roy, 2020). In the meantime, countries led by strong men like the United States, Turkey, Brazil, and the Philippines appear to be miserably failing (Tisdall, 2020). It is tempting to assume that this is due to gender differences in leadership style and effectiveness but Deborah L. Rhode's highly acclaimed work on women and leadership points out that "evidence for such assumption is weaker than commonly supposed." Citing reviews of more than forty (40) studies on gender in leadership that found more similarities than differences between male and female leaders, she further noted that "[n]ot only are those gender differences small, they are smaller than the differences among women" (Rhode, 2017).

As to leadership effectiveness, Rhode likewise stressed that "most research reveals no significant gender differences" as "[s]uccess in leadership generally requires a combination of traditionally masculine and feminine traits, including vision, ethics, interpersonal skills, technical competence, and personal capabilities such as self-awareness and self-control" (Rhode, 2017).

Offering Germany's Chancellor, Angela Merkel; New Zealand's Prime Minister, Jacinda Ardern; or Taiwan's President, Tsai Ing-wen is therefore not the exact analogy needed to answer the question earlier posed because their exemplary brand of leadership is characterised by both traditionally masculine attributes, like being decisive and straightforward, as well as traditionally feminine characteristics, like being warm and empathic (Henley and Roy, 2020). The experience of women leaders in India's rural panchayats probably come closer.

The traditional status of a woman in India is that of perpetual dependence and submission of oneself to the men in the family. In childhood, a woman must be subject to her father; in youth, to her husband; upon widowhood; to her sons (Buhler, 1998). For centuries, women have been at the receiving end of a wide array of oppressive practices some of which retain traces up to the modern times despite the enactment of laws that were supposed to curtail these abuses. For instance, dowry-related domestic violence and murders continue to be reported despite the Dowry Prohibition Act having been in effect since 1985 (Nangia, 1997). Studies also point at the dowry system as one of the reasons behind the prevalence of female infanticide and sex-selective abortions (Bumiller, 1990).

Not only are women in India often abused within their own families, they are also easy targets of sexual assault outside the home. According to recent statistics, crimes such as kidnapping and abduction, rape, and sexual harassment in the workplace are still common despite having appropriate penal laws in place (National Crime Records Bureau, 2018).

Reformers started to fight for better treatment of women in India during the British rule (Anagol, 2005). Upon attaining independence in 1947, India became a democratic republic with a Constitution that guaranteed equality before the law and non-discrimination on the basis of religion, race, caste, sex, place of birth, or any of them (Articles 14 and 15(1)). The Constitution of India continued to provide affirmative action by specifically allowing special provisions for women and by declaring it a fundamental duty for every citizen to renounce practices derogatory to the dignity of women (Articles 15(3) & 51A(e)).

The Constitution of India also mandated equal opportunity for all citizens in matters relating to employment or appointment to any office under the state (Article 16(1)). In 1992, through the 73rd Constitutional Amendment Act, India went further by reserving 1/3 of the elective positions in governing bodies of local villages called panchayats to women. The groundbreaking work of Louise Harmon and Eileen Kaufman described this as a "radical political experiment designed to transform the lives of women at the grassroots level" and a "deliberate attempt to empower some of the weakest members of Indian society" (Harmon and Kaufman, 2004).

What has the active participation of women on panchayats actually accomplished? Women have brought to the table practical issues that have previously gone unnoticed because they were largely invisible to the men serving on panchayats. Women have focused not only on issues of rural development, but also on how to resolve family conflicts and land disputes, relieve social tensions, provide housing, ensure there is safe drinking water, and employ the idle hands of the unemployed (Harmon and Kaufman, 2004).

The women in the panchayats focused on matters of basic importance to enhance the quality of life in their rural communities such as health care and education. The foremost example was how they exerted serious efforts towards ensuring adequate supply of safe drinking water in their villages:

Collecting and transporting water has traditionally been women's work... a woman could walk seven or eight kilometres to fetch water for her household, carrying it back on her head. When the men of her family would come home and ask for water, it would

be there, cooling in the corner in a big brass jar. Consequently, the men would not perceive the availability of safe, clean water as a local problem that needs to be addressed. There is a certain logic to it: the person who carries the big brass jug on her head is always going to be more motivated to find a way to shorten the distance between the water's source and the place where water is needed (Harmon and Kaufman, 2004).

Women on the panchayats bring with them their traditional knowledge and experience as health care providers in the family. As such, the panchayats are able to develop health care priorities responsive to local needs. Leprosy eradication, immunization programs, day care facilities, household sanitation and proper waste disposal, family planning and reproductive health care initiatives, are some of the notable health care priorities of women elected to the panchayats (Harmon and Kaufman, 2004). Their lived realities and the values formed thereby, systematically different from men's, made the panchayats more effective in deliberating and deciding what projects would best serve the common good.

Susan H. Williams explains why women's experiences were crucial to good government policy making: "[w]omen are half the population, occupy a position that affects almost all aspects of life - from family and reproduction to work and social relations - and have a long history of exclusion from political power." Occupying this social position for so long resulted in women's experiences that are systemically different from men's. Without women's participation, decision-making processes have always been skewed in favour of the perspectives of the men who were present. Hence, women's experiences have long been ignored or misunderstood. One need not believe that all women have exactly the same experiences or that all women develop the same ideas based on their experiences. What matters is that women's experiences and ideas are finally brought to the table and considered (Williams, 2009).

A Deeper Look Within

At the end of the day, the model that we need does not really lie far beyond our shores. We see in the apparently simple but significant initiatives of our very own Vice President, Maria Leonor Gerona Robredo, how Filipino women can better manage the COVID-19 crisis. Deemed as an outsider by the current administration, the Vice President was never seriously included in the inner workings of the government.² Nonetheless, she dedicated her office to the creation of development programs that will benefit the poorest communities in the Philippines. The unwavering flow of private

donations supporting her anti-poverty programs is a testament to the high esteem that the private sector holds her with and which she reciprocates with transparency in the distribution of essential goods and services to assist impoverished families.³

While the Luzon lockdown was being implemented akin to a military operation by a national task force dominated by retired generals (Lalu, 2020), Vice President Robredo attended to what was most urgently needed, ranging from distribution of essential grocery items to acquisition of test kits. As soon as the shortage of protective gears for medical frontliners became a crippling global reality, she spearheaded fund-raising efforts in collaboration with the private sector to support health care workers across the country by sourcing and distributing locally designed and manufactured personal protective equipment (Antonio 2020). She provided free shuttle services to health care workers who needed to walk for miles when public transportation ceased operation and opened dormitories to serve as half-way homes so they do not unnecessarily expose their own families to the risk of infection. She sent hot meals and snacks for nourishment, care packages for personal hygiene, free haircuts for confidence, and copies of letters, drawings and all sorts of art work prepared and submitted to her office by young children expressing sincere appreciation for the hard work and dedication, for much needed comfort and inspiration - very basic things that the men in power did not think of and will probably never understand.

As the country continues to struggle under the COVID-19 pandemic, Vice President Robredo keeps coming up with more laudable initiatives (Flores, 2020), making do with minimal resources and coming up with immense results. Starting with a working budget of roughly six million pesos (P6,000,000) allocated for COVID-19 response by her office, she has been able to raise both cash and non-cash resources amounting to one hundred twenty-two million pesos (P122,000,000) as of May 1, 2020 (Limos, 2020).

Conclusion

The emergency subsidy from the government's social amelioration package is a meager amount for the usually extended Filipino household. It is sure to be depleted as soon as it is received by people who lack experience in resource optimization. In contrast, the subsidy can go a long way in the hands of women who know and understand what matters most in the home.

In a country taking a really bad hit from a pandemic, when and where systems break, hope lies in keeping the smallest unit of society strong enough to rebuild. These are extraordinary times requiring deeper understanding of what a family needs to be

resilient during a prolonged period of subsistence living - from basic physical to psychological needs, to making sure its individual members are ready for redesigned school systems and workplaces. An understanding that women happen to have more of, if not exclusively, in a typical Filipino household. An understanding that must be acknowledged, valued, and honored with the right to exercise their fair share of leadership both at home and in the community.

Indeed, in the country's fight against the COVID-19 scourge, hope hinges on women's hands.

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Endnotes

¹ The Civil Code offered the following options for women's names upon marriage, all of which indicate following the husband's surname: a married woman may use: (1) Her maiden first name and surname and add her husband's surname, or (2) Her maiden first name and her husband's surname, or (3) Her husband's full name, but prefixing a word indicating that she is his wife, such as "Mrs.".

While the phraseology of the Code employed the permissive “may” instead of the obligatory “shall”, the enumeration appears to be more of an imposition rather than a mere suggestion in view of the law’s utter silence on the option not to alter a woman’s maiden name after marriage.

² Shortly after her inauguration as the 14th Vice President of the Philippines, President Rodrigo Duterte appointed her as Chair of the Housing and Urban Development Coordinating Council. However, she was constrained to tender her resignation after barely five months in office as President Duterte ordered her to “desist from attending all cabinet meetings” due to their “irreconcilable differences.” The Vice President had opposed the President on issues such as the “burial of former President Ferdinand Marcos in the Libingan ng mga Bayani, extra-judicial killings, reinstating death penalty, lowering the age of criminal liability, and sexual attacks against women.” Her exclusion from the cabinet was justified by her supposed failure to be a “team player” (Dioquino, 2016).

On October 28, 2019, Vice President Robredo was again appointed by President Duterte to Co-Chair the Inter-Agency Committee on Anti-Illegal Drugs “after she had angered him with her criticism of the brutal campaign in an interview with the news agency Reuters”. She accepted the challenge and “started to work by meeting with members of the committee, requesting access to the list of the government’s high-value targets in the illegal drug trade” but was refused on the ground that she cannot be trusted with classified information.

She was eventually fired on November 24, 2019 for “failure to present a program of action” when she has, in fact, submitted “at least two reports with recommendations” which the President “had not found the time” to read, and for “embarrass[ing the] country” by “talking to foreign nationals, like the US and the United Nations and others who have prejudged the government’s campaign against illegal drugs” (Yap, 2019).

³ The Vice President’s periodic reports are disseminated through her social media platform at <https://www.facebook.com/VPLeniRobredoPH>

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