

Flor Contemplacion

A Study in Non-Citizenship

Daiva Stasiulis and Abigail B Bakan

The spring of 2000 marks five years since the death by hanging of Flor Contemplacion on the order of a Singapore court. Flor Contemplacion was a Filipina migrant domestic worker convicted of a double murder that she claims she did not commit. This essay provides a summary and analysis and a reflection on the lessons inspired by Flor Contemplacion's life and resistance, considered from the perspective of migrant women's rights.

AS THE NEW MILLENNIUM CONTINUES, A COMMON INCLINATION in the social sciences is the consideration of long term trends. In taking account of centuries past and the ones ahead, memories are encouraged to be long and projections into the future visionary. Yet the arrival of the year 2000 should serve not only as an opportunity for an examination of the *longue durée*; it is also a moment to reflect on the importance of lessons more recent.

It is from such a perspective that this article attempts to remember, and assess, the story of resistance of one woman, Flor Contemplacion. Despite the impact of this struggle on millions of migrant workers and their families, there are to our knowledge few analyses, and none that is comprehensive, of the lessons generated by the movement for justice for Flor Contemplacion.¹ Now, some five years later, the lessons are myriad. Other names of Filipina migrant women—such as Sarah Balabagan, Violetta Miranda and Glenda Lorio—have become part of a new, living history of international campaigns for migrant workers' rights originally sparked by the Flor Contemplacion campaign.

The story of Flor Contemplacion, one Filipina in the late 20th century, may seem unimportant in the light of the current focus on

DAIVA STASIULIS is a Professor of Sociology at Carleton University, Ottawa, Ontario, Canada. ABIGAIL BAKAN is a Professor of Political Studies and Women's Studies at Queen's University, Kingston, Ontario, Canada.

global trends. Yet some individuals, usually those who hold positions of authority in major states, the 'great men' of history, are often credited with accomplishments that affect humanity at large. Indeed, liberal and neoliberal theory have stressed the importance of the 'individual'—a concept idealized in fact only in the lives of designated individuals—as the basis for social and political thought.² Rarely, however, are the Flor Contemplacions of this world given the credit for the transformative and historic roles they have played. Poor, working class women are not generally seen as history makers. Yet the conditions surrounding the explosion of outrage among Filipino citizens in the Philippines, and among the Filipino diaspora community, over the circumstances of Flor Contemplacion's death continue.

The elements that generated a resistance movement for justice for migrant women on a massive scale included both objective and subjective factors. The objective conditions of Third World indebtedness, growing poverty and women's oppression show no signs of diminishing as the world enters the new millennium. On the contrary, they are intensifying. Nor were they absent at the time of Flor Contemplacion's death (Paganoni 1984, Cruz & Paganoni 1989). The subjective conditions, on the other hand, included the active knitting together of a campaign of solidarity from which many of us who hope to defend the rights of migrant workers have much to learn. The movements that organized support for Flor Contemplacion have a long history that predates this particular case, and were crucial in ensuring that information and coordinated actions in her defense were organized. In the aftermath of this case, these organizations and many other groups and individuals made or renewed an active commitment to the achievement of respect for the rights of and greater protection for migrant workers internationally.

It is from this perspective that the following account is presented. It is developed from official sources and interviews, as well as secondary sources. While striving for the highest degree of historical accuracy, we do not claim to attempt to present a perspective that is equally balanced among conflicting sides. Rather, the facts of the story are woven together from a clearly defined perspective—the perspective of the struggle for migrant working women's rights.

A STORY OF NON-CITIZENSHIP

FLOR Contemplacion's story is a classic story of non-citizenship.³ The non-citizen is suspended in a position of risk and vulnerability. Claims of protection of democratic rights and freedoms, though promised by the sending country (in this case the Philippines) and the receiving country (in this case Singapore) or internationally on the basis of United Nations accords, evaporate in the lived reality of non-citizen, migrant workers' lives. The harsh realities of gender oppression render the lives of non-citizen migrant women most vulnerable to abuse.⁴ In the fissures of statelessness that are created by non-citizenship, innocent victims suffer, and sometimes die. Flor Contemplacion was such a victim. But she was not only a victim, for she did not die without inspiring a massive movement which saw in her individual struggle for justice a thread of identity that went far beyond her individual circumstances.

On 17 March 1995 at approximately 6:00 AM, Flor Contemplacion was hanged in Changi Prison on the order of a Singapore court. She was a Filipino migrant domestic worker, 42 years old with a 6th grade education, and the mother of four children. She had worked in Singapore as a domestic worker since February 1988. Contemplacion was convicted of double murder. The victims were Delia Maga, another Filipina, 34 years old and a friend of Contemplacion, and Nicholas Huang, the four-year old child Maga was hired to care for as a live-in domestic worker in Singapore. The bodies of the two victims were found at 1:35 PM on 4 May 1991 in the apartment of Delia Maga's employer, Mr. Wong Sing Keong. That same night, Contemplacion was arrested at her employer's house in Singapore and held in custody until her execution nearly four years later (Gancayco 1995a).

The case of Flor Contemplacion is arguably the most controversial, and the most politically charged, incident of alleged abuse against an overseas contract worker (ocw) from the Philippines in recent memory. According to the Presidential Commission chaired by Justice Emilio Gancayco,⁵ the evidence available suggests that Flor Contemplacion 'appears to have been mistakenly hanged... Apparently, she is the victim of a grave injustice' (Gancayco 1995b). The commissioners were not, however, the first to come to this conclusion. The appointment of

the Commission itself was part of the Philippine government's response to a massive local and international outpouring of protest against what was perceived to be a gross miscarriage of justice. Hundreds of thousands of Filipinos, at home and abroad, shared the view that Flor Contemplacion was the victim of a framed conviction. As the Gancayco Commission report states, Flor Contemplacion

became the symbol of the liberation of our overseas contract workers from the trauma of poverty which forced them into migration and slavery in the process. We cannot revive her any more but even then in her unjust execution she generated an emotional outrage and a popular clamor that the sad fate that befell Flor Contemplacion should never happen to another Filipino. (Gancayco 1995b)

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The story of Flor Contemplacion is then not simply the saga of one individual. It demonstrates in graphic and tragic relief the experiences, conflicts and resistance of Filipino migrant workers in general, and women workers in particular, in the contemporary global system.

THE EVIDENCE

ONE element of the mandate of the Gancayco Commission was to gather relevant evidence regarding what was officially dubbed 'The Maga-Contemplacion Case'.

In its investigation, the Commission was particularly concerned with evidence regarding three issues: (a) the coroner's findings regarding the autopsy of Maga's body; (b) the apparent absence of due process, particularly regarding legal counsel made available to Flor Contemplacion while in custody in Singapore; and (c) the apparent coercion of a confession under conditions of abuse and torture of the charged detainee. There is, *inter alia*, evidence suggestive of an alternative scenario. According to this alternative view of the events, the child died accidentally and there is an alternative suspect for the murder of Delia Maga, specifically the employer of Maga and the father of the deceased child.⁶

Each of these issues merits brief elaboration. The coroner's findings suggest a contested terrain. In the event of death, the body of a deceased Filipino migrant worker is usually sent back to the family through the administration of the Philippine government's designated arm, the Overseas Workers' Welfare Association (OWWA). In this case, the body was sent by her employer, which is noted as unusual in the Commission findings (Gancayco 1995a). More important, however, is the account of two physicians who were appointed to perform separate autopsies on the exhumed body of Delia Maga, under the direction of the Philippine National Bureau of Investigation. This procedure was requested by Delia Maga's husband, Conrado Maga. It was reported that 'when the remains of his wife were repatriated to the Philippines, he noticed several bruises on her neck and her left shoulder' (Gancayco 1995c). Both physicians testified to the Commission that, on the basis of extensive forensic medical experience, the contusions on the body of Delia Maga were extreme. These included

several fractures in her skull, her shoulder and her rib cage, and considering the force employed by her assailant, her injuries were inflicted by a man or a very strong woman, and could not have been inflicted by Contemplacion (Gancayco 1995d).

Their testimonies also maintained that Delia Maga was still alive, though probably unconscious, when she was strangled to death with an elastic cord (Gancayco 1995c). The conclusion of this autopsy pointed to Maga's employer as the prime suspect.

The autopsy findings were challenged by the government of Singapore, which then called in its own coroner. A third autopsy was conducted on the body of Delia Maga, this time by Singapore doctors Wee Kong Poh and Chao Tsee-Cheng, confirming the post-mortem report originally conducted by Dr Poh and used as evidence during the trial of Flor Contemplacion despite the claim by the Filipino forensic team that their findings were not necessarily in conflict with the original post-mortem report of Dr Poh (Torrevillas 1996).⁷ Given how politically charged these contested findings were to become, three American pathologists were later selected by the Philippine and Singaporean governments to conduct another autopsy of Delia Maga's remains

(Talosig 1995). This team confirmed the conclusions of the Singapore experts, contradicting the findings that the contusions had to have been inflicted by a person much larger and stronger than Flor Contemplacion.

The contradictory coroners' reports indicated the need for a more thorough investigation prior to the summary hanging of Flor Contemplacion. The Gancayco Commission called for a re-opening of the investigation of the murder of Delia Maga, but this call was rejected by Singapore authorities (Torrevillas 1996).⁸

At issue also is the custody and trial of Flor Contemplacion. In the Commission report, there are repeated references to technical irregularities in the application of Singapore law (Gancayco 1995b), and to the lack of valid advice regarding her rights to Flor Contemplacion. It was suggested that even if she had committed the crime, the penalty of death was not merited. It was also suggested in the Commission report that Flor Contemplacion may have been wrongly advised by Elizabeth Buensuceso, First Secretary and Consul General of the Philippine Embassy in Singapore, 'to admit commission of the crime' and 'to pretend to be insane' in hopes of receiving a lesser sentence (Gancayco 1995a).⁹ The Singapore criminal justice system is repeatedly challenged in the report, including charges of the denial of the right of the accused to see her Philippine lawyer, Romeo Capulong, and the denial of the Philippine President's request for a stay of execution.

The extent of responsibility laid upon the embassy corps in Singapore is reflected in the following summation:

All told, the Commission has reached the inevitable conclusion that the officials of the government who were responsible for assisting Filipino overseas contract workers in Singapore were certainly remiss in their duties. The quality of their performance as public officials and the degree of their care for their countrymen as Filipino citizens have been clearly wanting in this regard. While they are, admittedly, restricted by their repressive atmosphere in Singapore, this should not be, by itself, a convenient excuse for them to give up their distressed countrymen. If the converse were sustained, and with repressive governments mushrooming here and there, there will be no end to incompetent, uncaring and useless government officials. (Gancayco 1995a)

The 'passive position' adopted by Philippine Embassy officials in Singapore was reversed, according to witnesses cited, only after the first conviction prior to the appeal, which occurred on 29 January 1993. According to the Commission, prior to this, '[t]hey had no record of her case. They simply did not care' (Gancayco 1995a).

There is also considerable evidence pointing to a forced confession. Contemplacion reportedly confessed to the crime in Tagalog, which was then translated into English by an embassy interpreter, Auroro Nevarro, and signed in the absence of a lawyer (Kapihan 1995). There were four separate signed statements, which were used as the primary evidence of her guilt leading to conviction despite the fact that Flor Contemplacion repeatedly claimed she was coerced, physically and mentally, into signing these statements. In at least one of the statements, Contemplacion maintained that she was suffering from 'a strange illness so that she was not in full control of herself' (Gancayco 1995d).

This argument was supported by the testimony of Commission witness Virginia Parumog, a Filipino domestic living in Singapore at the time of Contemplacion's incarceration and trial. Parumog had been sold into prostitution upon her arrival in Singapore as an overseas contract worker and had escaped to live with a Singaporean family. On the occasion of the expiry of her visa, however, she was urged by the Singaporean woman with whom she was staying to go to the Philippine Embassy. On her way there, she was picked up by the Singapore police and imprisoned for being an illegal resident in the country (Padilla 1995). Parumog was incarcerated in the same prison, on the same floor, as Flor Contemplacion.¹⁰ Her account to the Commission is important and detailed, and worth citing at some length.

Virginia Parumog...was able to meet and converse with Contemplacion when they were both lying down handcuffed to their respective beds. Contemplacion confided to her that she did not kill Delia Maga and the child Nicholas Huang and that when she went to see Maga at the house of her employer merely to send money and a gift to her own family in the Philippines inasmuch

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as Maga was on her way home, Parumog declared that Maga told Contemplacion that Nicholas had drowned in the bathroom and that Maga called up her employer about the same. The employer rushed home and, in a fit of anger, strangled Maga to death. . . . During the period from January 1992 and January 1993, Parumog noticed that whenever Contemplacion was brought by the prison officials to her trial, Contemplacion was made to take a capsule which, according to what Contemplacion told her later, was a drug. As a consequence thereof, Contemplacion always seemed disoriented and was often seen staring blankly whenever she came from the trial. Contemplacion entrusted to her a letter to be given to her husband Efren but it was confiscated from her by the lady guards of the prison and she was punished with solitary confinement. (Gancayco 1995d)

Virginia Parumog became very close to Flor Contemplacion, who she came to call affectionately 'Momma Flor' (Padilla 1995d). When the two talked in their native Tagalog, they were told by the prison guards to speak English so their conversations could be monitored. Later they were told not to speak to each other at all. Defiantly, they continued to communicate: they sang songs. The Tagalog lyrics went unrecognized by the prison guards. At the time of Contemplacion's execution, Parumog was a mother of a young child and living in the Philippines. She agreed to travel to Singapore with Contemplacion's lawyer, Romeo Capulong, to testify in Contemplacion's defense. Days before the hanging, Capulong was denied access to his client at the prison doors and the Singapore government released a press statement challenging Parumog's credibility as a witness.

Two other witnesses, both Filipinas held in Changi Prison in Singapore, Alicia Vinzon Mabulay and Lucena Songalia-Sarceno, testified to the Commission that they had heard Contemplacion 'wailing and pleading for mercy'. They further stated that she had been forced to take drugs and subjected to torture. Josie de Sagun, Contemplacion's niece, reported that her aunt had written to her of being forced to take drugs and of having been raped (Gancayco 1995d).

A separate report, not included in the Commission findings but released less than one month after Contemplacion's execution, confirms the evidence of a forced confession (Today). The report was sent anonymously, but was identified to be from the Singapore police Criminal

Investigation Division (CID). The informant's account detailed, on the basis of CID files, the day of the murder of Delia Maga. The child, Nicholas Huang, was identified to be an epileptic. When the child's father learned of the accidental death, he is reported to have 'called up his friend and political partymate Senior Minister Lee Kuan Yew to ask that police investigate, and the judiciary punish Flor' (Singapore informant 1995). The report also detailed the torture and intimidation Contemplacion experienced while in custody, confirming her insistence of her innocence and the witness reports cited by the Commission. She was allegedly told to confess to the murders or she would be hanged. The implication was that if she confessed to the crime, the authorities would be more lenient. This suggestion is consistent with the advice Contemplacion was alleged to have received from her Filipino government advocates and interpreters. According to the informant, it was also consistent with Singaporean police practices. When she refused to confess to the crimes, Contemplacion was placed in an 'Air Con' room. The prisoner is reported to have been

 tied to a most uncomfortable chair. She was stripped except for her panties and her dignity thus reduced, 'police officers took turns outraging her modesty.' She was not allowed to go to the toilet all this time and had to relieve herself where she was. She was kept constantly awake to break her surprisingly strong morale by pouring ice water and pelting her with ice cubes whenever she showed signs of falling asleep. Still, it took five days of this bestial treatment before Flor finally cracked and then broke.... Yet the Singaporeans still had to have her drugged, shocked with electricity, raped by lower-ranking officers and hypnotized into admitting the crime in open court (Singapore informant 1995).

The evidence from the CID informant corresponds with the accounts of the official Commission report.

The government-appointed commissioners were compelled to arrive at the conclusion that Flor Contemplacion was a victim of a profound lack of justice. This conclusion was supported not only by controversial, if partial, evidence, but also by what was not discovered in the investigation. There was no identification of motive, and no fingerprints were found directly linking the accused to the crime (Gancayco 1995d). Moreover, according to Jerome Bailen, professor of anthropol-

ogy at the University of the Philippines, the cord that was used to strangle Delia Maga 'must have been tied by a left-handed person' (Gancayco 1995d). Flor Contemplacion was right-handed.

The suggestion of a politically-sanctioned cover-up to protect an alternative suspect, Delia Maga's employer and the father of the deceased child, is also noted in the Commission report. Of particular note is the testimony of Emilia Frenilla, a Filipina domestic in Singapore whose employer at the time of the incident was Wong Huang Keong, the

brother of Delia Maga's employer. This witness testified before the Commission that she overheard a conversation between the two brothers and learned 'that Maga's employer strangled Maga in a fit of anger' upon finding out that his son 'who was under the care of Maga, drowned in a pail of water' (Gancayco

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1995d). After intensive examination and cross-examination of this witness, the Commission concluded that 'it appears that the employer of Maga admitted to his brother that he killed Maga in a fit of anger' (Gancayco 1995d). Russell Contemplacion, Flor's teenage daughter, also testified before the Commission. Her story confirmed that of other witnesses, indicating that her mother's letters and statements prior to her execution continually stressed her innocence. All of these independent pieces of evidence appear to implicate Maga's employer. However, the Singapore state denied them all (Gancayco 1995d), while the Philippine government insisted that it had done all it could to ensure a fair trial for Flor Contemplacion.

Even before the disclosure of many of the pieces of evidence suggesting that Flor Contemplacion was the victim of systemic injustice, the circumstances of her trial had already become a matter of public concern. Those in the Philippines who monitor the conditions of overseas contract workers were the first to identify the suspicious circumstances of the arrest and trial of Flor Contemplacion. The story as it is now understood is that the four-year old child, Nicholas Huang, had accidentally drowned in a pail of water in the bathroom while he was under Delia Maga's care. Flor was at Delia's employers' home on the

night of the accident. She was delivering gifts and money for Delia to take home for Flor's children. When the child was found dead, Delia urged Flor to leave and return to her own employer's home immediately. Upon discovering his son's death, the child's father erupted in abusive rage and strangled Delia.

What is exceptional about this case is the scale of organized resistance that brought to light the denial of justice for Flor Contemplacion. It is this resistance that ultimately forced the hand of the Ramos government to investigate the case and to deliver a report that confirmed, at least in its essential contours, the claims of the leaders of that resistance.

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THE CAMPAIGN FOR JUSTICE

THE campaign to stay the execution of Flor Contemplacion was initiated by the main forces that operate on the political Left. These are the various forces that had challenged the effectiveness of the Ramos presidency in meeting the needs of its poorest sectors and the friendly attitude it cultivated with multinational corporate interests based in the US, Japan and Canada. At the center of the Flor Contemplacion campaign were Philippine 'people's organizations', including Gabriela, a national women's rights organization; Migrante, an immigrants' rights organization based in the Philippines; KARAPATAN, a human rights organization; the KMU (the May First movement), an independent trade union; and BAYAN (the New Patriotic Alliance), the above-ground political arm of the National Democratic Front-New People's Army-Communist Party of the Philippines.

Cherry Padilla, then Chair of the Commission on Overseas Filipinas for Gabriela and also a Presiding Officer for Migrante, was one of the central activists in the campaign. She recalled that in the last week of February 1995, a small clipping in a Manila daily paper identified the case of a Filipina domestic helper in Singapore who would be executed for murder. A meeting of leading representatives of

Gabriela, Migrante, and other people's organizations along with Romeo Capulong, who was to become Contemplacion's most ardent defense lawyer, was organized. A plan emerged, first to develop a public statement, and then for a picket outside the Singapore embassy in Manila. According to Cherry Padilla (1995):

Our first demand was to give justice for Flor Contemplacion. The media was reporting this case, but not demanding anything. We wanted a stay of execution. We didn't call for amnesty, because that presumes that there was guilt. We wanted a stay of execution and a full investigation. We started to have daily pickets at the Singapore embassy. Then the media picked this up, and it started to escalate.

From the outset, the organizers of the campaign aimed to link the case of Flor Contemplacion to the situation of overseas contract workers, particularly women workers. On 8 March 1995, the annual International Women's Day march for women's rights in Manila brought out some 5000 women; one of the speakers addressed the case of Flor Contemplacion. That evening, after the march, a small group including Cherry Padilla went to the Contemplacion family's house in Santa Isabel outside of Manila. The organizers introduced themselves as the ones who had staged the picket outside the Singapore embassy. Flor's husband, Efren, had already seen them on TV. From that point on, the family worked closely with the campaign organizers and won wide support from residents and local political leaders from Flor's home town.

With the senatorial election campaign in high gear, public attention in the Philippines was focused on the ability of the Ramos government to make good its promises. High on the list was the promise to protect Filipino workers abroad. By the time of Flor Contemplacion's death, the Ramos regime was desperate to prove its sincerity in the cause. When the body was flown back to the Philippines, President Ramos sent his wife to the airport with a wreath of flowers. But masses of workers and peasants who were also at the airport destroyed the wreath in disgust. The highway to Contemplacion's home town was lined with thousands of mourners raising their clenched fists in opposition to the government's failure to defend its migrant nationals and its refusal to take effective responsibility for the protection of the millions of Filipino overseas contract workers (Padilla 1995).

The funeral procession itself expressed public outrage at the death of Flor Contemplacion. On 26 March, the day of the burial, at least 40,000 people converged in the narrow streets of Santa Isabel and then marched seven kilometers to the Cathedral and then on to the funeral site. At the doors of the Cathedral, the Catholic clergy at first refused to allow the supporters and representatives of the people's organizations to enter. Cherry Padilla, who was responsible for accompanying the family, came to mediate. She stated that she and the family understood that friends were allowed into the Church. The clerical officials agreed. All 40,000 in attendance were identified by the family as their 'friends', and the Church officials had to comply with what had become a political protest as well as a religious ceremonial procession (Padilla 1995).

At various points during the campaign, sentiment turned against Singapore society as a whole. Ritual burnings of the Singapore flag, and calls for boycotts of Singapore Airlines and Singapore manufactured products, were intertwined with demands that the Singapore government defer the execution of Flor Contemplacion.¹¹ Focusing hostility against the Singapore population at large was not, however, the strategy of the campaign organizers. In fact, such an emphasis was actively discouraged. During the demonstrations, pickets and vigils led by Gabriela and Migrante, flag burnings were not allowed. As Cherry Padilla (1995) put it: "It was not the fault of the Singaporean people that Flor Contemplacion was killed. It was the fault of the Ramos government and the Singaporean government." She also pointed out that burning the flag of a nation which has trade links and diplomatic relations with the Philippines would normally have been stopped by the police. But in the midst of massive protest, the Ramos government tolerated ritual burnings of the Singapore flag, hoping to shift the attention away from its own failings and on to Singapore's. Despite such efforts, however, public anger continued to be directed against the Ramos government.

Though the movement was not successful in preventing the execution of Flor Contemplacion, it was nonetheless a powerful example of the determined campaign within and beyond the Philippines to secure greater rights and protection for overseas migrant workers. It also established the political voice of migrant workers. According to Poe

Gratela (1995), then Secretary General of Migrante, the mobilization of resistance for justice for Flor Contemplacion represented a turning point in the mass organization of Filipino migrant workers:

Since the Flor Contemplacion case, Migrante now has clout against the Ramos government. The government is scared of Migrante. The case of Flor Contemplacion was an international movement.

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Moreover, those who previously had been the most invisible—the poor, a majority of women, domestic workers and their families—were now at the forefront of national and international politics. At the top of society, the government of Fidel Ramos was unable to ignore the mass sentiment for reform of the migrant labor system.

THE PHILIPPINE GOVERNMENT'S RESPONSE

PERHAPS because it was the senatorial election in the Philippines, the Ramos government desperately scrambled to prove its responsiveness to the Flor Contemplacion case. The outrage of a nation whose overseas workforce is praised by government as the 'new heroes' of Philippine society could not be ignored. The Ramos government was under considerable pressure to demonstrate not only concern, but action in response to the demand for intervention on behalf of Flor Contemplacion.

On the basis of new evidence brought forward from witness Emilia Frenilla, President Ramos asked the Singapore authorities for a last minute postponement of the execution. On 12 March 1995, the Philippine embassy in Singapore sent a letter (dated March 11) from President Ramos appealing for a stay of execution. No response was received and the execution proceeded on 17 March 1995 (Torrevillas 1996). Prior to the letter of 12 March 1995, Ramos had issued an appeal for clemency to President Ong Teng Cheong of Singapore on 27 January and again on 25 February. These requests were rebuffed. Moreover, they were issued late in the day, considering that Flor Contemplacion had been

held in prison since May 1991 and since January of 1993 had faced the death penalty for two murder charges.

The Gancayco Commission was one feature of the government's scramble to regain credibility in the eyes of the public regarding its protection of the rights of overseas contract workers. Appointed directly by the President, the Commission took great pains to note in its report the personal sincerity of Ramos and his wife in the events surrounding the case. One issue of particular concern to the commissioners was the alleged personal misconduct of the First Lady, Amelita Ramos. President Ramos had earmarked one hundred thousand pesos from his 'social fund' to be given to Mr. Contemplacion as family assistance. The media was called in to witness the act of generosity. The Commission was compelled to note that '[t]here were media accounts stating that the First Lady handed over an empty envelope to Efren Contemplacion' (Gancayco 1995d). The Commission, however, found no evidence to corroborate this fact. On the contrary, both Madame and President Ramos are highly praised in the report for their compassion and responsiveness.

The argument regarding the probable innocence of Flor Contemplacion presented in the report of the Gancayco Commission was based overwhelmingly on the merits of the individual case. Although certainly important, the wider circumstances compelling thousands of poor women workers like Flor Contemplacion to place themselves in conditions of extreme economic, social and political vulnerability, were not mentioned. Instead, the Commission found Flor's alleged mental and physical illness and the technical incompetence of legal and advisory counselors to be pivotal to the case. The failure of the Philippine embassy staff and the staff of the Philippine government's Overseas Workers Welfare Administration (owwa) in Singapore to provide Flor Contemplacion and her family with appropriate support, compassion and advice is repeatedly emphasized in the report. So is the failure to ensure that Flor Contemplacion's case was defensible. Representatives of the Department of Foreign Affairs and the Department of Labor and Employment (under which owwa is subsumed) were also identified in the Commission findings (Gancayco 1995b & 1995d). President Ramos was more than willing to lay principal blame for the wrongful

death of Flor Contemplacion on his senior civil servants. The entire Philippine embassy staff in Singapore was recalled (Kapihan 1995). Described as an 'unexpected consequence' of the Flor Contemplacion case were the

(forced) resignations of Foreign Secretary Roberto Romulo and Labor Secretary Nieves Confessor and the recall of Ambassador Alicia Ramos from her Singapore post. A number of Embassy and Department of Labor personnel were also meted penalties. (Torrevillas 1996)

In identifying individual civil servants as the source of the crisis, Ramos was attempting to save face for his administration as a whole. Moreover, the emphasis of the Commission on the mental health and technical circumstances surrounding the trial of Flor Contemplacion

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lent credibility to the notion that this case was an exception, and a deviation from a more fair and equitable norm. Though the Commission was mandated to consider both the Contemplacion-Maga case and the wider circumstances of overseas contract workers, the findings of the report treated these two issues as separate

and distinct. One possible consequence is that the President was able to treat the matter as one involving only some individuals (government employees), who were subsequently punished, and avoid the wider issues arising from the labor export program. Nonetheless, the Commission issued a long list of recommendations that essentially called for the eventual elimination of migrant Philippine domestic labor from designated countries, in the Middle East in particular and ultimately throughout the world (Gancayco 1995a & 1996). The eventual phase-out of 'women entertainers', a euphemism in practical terms for a semi-legalized trade in prostitution, was also recommended.

Given the massive dependence of the Philippine economy on the remittances of overseas women workers in general, and domestic workers in particular, the presentation of such a proposal in isolation rather than as a recommendation for deeper structural change could easily be taken

as purely an abstraction with no potential for enforcement. In fact, legislation has been proven to be ineffective in addressing the abuse that domestic workers encounter. For example, although the Aquino government banned overseas migration of Filipinos to Singapore and other countries in 1988 (Justice c.1995), private recruitment agencies continued to operate while government officials turned a blind eye as remittances in foreign currency rolled in. The ban was lifted in the early 1990s not because conditions for foreign domestics had changed but on the grounds that it was not enforceable (Bellido 1995).

The Philippine government's own offices distribute material indicating the dangers workers can anticipate. In an owwa document designed to be a primer on Singapore for ocws seeking domestic employment, responsibility for dealing with abusive situations is clearly seen to rest mainly with the individual employee:

Maids have complained of abuses by their employers. These abuses include physical assault, molestation, non-payment of salary, illegal employment and long hours of work.... The ocw can avoid many of these problems by preparing well for his or her trip abroad. Look before you leap.... Realize that you have to make very big adjustment.... Although you may reasonably expect your employer to adjust partly to you, too, you will have to do most of the adjusting. You are, after all, a worker in another country (owwa).¹²

In the aftermath of Flor Contemplacion's death, the Philippine Congress put together a new package of legislative proposals which collectively called for 'the overhaul of all government agencies that had to do with migrant workers, imposing more punitive measures against mercenary recruiters, and offered a more comprehensive package of social benefits' (Luciano 1996). The package was boldly titled the Magna Carta for Overseas Filipinos. The Philippine Senate also proposed seven bills providing guidelines for overseas employment programs, and boasted of its ratification of the United Nations Convention on the Rights of Migrant Workers and Their Families. After some degree of intergovernmental squabbling, a law combining 27 bills and 40 resolutions from both chambers of the Philippine Congress, titled the Migrant Workers and Overseas Filipinos in Distress Act of 1995, was signed by President Ramos on 7 June 1995 (Luciano 1996).

The law was widely perceived to be a political response from a government under massive public pressure, rather than an indication of a genuine shift in orientation. At the time the Magna Carta was proposed, Poe Gratela (1995) anticipated that the result could paradoxically worsen the structural exploitation of migrant Filipino workers:

We oppose vigorously the passing of the Magna Carta. The government needs to address the real problem of overseas migration, which is the problem of the poor peasant population. The passing of the Magna Carta is to be seen as equivalent of protection of migrant workers in the aftermath of the Flor Contemplacion case. But it is only Philippine policy. What is needed are bilateral government agreements. The Magna Carta will actually only strengthen the structures of the government. The real issue is the need for real employment for Filipino workers.

The implementation of such an ambitious legislative package is contingent upon significant mechanisms for enforcement. To ensure protective mechanisms in a process that thrives on a massive international and largely deregulated market in human labor is almost a contradiction in terms. It is a market involving private recruiters, private employers and governments that reap huge profits from the exploitation of migrant Filipino labor (Harris 1995).

To ensure protective mechanisms in a process that thrives on a massive international and largely deregulated market in human labor is almost a contradiction in terms.

CONCLUSION: THE LONG-TERM IMPACT

THE Flor Contemplacion case had a substantial impact in exposing the Philippine government's nominal commitment to defending its citizens overseas. At the same time, it has given rise to a legacy of resistance among Filipino migrant workers in countries that benefit from their labor but continue to deny their basic rights. Internationally, Filipino migrants rose in opposition to the failure of the Philippine government to protect the life of a worker like themselves. Actions ranging from pickets to vigils to memorial services took place in Saudi Arabia, Italy, the Netherlands, Britain, Belgium, Hong Kong, Canada and among

Filipino activists in Singapore. Many other immigrant workers were inspired by the confidence of the Filipino communities. Stronger bonds of solidarity among local citizens who refused to be complicit with their various governments' abusive policies against immigrants were forged. Though Flor's life was lost, her struggle for justice sparked a movement that has changed the international context of migrant workers' citizenship rights. This has had a lasting impact that continues, even if in less dramatic and overt expression, to the present time.

Among the long term consequences of the Flor Contemplacion case is the creation of an ongoing international network of activists for migrant workers' rights. Their mettle was tested by the case of a domestic worker's demand for justice shortly after Flor Contemplacion's death. Sarah Balabagan, a teenage Filipino domestic helper, was charged with the murder of her employer, Mohammed Abdallah al-Baloushi, a 58-year old man, in the United Arab Emirates (UAE) when he tried to rape her. She was only 15 years old when she arrived in Abu Dhabi in May 1994. Though she was a minor, she was carrying falsified papers stating that she was 28, having been recruited by an agency operating illegally. The story became headline news in Manila, and it rekindled among many the anger that had been fueled by the recent execution of Flor Contemplacion. A major international campaign to save the life of Sarah Balabagan was initiated, following the pattern, though in a smaller scale, of the international defense campaign for Flor Contemplacion. In October 1995, Faraj al-Baloushi, son of the deceased Mohammed Abdallah al-Baloushi, withdrew the petition for the death sentence. The blood money of US\$40,000 and 100 lashes were considered sufficient compensation for the family's loss. The funds were readily provided by a wealthy Philippine businessman, and the lashes were reported by the Red Cross to be 'light'. Sarah Balabagan's life was saved and her freedom ultimately secured.

Three films, released in 1995, exemplify the impact of Flor Contemplacion's life and death on Filipino popular culture. The most significant of these films is 'The Flor Contemplacion Story' which unflinchingly portrays the murder of Delia Maga at the hands of her Singaporean employer and is a clear condemnation of the Singaporean and Philippine governments. The importance of the public participa-

tion in the events surrounding the case of Flor Contemplacion was demonstrated by the size and emotional involvement of the film's audience. Reports indicate 2500 people in the audience on opening night in Manila. The film's screenplay was based on the story as told by Flor Contemplacion's husband Efren. It stars their two teenage twin sons, Joel and Jonjon, and Nora Aunor as Flor. A very popular Filipina actress and singer, Nora Aunor appeared live and sang the title song of the film in Tagalog to an adoring crowd. The film was advertised as 'a film with a message and a mission: Justice for Flor Contemplacion'.

Yet for as long as capital moves freely across borders and workers remain tied to their employers by their poverty and their passports, the exploitation and oppression of migrant workers like Flor Contemplacion will continue. The story of Flor Contemplacion is a classic case of the vulnerabilities associated with non-citizenship, taking place in particular, though not uncommon, circumstances. The crushing poverty that forces thousands of workers, a growing proportion of whom are women, to accept the most degrading jobs in countries where such jobs are spurned, continues. It is these conditions that have ensured that, despite her tragic and untimely death, the spirit of Flor Contemplacion is still very much alive in the Philippines and the world.

NOTES

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1. Many news reports, newsletters, and film presentations cited in this essay have provided valuable information. However, to our knowledge no detailed scholarly historical account and analysis of this important and transformative struggle has yet been made to date.

2. See for example the classic writings of Hayek (1960, 1976) and Nozick (1974). For a critique from the standpoint of citizenship rights, see Faulks (1998).

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3. For a more detailed development of the notion of a citizenship/non-citizenship spectrum, see Bakan & Stasiulis (1997a, 1997b, 1996).

4. Recent trends indicate growing female participation rates, coincident with higher rates of acceptance of migrant workers in receiving countries for notoriously unprotected occupations including domestic service and entertainment. See Vaillalbo (1993 a & b) and Battistella (1995).

5. The commission was established through Executive Order No. 231, dated 20 March 1995, and Memorandum Order No. 271 dated 21 March 1995, issued by President Ramos.

6. This is based on an analysis of public documents and material based on primary research findings drawn from interviews only. No new legal claims or evidence are being presented in this essay.

7. At the time, the government examiner who performed the autopsy, Dr. Maximo Reyes, had performed 10,000 autopsies in his 25-year career. (Asia 1994)

8. However, President Ramos stated that Singapore Prime Minister Goh Chok Tong 'gave his agreement in a telephone conversation' that Singapore was prepared to review its investigation (The Philippines 1995). No indication of a reversal of the Singapore court findings is known to the authors.

9. The Commission report noted that Miss Buensuceso denied these charges, but her testimony was dismissed on the grounds that she 'has everything to lose if she does not testify in the manner that she did'.

10. Both prisoners were kept in a basement for the 'mentally ill'. Flor Contemplacion, we can speculate, was probably considered mentally ill due to her continual assertion of her innocence. Virginia Parumog had tried to commit suicide with her bra strap upon being taken into custody. (Padilla 1995).

11. The case received very limited attention in Singapore, though the negative views of Singaporean people among Filipinos were stressed for example, in the major Singapore daily, the *Straits Times*.

12. This document was given to the authors by a senior civil servant at the Manila OWWA office for purposes of this research on 8 June 1995.

REFERENCES

- Bakan AB & D Stasiulis. 1997a. Negotiating Citizenship Globally: Migrant Domestic Workers as a Case Study. *Feminist Review* 57 (Fall).
- Bakan AB & D Stasiulis. 1996. Structural Adjustment, Citizenship and Foreign Domestic Labour: The Canadian Case. In I Bakker (ed). *Rethinking Restructuring: Gender and Change*, pp. 217-42. Toronto: University of Toronto Press.

- Bakan AB & D Stasiulis. Making the Match: Domestic Placement Agencies and the Racialization of Women's Household Work. *Signs: Journal of Women in Culture and Society* 20(2): 303-35.
- Bakan AB & D Stasiulis (eds). 1997. *Not One of the Family: Foreign Domestic Workers in Canada*. Toronto: University of Toronto Press.
- Battistella G. 1995. Data on International Migration from the Philippines. *Asian and Pacific Migration Journal* 4 (4): 589-599.
- Bellido EE. 1995. Personnel and Planning Division, owwa. Interview. 8 June, Manila, Philippines.
- Contemplacion, R. 1995. Interview. 3 June. San Pablo City, Laguna, Philippines.
- Cruz VP & A Paganoni. 1989. *Filipinas in Migration: Big Bills and Small Change*. New Manila, Quezon City: Scalabrini Migration Center.
- Faulks K. 1998. *Citizenship in Modern Britain*. Edinburgh: Edinburgh University Press.
- Gancayco EA. 1996. Response from the Bureaucracy: The Gancayco Commission Report. In RP Beltran & GF Rodriguez (eds), *Filipino Women and Migrant Workers: At the Crossroads and Beyond Beijing*, pp. 69-80. Quezon City: Giraffe Books.
- Gancayco EA. 1995a. *Presidential Fact-finding and Policy Advisory Commission on the Protection of Overseas Filipinos: Report and Recommendation on the Delia Maga-Flor Contemplacion Case*. Manila, Philippines: Office of the President, Republic of the Philippines.
- Gancayco, EA. 1995b. *Presidential Fact-finding and Policy Advisory Commission on the Protection of Overseas Filipinos: Part IV, The Involuntariness of the Alleged Confession of Flor Contemplacion*. Manila, Philippines: Office of the President, Republic of the Philippines.
- Gancayco, EA. 1995c. *Presidential Fact-finding and Policy Advisory Commission on the Protection of Overseas Filipinos: The First Report, Maga-Contemplacion Case*. Manila, Philippines: Office of the President, Republic of the Philippines.
- Gancayco, EA. 1995d. *Presidential Fact-finding and Policy Advisory Commission on the Protection of Overseas Filipinos: Part II, The Evidence*. Manila, Philippines: Office of the President, Republic of the Philippines.
- Gancayco, EA 1995. Presidential Commission, Report and Recommendation p41.
- Ghosh N. 1995. Maid row: Singapore embassy in Manila beefs up security. *Straits Times*, 14 March, p. 12.
- Ghosh N. 1995. Maid to hang: Manila 'must respect S'pore's sovereignty. *Straits Times*, 17 March, p. 19.
- Ghosh N. 1995. Human-rights groups 'join drive to stop Filipina's execution. *Straits Times*, 12 March, p. 18.
- Ghosh N. 1995. Human-rights groups 'join drive to stop Filipina's execution. *Straits Times*, 12 March, p. 18.
- Gratela P., Secretary General, Migrante. 1995. Interview, 2 June, Manila.
- Harris N. 1995. *The New Untouchables: Immigration and the New World Worker*. London: Penguin.

Flor Contemplacion

- Hayek F. 1960. *The Constitution of Liberty*. London: Routledge.
- Hayek F. 1976. *Law, Legislation and Liberty*. Vol. II: The Mirage of Social Justice. London: Routledge.
- Justice for Flor Contemplacion; Justice for all Migrant Workers*. n.d. Publication of the Philippine Solidarity Group-Toronto and 10 other migrant workers organizations in Canada (circa March 1995).
- Justice for the Sarah Balabagan Committee. 1995. News Update. 20 October. Ottawa, Canada, pp. 59-66.
- Kapiban Sa Kanlungan*. 1995. Official News Digest of the Kanlungan Center Foundation Inc. January-March, series II.
- Luciano LI. 1996. Response from the Legislature: Concerns of Migrant Workers and Overseas Filipinos in Distress. In RP Beltran & GF Rodriguez (eds), *Filipino Women and Migrant Workers: At the Crossroads and Beyond Beijing*. Quezon City: Giraffe Books.
- Nozick R. 1974. *Anarchy, State and Utopia*. Oxford: Basil Blackwell.
- Overseas Workers Welfare Administration (owwa), Department of Labor and Employment, Republic of the Philippines. n.d. *Singapore: Onwards to Philippines 2000, Manual for Singapore-bound Overseas Contract Workers*.
- Padilla C. 1995. Chair, Commission on Overseas Filipinas, Gabriela, and Presiding Officer of Migrante. Interview. 5 June, Manila, Philippines.
- Paganoni A. 1984. *Migration from the Philippines*. New Manila, Quezon City: Scalabrinians Center for Migration Studies.
- Save the Life of Sarah Balabagan! n.d. *Sigaw*. Official publication of the Coalition for the Defense of Migrant Workers' Rights, Toronto, Canada. 1(2):2.
- Singapore hangs maid for killings. 1995. *The Toronto Star* 15 March, p. A2.
- Singapore informant recounts the passion of Flor. 1995. *Asia Pacific Mission for Migrant Filipinos (APMMF) News Digest*, Special Release. April, pp. 1-2. Reprinted from *Today*, 13 April 1995.
- Talosig M. 1995. Three US experts willing to do fourth autopsy on Maga. *Today*, 3 June, p.1.
- The Philippines. 1995. *The Vancouver Sun*, 12 April, p. A14.
- Torrevillas DM. 1996. Violence Against Filipina ocws: The Flor Contemplacion and Sarah Balabagan Cases. In RP Beltran & GF Rodriguez (eds). *Filipino Women and Migrant Workers: At the Crossroads and Beyond Beijing*. Quezon City: Giraffe Books.
- Vaillalbo M. 1993. Understanding Asian Women in Migration: Towards a Theoretical Framework. *Women in Action* (28&3): 8-23.