

Understanding Incest in the Philippines*
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Incest: A Growing Reality

Incest cases are increasingly reported in the Philippines. Data from the Department of Social Work and Development (DSWD) reveals the prevalence of incest nationwide. From 1991 to 1996, the number of reported incest cases reached 1, 835 from 45 in 1991. For 1996 alone, the DSWD documented 624 cases of incest out of the 2, 621 reported cases of sexual abuse of children. The top five regions with the most number of reported incest cases are the National Capital Region with 178 cases, followed by Region IV (100 cases) , Region III (50 cases), Region VII (44 cases), and Region V (42 cases).

In a research conducted by the Women's Legal Bureau, Inc. (WLB) covering 478 Philippine Supreme Court decisions on rape from 1961 to 1992, 447 or 71 percent of the 630 rapists involved were known to the victims. Of this figure, 58 cases were conclusively incestuous, that is, committed by blood relatives, including stepfathers. The study further reveals that in addition to the 58 cases, 158 cases were committed by acquaintances (long time neighbors, classmates, and friends of the victims' parents, accounting for 25 percent of the perpetrators), 21 cases by in-laws, 20 cases by persons in authority and 46 cases by friends.

On the other hand, the 1996 study conducted by the University of the Philippines Center for Women's Studies Foundation, Inc., shows that 30 percent of 1,000 cases of family violence that occurred from 1994 to the first quarter of 1996 were committed against children. Thirty-three percent of these cases were incestuous. The cases came from the files of the government and non-government organizations.

The increased reporting of incest cases may be due to a greater awareness of children's rights. The reported cases, however do not reflect the actual incidence of incest. The actual prevalence of incest may never be known primarily because of various factors that hinder its reporting.

Incest cases are usually covered as part of studies on rape, child abuse and violence against women. Available data covers only reported cases and is mostly quantitative. Little is known about the profile of incest victims, their abusers and the circumstances behind incest. A comprehensive research on incest in the Philippines is urgently needed.

What is Incest?

There is no common understanding of incest. Even researchers and experts have different definitions. The lack of a common definition leads to a confusion in data and hampers the determination of the actual number of incest cases that have been reported.

For instance, the 1996 study of the University of the Philippines Center for Women's Studies does not provide a definition of incest even as it reports that a percentage of the cases studies

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were “incest” cases. The DSWD statistical data also fails to clarify its definition of incest. However, a DSWD social worker from the Bureau of Child and Youth Welfare (BCYW) clarified that until 1995, they defined incest as sexual abuse committed against children and adults by persons related to the victims by blood. According to her, the BCYW expanded its definition in 1996 by including sexual abuse committed against a person by any member of the household. This may also include househelpers. This expanded definition, however, is not reflected in any DSWD document.

There is also no legal definition of incest in the Philippines. The 1998 Family Code is so far the only existing legislation that has no reference to incest. But its pertinent provision (Article 37) pertains to incestuous marriages, not to incest itself:

“Marriages between the following are incestuous and void from the beginning, whether the relationship between the parties be legitimate or illegitimate: (1) Between ascendants and descendants of any degree; and (2) Between brothers and sisters, whether of full or half blood.”

The only official document in the Philippines that defines incest is the Philippine Plan for Gender Development (PPGD). The PPGD defines incest as: *“the commission of sexually inappropriate acts or acts with sexual overtones, with a child or adolescent, by an older person or adult who wields authority through emotional bonding with that child or younger person.”*

But, the term “sexually inappropriate acts” adds confusion to the understanding of incest. Are there “sexually appropriate acts” that an adult can do to a child which may not be characterized as incest? There appears to be none. Despite this apparent flaw, the PPGD definition is a far cry from its predecessor document, the Philippine Development Plan for Women (1989-1992) which did not define incest but “incest rape” as: *“carnal relations between siblings, between parents and children and/or between blood relatives to the 4th consanguinity.”*

One of the most valuable studies on incest that offers a definition is Prescilla Dela Pena-Tulipat’s masteral thesis (1995), *“ An Exploratory Study on Incest Using Feminist Participatory Approach: A Contribution to the Study of Violence Against Women.”* She states that incest has never been a public issue in the Philippines. The absence of a specific Filipino term for incest is an indication of this. For her thesis, Tulipat used the definitions of incest formulated by the Incest Survivors Campaign defining it as: *“the sexual molestation of a child by an older person perceived as a figure of trust or authority—parents, relatives (whether natural or adoptive), family friends, youth leaders and teachers etc.*

The definitions in the PPGD and in the Tulipat’s study have common elements. Both cite children as victims and persons of trust or authority as perpetrators.

There are, however, other perspectives. Based on available literature on incest, reports in Philippine national, dailies and interviews with Filipino professionals, direct service providers and activists involved in addressing the issue, there are three elements that recur in the existing understanding of incest. These are:

[1] **Age.** Incest is usually defined and understood as sexual abuse against children. Others, particularly some activists and direct service providers, admit that an abuse perpetrated against a

person of legal age may also be considered incestuous, depending on the relationships between the victim/survivor and the perpetrator. There are also incestuous abuses that start during childhood and continue through the adult years of the victim-survivor.

[2] **Relationship.** The common understanding of incest is limited to abuses committed by blood relatives. Still, there are those who consider abuses committed by persons related by affinity (i.e. by marriage) and by household members (e.g. househelp) as incest. Very few, though hold the view that incest is not so much about blood or affinity ties but the emotional bond between the victim-survivor and the abuser. This emotional bond is characterized by the trust and confidence of the victim-survivor towards the abuser who usually exercises moral ascendancy, influence or control over the victim-survivor. According to Suzanne M. Sgroi, author of *Clinical Interventions in Child Abuse*, “the crucial psychosocial dynamic is the familial relationship between the incest participants. The presence or absence of a blood relationship... is far less significant than the kinship roles they occupy.”

[3] **Sexual Abuse.** There seems to be an evident agreement that incest covers a broad range of sexually abusive acts and may not necessarily involve physical contact. Examples of these sexually abusive acts are display of pornographic pictures, voyeurism, fondling, kissing, and penile penetration of the female genitalia.

Despite the varying perspectives on the abuser-victim/survivor relationship that qualifies an abuse as incest, there is a common recognition that an essential element of incest is betrayal of trust. Compared with stranger abuse, incest has a different psychological and emotional impact on the victim because of the relationship of trust between the victim-survivor and the abuser. As Heidi Vanderbilt described in *Incest: A Chilling Report*, “a child molested by a stranger can run home for help and comfort. A victim of incest cannot.”

To better understand incest and come up with an appropriate definition as well as recommendations for this paper, the WLB conducted a research covering the following: [1] review of 63 cases involving persons known to the victims as reported in January to July 1997 issues of four national dailies (Today, Philippine Daily Inquirer, Manila Times and Abante); [2] review of incest cases handled by the WLB itself from 1991-1997; [3] review of data in Tulipat’s study; [4] review of data in the WLB study, *Making Sense of Rape*; and [5] interviews with selected professionals (e.g. lawyers, psychiatrists and psychologists), NGO counselors, and activists from women’s groups who deal with incest.

The following discussion is based on data gathered from the foregoing sources.

Profile of Incest in the Philippine Experience

Age

Perpetrator. Based on the collated newspaper reports, majority of the abusers belongs to the 30-45 age group. The youngest reported perpetrator was 14 years old while the eldest was 80. In 15 cases, the age of the reported abuser was not mentioned.

Majority of the incest cases handled by the WLB from 1991 to 1997 involved adult abusers. One case involved four minor offenders (six to thirteen years old), but they were older than their victim.

A number of the professionals and direct service providers interviewed said that incest is also committed by minors who are older or of the same age as their victims. A clinical psychologist pointed out that what is more important than age is the maturity of the mind of the offender making him capable of manipulating the victim at a cognitive level.

Victim. In the newspaper reports, the youngest victim was one year and eight months old while the oldest was 27 years old who was raped by a 40-year old uncle. Most victims belonged to the 5-14 age group. Five victims were of legal age (18-27).

Similarly, in WLB's cases, most victims were in the 5-16 age group. The youngest victims was three years old while the oldest was twenty-five. There were four adult women victims-survivors, three of whom were abused when they were young girls by the same abusers.

Professionals and direct service providers confirmed that adults can be victims of incest.

Sex

Abuser. The WLB study of court decisions on rape shows that all offenders in the 58 clearly incestuous cases were male. Nearly all the offenders in the incest cases handled by WLB were men.

Victim. An overwhelming majority of the victims-survivors are female. There were only isolated reports of cases of male victims.

Relationship of Abuser and the Victim

Twenty-nine cases reported in the newspapers involved the biological father as the abuser while seven cases involved stepfathers. Uncles were the abusers in 12 cases while grandfathers figured in seven cases and cousins in six. Other abusers were brothers (3), nephew (1), family friend (1), trusted neighbor (1), father-in-law (1), godfather (1), househelp (1), and foster father (1).

Some victims were sexually molested by more than one abuser.

In Tulipat's thesis, which involved 18 case studies, almost the same information was gathered. There were six cases of abuse by biological fathers, followed by uncles (6) and cousins (5). Other abusers were stepfathers (2), brothers (biological and stepbrother) (2), distant relatives (2), child-minders (2) and a neighbor.

In a review of 26 incest cases handled by the WLB from 1991-1997, eight victims were abused by their biological fathers and three by their stepfathers. One victim-survivor who suffered multiple abuse from her biological father was also molested by her three brothers and two cousins. Another victim, a three-year-old girl, was abused by her grandfather. In another case, the victim was abused by her aunt's common-law husband whom she considered her foster father. Another was abused by her common-law husband's uncle. One case involved a five-year-old girl abused by a family friend, another victim of the same age was abused by the owner of their family's rented room.

Among the 58 clearly incestuous rapes that were decided by the Supreme Court, the top offenders were fathers (21 cases), followed by stepfathers and uncles (13 cases each). The other offenders were cousins (6 cases), brothers (2 cases), nephews (2 cases), and grandfather (1 case).

A relationship of trust and confidence or the existence of emotional bonding is noted in cases where blood or affinity relationships exist (e.g. involving a father-in-law, godfather or foster father). The same can also be said in the case involving a househelp. As to the rest, cases of emotional bonding or relationship of trust and confidence of authorship has to be present to qualify the abuse as incest. An examination of the cases involving a trusted neighbor and family friend revealed that the children-victims were entrusted by their mothers at the time of the abuse.