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Lack and Excess in the Filmic Representations of Justice

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Abstract

The essay examines the filmic representations of justice and the judiciary in Philippine cinema. The first section analyzes the conventions of the "legal film" that uses the judiciary space as the locus of contestation of the filmic conflict. The second section formulates the filmic imagination of an inept judicial system in the country. The last section discusses the cultural politics involved in the film's pessimistic representations of justice, in relation to the larger historical and social formations of the judicial institution. Using films such as Aida Macaraeg, Minsa'y Isang Gamu-gamo, Sa Kuko ng Aguila, and Bulaklak ng City Jail, the essay materializes the connections between the filmic representations, and the social and historical construction of the Philippine judiciary.

Keywords: Filmic representation, justice, lack, excess, legal films

Philippine cinema primarily represents the judicial and legal systems as inaccessible from the outside to those who seek redress from it. And in the rare times when it becomes accessible, it is deemed as the harsh implementation of either an inhumane or an inutile system—inhumane because it seeks to implement a rectification process that does not consider the melodrama of the human condition, and inutile because it is unable to resolve that which it is supposed to do due to

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larger impositions of transnational military treaties or local corruption. This essay seeks to investigate the representations of justice in contemporary Philippine cinema—first, the conventions of the legal scene in film; second, how these images typify a politicized imagination of the judicial system; and last, the stakes in cultural politics involved in such representations.

What seems to be a judicial lack is predetermined by a simultaneous experience of excess. The primordial lack of justice cohabits the space of the excessive effort to sustain and project the lack in some other ego-ideal or the naturalization of trauma. The massive condition of poverty—a figuration of excess or in fact, an excess of lack—provides the void that reinforces the construction and deconstruction of judicial lack and excess. The Philippines' poverty rate is the highest in Southeast Asia at 40 percent which means that some 15.3 million Filipinos (half of the poor population) live below abject poverty.[1] In turn, this national lack leads to an easy maneuvering of abuse of power, constituted to disenfranchise the historically marginalized. Poverty bespeaks of a lack, including the lack of judicial access. Poverty also constitutes the excessive abuse of power, including the excess of containment via the law and its exile and displacement of the historically marginalized. This dialectic of lack and excess of poverty, disenfranchisement, power, and the judiciary is what propels the cultural politics of how law and justice are represented in Philippine cinema.

Legal films—centered on court battle scenes and providing an impression of the dysfunctional nature of the judiciary in the country—are very rare in in Philippine cinema. Court scenes, however, remain plentiful in at least three genres. In action films, one finds the false conviction of the action hero or his loved one, or the declaration of the guilty powerful figure as innocent. In sex movies, we see the accusation of the female lead star of a crime that is done for a moral right. In melodrama, however, the court scene becomes a dramatic narrative convention, where suffering seems endless or the heroine is exonerated of a false accusation. In the domestic melodrama Adultery: Aida Macaraeg (1984, directed by Lino Brocka), the pregnant heroine is torn between her forced marriage to a convicted drug pusher and her new life as the other woman of a rich married man. The court scene becomes the crux of the emotional upheaval as her husband is suddenly paroled and her present partner, a "respectable" man, decides to take custody of their son until the case is settled. The court scenes are calculated to show her sure defeat in the legal case. She kneels in front of her husband,

begging him to release her from her duties as his wife. Aida believes that the only person she can claim as her own is her son. Just when the decision is to be handed down, the husband disrupts the proceedings by withdrawing his case against Aida. The denouement shows Aida in the breakwater of a park when the son suddenly comes running to her, accompanied by her husband who confesses that he and her partner have already resolved the case—the partner will release Aida's son and the husband will relocate to another place, leaving them in peace.

The film ingenuously weaves the culture of domestic disarray by intercutting a radio melodrama with the aggravation of Aida's familial predicament. Aida works as a Chinese restaurant receptionist, her meager salary supporting her father's medicines, sister's education, brother's young family and her mother. She represents the mater dolorosa (suffering mother), iconic of the pained Virgin Mary symbol in Catholic-dominant Philippine society. The last straw in her family saga was the unexpected revelation that her unemployed brother's wife was expecting a second child. She decides to move in with her boyfriend but chooses not to marry. Her religiously devoted mother disowns her, like her younger sister who chose to become a mistress of a rich man. Her mother's move to declare her as immoral posits her as a trespassing deviant, marking her moral downfall and aggravating her ethical turbulence.

Court scenes in Philippine films are deemed "un-cinematic" because of the materiality of the actual location. Halls of justice are not known for their architectural innovation, much less for sensitive interior designs. These have been sites known to be fire-traps and security-risk areas—sections or buildings have burned in separate incidents due to faulty wiring, low ceilings, and congested and enclosed interiors; there have also been continuous reports of pieces of evidence stolen in various depositories of the courts and of convicts attempting to escape and succeeding in doing so through the court building. The court scene usually takes place in a big, oftentimes dilapidated room that acts out as a trial court. The judge sits on a raised wooden podium for older court scenes, or simply at a study table in recent scenes, and the main prop on top of it is the gavel. An oversized Philippine flag is draped as the backdrop of the judge. On the walls are big pictures of the incumbent president and notices of silence. Because of the general lack of space in the courts, it also serves as storage with gray filing cabinets lining the walls. Legal scenes are depicted in film only through this site or the offices of lawyers.

There are three horizontal axes of action, with only one vertical axis that connects the judge to the others. The judge is the center of the action even as he or she remains silent in the scenes. The actor sits in front of the most important signifier of the nation—the flag, representing their national mandate to dispense justice to those who seek it. The role is usually portrayed by an honorable and senior looking actor. In earlier films, the actor does not wear a robe, but with the institution of the robe requirement for judges, it has become the character's mandated costume. The second axis is the witness stand which takes up much of the scene. This is the axis where witnesses and suspects are interrogated forcefully by opposing lawyers. The third axis is the family or friends of the accused or the complainant in the audience row. This is the familiar site of reaction shots—usually, via a close-up shot of worried looks—as the character in the witness stand tries to grapple with the questions. The vertical axis, however, emanates directly from the judge, dispensing with a ruling, stating a recess, or ordering the witness.

Aida asks her husband a final question at the film's end, "Ano ang nangyari sa atin?" (What happened to us?) The moment of domestic bliss has become a nostalgic experience—it never existed but nonetheless is now idealized. The husband answers, with possible reference in accessibility of the nation's judicial system, "Huwag mo nang itanong, baka mas masakit kung malaman natin ang sagot." (Don't ask, it might be more painful to know the answer.) The husband's new position, however, is exemplary of the triumph of the prison system and its power to reform and rehabilitate criminals. Even when not functioning to its fullest potential, the judicial system is idealized in a conscious repression. This essay attempts to foreground the repressed answers, painful as this may seem. The renarrativization of the trauma underscores the cultural politics in locating the newer imaginary of blissful ignorance in repression.

Political Disenfranchisement and Postcolonial Condition

The judiciary system is perceived to be inutile in the Philippines, one which only seeks to validate those in power. In social melodramas such as Minsan'y Isang Gamu-gamo (Once There Was a Moth, 1976, directed by Lupita Aquino-Kashiwahara) and Sa Kuko ng Aguila (In the Eagle's Claws, 1988, directed by Augusto Buenaventura), films that tackled the US bases in the Philippines, the narratives are poised in the anti-climactic closure offered by local courts being inutile to dispense

justice to the disenfranchized characters. The star system driving the films—Nora Aunor, the brown Cinderella in Minsa'y and Joseph Estrada, the defender of the masses in Sa Kuko, who would later become president—evokes the ordinary citizen's quest for justice in the judiciary system or recourse to quasi-judicial means when the system becomes unavailable. The mass audience is made to identify with icons typifying ordinary people's quests for social justice. On the one hand, this identification makes justice a doubly imagined fantasy, circulated in the fantasy production of film viewing and in the casting of icons being deprived of illusory justice. On the other hand, the lack of justice in film produces another form of identification in the real as icons strive to expand on their star status by joining politics. Estrada is the most celebrated case of the attempt, having reached the highest position in 2000, and his being deposed in 2001 also casts him as the most infamous. He now is entangled in his own quest for justice as he evades prosecution of his corruption cases with his fans remaining steadfast in their support.

The legal system in the Philippines has been mostly based on the colonial masters' systems—Spain (family and property laws, and absence of jury trial) and the US (trade and commerce, labor relations, taxation, banking and currency). The failure of the legal system in the Philippines is emphasized in recent history, from the Marcos period (1965-1986) to the present. Marcos compromised the legal system by reconstituting the Supreme Court with appointees beholden to his presidency. There are only some thirty thousand lawyers practicing in the Philippines, one-third of which are based in Manila. A court study found that "even if the judges were to work 50 percent faster, it would take them 476 years to catch up [with the volume of cases filed]."

Minsa'y Isang Gamu-gamo tells the intertwined narratives of two lovers from lower middle-class families in Pampanga, site of Clark Air Force Base, the biggest American air base outside the mainland.[2] Corazon has just been accepted as a trainee nurse in Michigan and goes through the process of finalizing her papers at the US Embassy in Manila. Bonifacio dreams of entering the US Navy in the immediate future. Their American dream begins to shatter as Bonifacio's mother, Yolanda, a worker in the base's commissary, experiences being interrogated and humiliated by a Filipina merchandise officer. She gets ordered to go to an enclosed cubicle, strip-searched for illegal goods and when told to leave, her panties were confiscated by the officer. The officer playfully toys with the panties at the tip of her pen, waving it to the crowd and twitching her nose in disdain at the smell of the soiled underwear.

Bonifacio and Yolanda decide to file a complaint despite the mother already showing early signs of hesitation given the scenario painted by the lawyer. The lawyer decides to file a criminal complaint for slander against the merchandise control guard, and to send a letter of protest to the American base commander. The mother asks Bonifacio, "Tama kaya ang ginagawa natin? Paano tayo lalaban sa Amerikano?" (Are we doing the right thing? How can we fight the Americans?) The periodic enunciation of rhetorical questions emphasizes the anxious psychical state in the social melodrama. The oscillation of will and choice—to fight for justice or to negotiate with the bigger power—becomes the nexus of aggravating circumstances for the lead characters to decide their fate in the film's end.

In retaliation to her complaint, the guard, backed by two American service personnel, raids Yolanda's PX (American goods) store, confiscating all items. Yolanda was caught off guard and when once again offered an "amicable settlement," she decides to take it against Bonifacio's protestations. Her goods are returned but Bonifacio decides to relinquish his plans to join the navy to Corazon's disappointment. During her farewell party, her younger brother is neglected because of the preparations. Her brother decides to accept the invitation of boys to scavenge in the restricted dump areas of the bases. He is shot dead by a bored American serviceman. Upon seeing the dead body transported to their gates, Corazon is shocked and tries to resuscitate the bloodied body. She takes control of the cleaning of the body, and sits herself at the back of the coffin. When an American negotiating team comes to console the family and deliver their generous donation for the kin of the dead, Corazon is outraged when she hears the explanation that her brother was mistaken for a wild boar. She blurts out the memorable line from the film, "Ang kapatid ko ay hindi baboy." (My brother is not a pig!) Corazon's hysterical scene is the climax of the film's melodramatic saga, connoting both realization of disenfranchisement and empowerment. From hereon, the anxious state is turned to anger and resolve to fight for justice.

They decide to file a criminal case despite the hesitation of the lawyer, the same one chosen by Yolanda and Bonifacio. The lawyer is frank when he says that the case is "hopeless." Yolanda is stunned, "Pero ito ang Pilipinas, Attorney. Kung nasa ibang bansa kami baka nga wala kaming laban. Pero tayo ang Pilipino. Ito ang Pilipinas. Sila ang mga dayuhan." (But this is the Philippines, Attorney. If we were in another country, we may not have a chance. We are Filipinos. This is

the Philippines. They are the foreigners.) During the first and only hearing of the case, the lawyer representing the US bases stands up and notifies the court that the case cannot be heard, showing a certificate that "Corporal John S. Smith has returned to the United States as his tour of duty has been terminated." The lawyer then declares, "The case cannot proceed until the accused is returned to the Philippines." The judge concurs and sends the case to be archived.

All judicial recourse is shut down for Corazon. In obvious frustration, she shouts to the court, "Sino ang mananagot sa aking kapatid?" (Who will take responsibility for the crime committed against my brother?). Bonifacio comforts her in an embrace. Walking down the stairs, Corazon is stopped by the base lawyer who attempts to forward an envelop containing dollars for her brother. The lawyer repeats the apology and the case of mistaken identity. Corazon pulls out a photo of her brother from her wallet and says, "Masdan mong maigi ang kapatid ko. Sabihin mo sa kanila, hindi siya mukhang baboy ramo." (Look closely at my brother. Tell them that he does not, in any way, look like a wild boar.) Outside the court, a commotion is caused by the skidding accident of a motorcycle driver. The driver's helmet is taken off the body. Corazon's lawyer tells the crowd to let her in since she is a nurse. The film ends with the shot of Corazon staring down at the Caucasian driver.

Minsan'y Isang Gamu-gamo is credited as "the first important film to tackle the subject of [...] American presence [in the Philippines] and its consequences. It showed another face of the so-called special relations between the Philippines and the United States."[3] Such a relationship, enforced through a military treaty between the two nations—although transacted when the Philippines was a colony of the US—provides the black hole that makes all civil and criminal cases against the US military personnel and bases unaccountable to the local and national courts. This source of the primordial judicial lack—the transnational military treaty—negates the possibility of justice being enforced and the legal system being duly operational. What then results are paralegal settlements that suture acceptance of lack and excess of power. Yolanda divulges this realization in accepting the settlement to her cousin noting, "Wala pang asunto laban sa mga Amerikano ang hindi nauwi sa amicable settlement." (There has yet to be a complaint against the Americans that will not be resolved through amicable settlement.) Her cousin presents her own strategy of containment of the issue replying, "Mababait naman ang mga Amerikano. Kung hindi

sila bumalik noong panahon ng Hapon, nasira na ako." (The Americans are OK anyway. If they had not returned during the Japanese occupation, I would have been dead.)

The legal issue is centered on territoriality—where can one claim justice? The film frequently echoes this thrust. The shooting of the young brother takes place inside the scavenging section of the military base. Earlier on, three boys were shot inside the same location. What becomes of Filipinos who, therefore, are trespassing subjects in their homeland? US claim on national territory is echoed further in the sensitive remark of the father regarding the state visit of Nixon to the Philippines and the televised via satellite landing of Apollo 11 on the moon: "Sa kanila na rin ba ang buwan?" (Has the moon become American territory?) Historically, the bloody conquest of the Philippines provided the US with its first colonial-building experience outside the mainland. Poised to claim its sovereignty after proclaiming its independence from Spain, the Philippines realized its maintenance of colonial status under US tutelage. Corazon's training in an American hospital is a postcolonial issue as some fifty thousand Filipina nurses have migrated to work in the US. With the liberalization of US immigration law and the continuing shortage of nurses in western countries, the Philippines is the largest exporter of registered nurses to foreign countries at some two hundred fifty thousand nurses working abroad.[4]

Bonifacio's dream to join the US Navy is also a historically determined option. Since 1952, an agreement between the Philippines and the US governments allowed no more than one thousand male Philippine citizens to enlist in the US Navy.[5] The agreement was modified in 1954, setting the recruitment ceiling to 2,000 Filipino personnel.[6] As of 1989, there were 19,251 Filipino enlisted personnel and 588 Filipino officers in the Navy.[7]

As seafarers, "Filipinos used to comprise the largest number of seamen in international shipping lines" as there are some four hundred thousand registered seamen employed in international vessels.[8] The gendered emplacement of Filipinos in defense and seafaring and Filipinas in the health care sector is historically determined through colonial and neocolonial ties between the Philippines and western nations, specifically the US. This is the reason why E. San Juan, Jr. implores Filipino Americans "to confront [their] own singular destiny as a 'transported' (in more ways than one), displaced, and disintegrated people."[9]

The military power relations—in ways which propelled Philippine colonial and neocolonial relations with the US—overdetermine the

territoriality issue and consequential issue of autonomous nations, independent states, and sovereign bodies. The US military bases issue, after all, is also a territorial issue. These bases were first established in support of the Spanish-American war to develop US markets overseas. When the US granted independence to the Philippines in 1946, it made sure it had access to some twenty military and naval bases, with the Clark Air Field and Subic Naval Base the biggest and most important.[10] It costs US taxpayers $200 million annually to maintain these bases and has made the US government the second largest employer, after the national government, in the Philippines. The Philippine military "has also received unprecedented financial support" from the U.S. military presence.[11] Between 1972 and 1983, its size has more than tripled, growing from 54,000 to 213,000 and the reserves have increased from 17,000 to 118,000.[12] The fast-track development of the military became the bulwark of defense under the Marcos dictatorship. In turn, the US military bases propelled the Marcos dictatorship. The pampered status of the military and defense sector becomes the recurring logic of subsequent presidencies and the cause of the lingering dismal state of human rights in the country. With historical, economic, political, and cultural ties, the Philippine state has yet to cease to become a US neocolonial territory.

Another film that deals with the presence of and abuse in the US bases is Sa Kuko ng Aguila. The film's story propels an ordinary man—a just driver of jeepney, the most popular mode of transport in the Philippines—into a leadership role against the abuses and presence of the US military base in Olongapo, site of the Subic Naval Base. The climax of the film begins with the court scene that exonerates the wealthy politician. Outside the court, the driver and crime victim are awaited by the crowd, donning protest signs and streamers. As the politician also comes out, he is intimidated by the protest of the angry masses. He evades the crowd, quickly escaping through his car. The driver is catapulted into the leadership of the protest movement. They take their cause into the streets. The final shot in slow-motion dramatizes him, his girlfriend, the victims, and close associates marching in front of the mass of people holding protest signs and the righteousness of their struggle.

Cinematically, the flow of meaning foregrounding the dialectic of excess and lack is circulated through the star system. Stars, after all, also bear the weight of the dialectic—through the spectacularization of their bodies in excess, and the drawing from the primal economic and

psychical lack of fans and movie-goers. In Minsa'y Isang Gamu-gamo, the superstar of Philippine cinema, Nora Aunor, represents the lower-middle-class legal debacle with the US bases. Aunor's fame came about during the Marcos dictatorship that sought to emulate a modern nationalism, including the typification of the brown body and features that Aunor owned in contrast to the dominant Caucasian or mestiza beauties of the time. She also mythologized the formula of hard work and luck—Horatio Algers of sorts—to perpetuate the fantasy of social mobility in Philippine society. She used to sell drinking water in a train station in the most depressed region of Luzon, persevered as she joined and won in singing contests, became a singing sensation, moved to acting, won box-office fame as a teeny-bopper star and finally an actress of superb caliber. Because she represented the myth of mobility, the Marcos dictatorship utilized her as an accessory to the nation-building project, enlisting her to campaign for the presidential couple and their programs.

In Sa Kuko ng Aguila, the ordinary but just driver is portrayed by Joseph Estrada whose iconography represented the leadership in solidarity and in the struggle of the masses. Such beginnings would pave the road for his ascent to politics—first as a mayor of a Metro Manila suburban municipality and close ally of the Marcoses, then as a senator whose worth was proven when he campaigned for the abrogation of the military bases treaty, first as vice president, and later as president in 1998. Because of massive corruption and immoral acts, he was deposed in 2000, the second president to be forced out of office. Estrada is crucial in the military discourse because of his vacillating position—from an antibases supporter in 1992, the year the bases treaty was abrogated, to masterminding the approval of the Visiting Forces Agreement (VFA) in 1999 which brought in the return of American troops to the country.[13]

The VFA was designed as part of the network of military treaties and laws supported by the US in its global antiterrorist war. With the abrogation of the 1992 treaty, the territorial space of the two most important bases is now transformed into economic zones, housing factories and offices of multinational companies. These zones remain predicated on the enforcement of US military exercises to denote a secured and stable economic regime.

What is being foregrounded historically in the legal entanglement—and simultaneously foregrounded in the star system—is the issue of social justice. The machination of politics creates new directional flows that negate even the impediment of biggest stars representing the national dilemma in the US bases. While star and

political alliance have shifted, the vacuum of social justice remains unattended. While military bases have been transformed into economic zones, these sites remain magnets for sex work and the continuing disenfranchisement of children and environmental concerns. The Philippines is said to be fourth among nine nations with the most child sex workers, with some 60,000 to 100,000 children involved.[14] Estimates of the total number of women and children involved in sex work vary from 300,000 to 500,000.[15] The number of sex workers is said to be about the size of the nation's manufacturing workforce.[16] The military exercises under the VFA are expected to bring in about ten thousand US military servicemen to twenty-two docking ports all over the country, which, according to the Coalition Against Trafficking of Women-Asia Pacific, "will result in an increase in the number of prostituted women and children."[17] Poverty remains the primordial lack that makes disenfranchised healthy bodies enter sex and entertainment work inside and outside the Philippines. Half of the 150,000 foreign women in sex work in Japan are Filipinas.[18] There remain some fifty thousand Amerasian children in the country, and most have become "underprivileged and targets of the flesh trade because of their looks."[19]

Abandoned because of the eruption of Mount Pinatubo in 1992, portions of the Clark Air Base remain highly toxic, poisoning the water supply in one area and resulting in massive cancer disease among its residents, especially the children.[20] The discursive flow of the military treaty remains in place, along with the lingering issues of social justice and its negation. What is also negated, as San Juan points out for Filipino Americans, which can also be said of Filipinos in general, is that "the reality of US colonial subjugation and its profound enduring effects[....] distinguish the Filipino nationality from the Chinese, Japanese, Koreans, and other cohorts from the Asian mainland."[21]

Jon Mills writes of Lacan's idea of paranoiac knowledge—how the production of knowledge is enmeshed in paranoia—that "Knowledge is paranoiac because it is acquired through our imaginary relation to the other as a primordial misidentification or illusory self-recognition of autonomy, control, and mastery, thus leading to persecutory anxiety and self-alienation."[22] Philippine cinema's representation of justice and the legal system pose the inaccessibility of these ideals of liberal democracy through a perpetuation of the paranoia in the production of knowledge about the judicial system. There exists a primordial misidentification—the victim seeking redress in a system that is already predicated on upholding the transnational treaty—or an illusory self-

recognition of autonomy: defeated in the film, the victim nonetheless achieves moral redemption and victory as the audience identifies with the correctness of the stance. In Sa Kuko ng Aguila, it is the taking on the struggle for social justice to the people; in Minsa'y Isang Gamugamo, it is white hate, the looking down (in the censored version) or the turning away of Corazon from the scene of the accident involving the injured Caucasian driver as acts of retribution.

Reproduction and Subjectivation

Louis Althusser posits the crucial point of the reproduction of the conditions of production in hegemony.[23] The role of the Repressive State Apparatus "consists of securing by force (physical or otherwise) the political conditions of the reproduction of relations of production which are the last resort relations of exploitation."[24] With this emphasized, the "intermediation" of the ruling ideology ensures an enforced harmony between the Repressive and Ideological State Apparatuses. What ensues is an ideology that is a "representation of the imaginary relationship of individuals to their real conditions of existence."[25] This ideology interpellates the concrete subject. This section marks the ideology of the prison system as interpellative of the concrete subject of the disenfranchised citizen. Subjectivation becomes the process of concretizing the subject, how the repressive and ideological state apparatuses hail—simultaneously disenfranchising and empowering—the subjugated subject. In Adultery: Aida Macaraeg, the husband who goes through the prison system that emphasizes manual labor as redemptive of the human subject eventually transposes this subjectivity to comprehend and forgive the heroine.

The central theme in the two films is the experience of prison to articulate the success, albeit partial, of the judicial system. The prison is the deterrent to the character's life becoming wholly unproductive. The shooting of these scenes in actual prison sites—related to the effect of shots taken in actual squatter's communities—provides the grit and squalor that make possible the abjection of such subhuman experience. If in squatter's communities the effect is to gentrify the experience of poverty, then in prison scenes the effect is to render the invisibility of an abject subhuman experience. What results is a pedagogical construction of ordinary people's access to citizenship—via a paranoia of the prison system and the tolerance of an ineffective judicial system.

Bulaklak ng City Jail (Flowers of the City Jail, 1984, directed by Mario O'Hara) narrates the story of singer in a low-end beer pub who is jailed for a murder attempt. Angela defended herself from the wife of the man she was having an affair with, and in the process, she accidentally plunged the knife into the wife's body. She cannot afford the P5,000 bail and endures the daily grind of the women's section of the city jail. The beginning scene which brings her to the jail's section captures the fear of a first-time offender. When she is locked up in the cell, she gets her initiation from the inmates—she is assaulted, undressed, and verbally abused. In the morning, she is naked, lying on sheets of newspapers on the floor and begins her orientation to life as an inmate. She discovers the hierarchy of power inside the city jail. Within the women's section, there is Breaker, the *bastonera* (enforcer of rules, peace and order), the *mayora* (an inmate supervisor), Paquito (the male guard who has a pick of women in exchange for small favors of leniency), the female warden and the city jail warden. Being a first-time inmate, she is at the bottom of the penal food chain, reeking with prostitution, drugs and abuse.

Her life is regimented by the discipline of the city jail system. There are no utensils nor non-breakable dishes allowed. Feeding is done by roll-call of individuals and by cell. She eats her first meal in a small water container and with her hands. She has to obey the orders of those above her—including Breaker's instruction to give in to Paquito's desire to have her for the night. When she declines, she is brutally punished by Breaker. She is only tolerated when inmates find out about her pregnancy. As her pregnancy develops, she fears being separated from her child. A fellow inmate Viring was forcefully separated from her young daughter who has lived with her inside the cell since the time of her jailing. Angela grows wary during her stay. She was inspired by the successful escape of a fellow inmate Juliet who lured the guard to have sex with her while awaiting her trial in court. The guard brings her to the cemetery and while unaware, was handcuffed by Juliet. She steals his gun and escapes. The knowledge of the escape causes a euphoria inside the women's section. Inmates clap their utensils and jeer inside their cells. Angela also fears the city jail because of its periodic rumbles and gang clashes. In one scene, bodies of dead male inmates are taken out in the open space area for collection.

She, however, decides to attempt to escape. In her first try, she was caught by the guard. She was punished by Breaker and placed in the isolation cell. In her second attempt, she decides to fake her child's

delivery. In the hospital, she asks permission from the guard to just go to the toilet and successfully escapes from there. The following shot depicts the euphoria of her fellow inmates, celebrating her successful escape. After all, the defense lawyer assigned by the court to her gives her instruction to admit her crime, get reprieve for this and to endure her term in jail. This arrangement, according to the lawyer, may even be shorter than proceeding with the trial. The evidence and circumstance are glaringly against her favor—the assault weapon was found and the wife she defended herself against is the aggrieved party in the case. During the court plea proceedings, however, she maintains her innocence against the obvious frustration of her lawyer. She looks back at the lawyer when asked by the clerk of court of her stance. The dramatic silence is broken when she reiterates her plea of innocence.

She searches for a private lawyer to take on her case. A mother of a jailed inmate agrees in exchange for providing information on her own daughter's mysterious death in the city jail. The official reason of escape was the version given by Breaker who was present when Paquito was having sex with the new inmate. In one of her errands, Angela was followed by the guards who recognized her from the crowd. She attempts to evade the police by going to the city zoo. An announcement to vacate the zoo is made to the general public. The search extends until nightfall. Filmed like a safari hunt with tightly held guns ready for instant action, the police meticulously search the zoo. She is found in a vacant animal cell, all covered in blood as her child is born.

The persistence of the private defense lawyer proves to be successful when she is reunited with her child after an earlier attempt to separate them by the authorities. More importantly, she was found innocent of the crime. Similar to the staging of the final scene in Adultery: Aida Macaraeg, blissful closure is consummated in a park where she is strolling with her kid amidst the crowd of park strollers. What the film does is to create trauma of jail experience as an imperative for justice to prevail. For the heroine, the weight of her subjection inside the jail makes a claim for innocence. For the audience, however, the possibility of this imaginary subjection acts as a preventive screen. The cinematic elaboration of the infrastructures of the jail system—as a habitus of hell on earth—becomes the screen to filter the possibility of wrong-doing. After all, movie-going in the Philippines has become a middle class activity. The audience's acculturation to the prison underworld via film provides a mortified experience of the possible imaginary of abjection. Thus, the double abjection is metastasized—via abjection of the filmic

imaginary, and abjection of poverty that underlies the filmic imaginary. The composition of disempowered female inmates, for example, mainly belongs to the low end of society. What the film unwittingly does is to reinforce the psychical drive of the middle class in its anti-poverty and even, anti-poor stance to life in general. Through the experience of film, the audience is placed as subjects of their class origin, reinforcing the basis for maintaining the abjected subexperience of crime and prison. The viewing of excessive lack reinforces the middle-class excess in Philippine society.

Another film that highlights the prison experience is *Deathrow* (2000, directed by Joel Lamangan). Sony Corpuz is a 16-year old boy from the slums who gets entangled in an *akyat-bahay* (house robbery) with his friends. They hogtie the house owner and during a chaotic huddle, a friend shoots the owner. The police arrive and catch the surprised Sony. He is convicted of homicide with robbery, and is sentenced to death. The first jail scene, like in *Bulaklak ng City Jail*, shows the procession of Sony to his cell barracks inside the death row at the national penitentiary. Through his seeing the jail's interiors, the audience is also simultaneously drawn in and out of the experience of incarceration—into the seduction of an abject space and experience, and out into the comforts of their own class origin and middle-class movie watching experience. He is introduced to the *mayor*, Donald, and the *bastonero*, Biyo. Like Angela, he is given the first day, first time initiation and beatings.

The court scene is typically represented—stark interiors of cold-hearted lawyers and a judge in a huddle about the boy's real age. He had lost his birth certificate in the fire that hit the squatters' community and the only document attesting to his adult age is a forged voter's ID, used to secure a paid vote for a local politician. After the formalization of the declaration of his guilt—heralded by the pounding of the gavel—he has an emotional breakdown, pleading his innocence. The gavel interpellates him as a convicted criminal as much as the court room space and his location in it already foreshadows his status as such. This criminalized body is extended into the space of the prison system. He is assigned menial work—as part of the group being ordered to polish floors, and clean toilets. He is as powerless in jail as he was outside. A convicted municipal mayor maintains his status inside the jail. His assistant deodorizes the toilet before he uses it; he oversees the drug subeconomy in the prison, even maintaining a guard to work in the drug network.

The patronage of higher male figures safeguards Sony in jail. He acts as a drug courier for a gang leader, and has impressed him by not squealing when he was caught by the guards. Through small generous favors by another gang leader, he is given preferential treatment in jail. And when this gang leader was attempting to extract his payment by attempting to sodomize Sony, the boy was protected by the most revered older member of a death row section. This last patriarchal figure, Lolo Sinag (Grandpa Sinag), allows Sony to develop a male bonding relationship. They escape the jail and get caught together, and are beaten by the gang leaders as punishment for their failed escape attempt. Sony is sodomized again by the gang leader and in his attempt to fight off the assualt, he kills the leader. Lolo Sinag takes the blame and fast-tracks his death sentence.

Sony witnesses the procession of Lolo Sinag to the gas chamber. The details of the carrying out of the death sentence are meticulously treated in the film, which shot the scene in the actual chamber in the national penitentiary. The female alcoholic lawyer who fought for Lolo Sinag's appeal case is requested by him to save the boy from death row. The lawyer succeeds and Sony is freed as the friend who shot the home owner is captured and sentenced to jail. Sony enjoys his walk outside the open green space, shot from an awkward helicopter camera to chronicle his final journey amidst the flurry of grass leaves. He is freed from the rumble and gang wars, sexual and physical violations, demeaning menial work and existence of the jail system.

These films successfully reproduce the prison and crime threat and paranoia as the materialization of the concrete criminal subjects. These films succeed in schematizing the hierarchy and play of power figures and activity inside the prison system. Even in their bed bunks, cells or sections, their bodies are cast and substantiated as animalized and criminalized subjects. Simultaneously, what is also heralded as middle-class free subjects are the movie audience themselves concretized through the materiality of their film going experience. The imaginary of paranoia—represented in film in scenes of brutality and violence in the claustrophobic space of the prison—is anathema to the way the audience views the film text. Seated in comfortable yet dark constricted space, with the image projected from behind onto a giant screen, the audience already has a feel of the imaginary of paranoia. This paranoia, after all, is posed in the very nature of film viewing—experience of that which is there but not fully there, absent but not completely and present but not fully.

The nature is also a disciplining mechanism to the very experience of the film machinery—a gentrified activity of imaginary work and labor. The films about the prison system acknowledge the disciplining nature of the space because of the present absence and absent presence of the police to provide law and order in the incarcerated space. What transpires in film is the police-sanctioned lawlessness that is able to inflict discipline to the historically disenfranchised. Acting out roles of power and powerlessness, the inmates perform the pedagogical construction of the criminalized body by the prison system under police control. What gets instilled is discipline through violence, the ultimate of which is the carrying out of the death sentence. This new law is what Walter Benjamin correctly describes, "For the exercise of violence over life and death, more than in any other legal act, the law reaffirms itself."[26][26]

The corrupt legal system and the more corrupt prison system are legitimized in every police-sanctioned practice of violence.

The government's Commission on Human Rights described the Philippine National Police as "the worst abuser of human rights."[27] The context of poverty agains as the primordial lack—capped with the maintenance of a pampered military—that the excessive abuse of human rights remains in place. Because of the continuing global economic crisis, poverty worsened in 2002, reaching 40 percent—54 percent in the rural and 24 percent in the urban population.[28] In order to maintain its hegemony, the state sustains an abusive military. A report in 2002 formalizes the common knowledge that "Some elements of the security services were responsible for arbitrary and unlawful and in some cases extra-judicial killings, disappearances, torture and arbitrary arrest and detention."[29] More so, "Other physical abuse of suspects and detainees as well as police, prosecutorial, and judicial corruption remained [as] problems."[30] There have been no convictions, for example, for the killings of 38 journalists in the country since 1986.[31]

What aggravates the situation is the slow dispensation of court decisions: "According to the Constitution, cases are to be resolved within set time limits once submitted for decision: 24 months for the Supreme Court; 12 months for the Court of Appeals; and 3 months for the lower courts. There are no time limits for trials."[32] One reason for this delay is the lack of qualified judges. A 2002 report states that "Of the more than 2,100 trial court judgeships nationwide, 32 percent remained vacant at year's end due to lack of qualified applicants. Vacancies in Mindanao and other poorer provinces were particularly unattractive to many jurists, and 38 percent of these judgeships were vacant."[33]

Such condensation of material lack is experienced in films on prison life. The practices of delayed dispensation of justice and excessive abuse of military and state power become the grid to materialize the experience of films on prison—creating the middle-class subject viewing the experience of subjection of criminals. They view the exercise with what Benjamin alludes as the paradox in the labyrinth of the judicial system, "[The] legal system tries to erect, in all areas where individual ends could be usefully pursued by violence, legal ends that can be realized only by legal power."[34] The prison system—in filmic and material representations—even in its replete performance of police-sanctioned violence, becomes a habitus of legal power: a space that performs the lack and neglect of justice.

Happiness and Redemption

Benjamin also writes as an explanation to one of his theses of history, "Our image of happiness is indissolubly bound up with the image of redemption."[35] Thus, the gritty delivery and non-delivery of justice in legal scenes and prison films suggest—in a perverted instance—an idea of happiness and redemption. These parallel ideas, however, come into greater play when compared with the dominant producer of films, Hollywood, as the apparatus of American cultural global domination. This is especially interesting to the Philippines given historical colonial and neocolonial relations with the US. Contrary to Philippine cinematic and real experience with the legal system, American popular films, from Philadelphia to Erin Brokovich and Legally Blonde, attest to the ego-ideal success of the US justice system. Even superhero films—Batman, X-men, Spiderman series, and Hulk—epitomize the efficacy of the institutionalized corporeal justice under siege from legal and illegal attacks. The films highlight the ability of the judicial and prison systems, in the end, to extraordinarily dispense with the process to contain the foreign threat.

This ideal becomes especially interesting as one of the imagined bases for transnational migration to the US by Filipinos. These films reinforce the American ideology on justice against something of a primordial lack in the Philippines, perpetuating the colonial mentality of dreaming of moving to the US, as some one-and-a-half million Filipinos have already done or as a constant fantasy of the possible. "Filipino Americans rank fourth in per capita income ($13,616 or 9 percent lower than white per capita income) among ten Asian groups. They have the

second highest median family income at $46,698 in the United States (the median family income for the US is only $35,225). Filipinos have the highest labor participation, at 75.4 percent, among all Asian groups. As a result, the poverty level of Filipinos is the lowest in the nation at only 6.4 percent."[36] In the US, Philippine poverty is experienced nominally. As a result, forty thousand new immigrants arrive each year to the US, as Filipino Americans were already expected to hit the two million mark in 2000, and would be doubled to four million by 2030. "Filipino American's aggregate purchasing power has been estimated at $13 billion a year, and remittances from the US account for 70 percent of remittances to the Philippines."[37]

The gentrification of a small economically powerful sector of Filipinos overseas—in the belly of its colonial and neocolonial master—provides a displacement and projection of the dream of social justice and social mobility. From the homeland, this projection—like film itself—is that which is out there but not fully, absent but not completely. What I hope to achieve in this essay is a postcolonial critique of the Philippine judicial system in film that materializes the continuing US tutelage of politics and economics. Such patronage is drawn both from the primordial national lack in poverty and the excessive abuse of police and state power. The essay draws on a transnational link, beginning with a discussion of the representation of the judicial system in film, followed by an analysis of judicial lack and excess in contemporary Philippine films, and the further interpellation of the subject as moviegoer and criminal. I imply a further connection of this lack in the excess of justice in American popular films and other media display and representation of Filipinos in the US, especially as experienced in the Philippines. This transnational connection of excess and lack results from the same libidinal drive of poverty and power in the nation-space. In viewing Hollywood films that successfully dispense justice, in hearing stories of successful Filipino personalities, of more familial and familiar triumphs, an intimacy of mobile desire is constituted, at once heralding the lack and excess of the national body and the national condition, and the possibility of realizing the lack and excess elsewhere, in the intimate space of Hollywood films and Filipino American success. This re-location of happiness and redemption becomes the simultaneous site for reworking of the play of lack and excess.

Endnotes

1 "Poverty in the Philippines," http://www.txtmania.com/articles/poverty.php.

2 For film notes, see Mao Tumbocon, "Minsa'y Isang Gamu-gamo," CCP Encyclopedia of Philippine Art: Volume 8 Philippine Film (Manila: CCP, 1994), 175-76.

3 Ibid.

4 Maritess Sison, "Exodus of nurses grows, health system feels effect," http://www.cyberdyaryo.com/features/f2002_0508_04.htm. In her report, she mentions that nursing schools produce some nine thousand students per year, of which, only 5,000 to 7,000 will become licensed nurses.

5 "A Unique Recruiting Arrangement," http://www.military.com/HomePage/UnitPageHistory/1,12506,705117|703463,00.html.

6 "When the US Navy came calling..." http://philusnavy.tripod.com/when1.htm.

7 Ibid.

8 Yna Soriano, "Slavery on the High Seas," http://www.marinongpinoy.com/article7.html. She reports that "Of some 40,000 maritime students who graduate yearly, only 4,000 get employed."

9 E. San Juan, Jr., "Filipino Bodies: From the Philippines to the United States and Around the World," http://www.boondocksnet.com/centennial/sctexts/esj_97a.html.

10 See "U.S. Bases in the Philippines: A Postion Paper by the Friends of the Filipino People," http://www.boondocksnet.com/centennial/sctexts/ffp_bases7802.html.

11 Jim Zwick, "Militarization in the Philippines: From Consolidation to Crisis," http://www.boondocksnet.com/centennial/sctexts/zwick85a_b.html.

12 Quoted in Zwick, ibid. The essay also provides the increase in military expenditures, from $327 million in 1972 to $972 million in 1982.

[13] For the arguments against the VFA, see Roland G. Simbulan, "Why the Senate Should Reject the VFA," http://www.boondocksnet.com/centennial/sctexts/simbulan99a.html and Daniel B. Schirmer, "VFA: The Shape of Things to Come?" http://www.boondocksnet.com/centennial/sctexts/schirmer99b.html.

[14] CATW Factbook, citing Sol F. Juvida, quoted in "Philippines," http://www.globalmarch.org/worstformsreports/world/philippines.html.

[15] Three hundred thousand people is the estimate of CATW Fact Book, citing from Gabriela, quoted in ibid; 400,000 to 500,000 people is the estimate of the International Labor Organization, quoted in "The Philippines," http://www.uri.edu/artsci/wms/hughes/philippi.htm.

[16] Rene Ofreneo, quoted in "The Philippines," ibid.

[17] CATW-AP, The Philippine Journal, quoted in ibid.

[18] CATW-AP, quoted in "Philippines."

[19] Today, quoted in "The Philippines."

[20] For an argument on the toxic damage and clean-up on the bases' environment, see Admiral Eugene Carroll (ret.), "U.S. Military Bases and the Environment: A Time for Responsibility," http://www.boondocksnet.com/centennial/sctexts/carroll971123.html.

[21] San Juan, ibid.

[22] Jon Mills, "Lacan on Paranoiac Knowledge," http://www.processpsychology.com/new-articles/Lacan-PP-revised.htm

[23] Louis Althusser, "Ideology and the Ideological State Apparatuses (Notes towards an Investigation," Mapping Ideology (London: Verso, 1994), 100-140.

[24] Ibid, 114.

[25] Ibid, 123.

[26] Walter Benjamin, "Critique of Violence," Selected Writings: Volume 1: 1913-1926 (Cambridge: Belknap Press, 1996), 242.

[27] "Philippines: Country Reports on Human Rights Practices, 2002," http://www.state.gov/g/drl/rls/hrrpt/2002/18261.htm.

[28] Ibid.

[29] Ibid.

[30] Ibid.

[31] Philippine Press Institute, quoted in ibid.

[32] Ibid.

[33] Ibid.

[34] Benjamin, 238.

[35] Walter Benjamin, "Theses on the Philosophy of History," Illuminations (New York: Schocken Books, 1968), 254.

[36] Mona Lisa Yuchengco and Rene P. Ciria-Cruz, "The Filipino American Community: New Roles and Challenges," http://www.asiasociety.org/publications/philippines/filipino.html.

[37] Ibid.