

A STUDY ON THE EFFECTIVITY OF THE PHILIPPINE PRISON SYSTEM

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To the builders of this nightmare
Though you may never get to read
these words I pity you;
For the cruelty of your minds have
designed the hell;
If men's buildings are a reflection
of what they are, this one portraits
the ugliness of all humanity.
If you only had some compassion!

*—graffiti written on the wall
of American State Prison*

I. INTRODUCTION

A system is said to be effective if the end is realized with a maximum of success while using a minimum of means. To test, therefore, the effectivity of the prison system, the end or the objective and the means or the strategy availed of to secure the desired end must be examined.

This paper attempts to present the working of the prison system, the purpose for which it was established, the methods it employs, and the management strategy being used. It tries to present as candidly as possible conditions inside the prison, the problems, living conditions, activities. And finally, in our modest way, we offer some recommendations and proposed solutions.

II. METHODOLOGY

The group engaged in theoretical as well as empirical research. For the latter the Municipal Jail of Romblon, Quezon City Jail, Provincial Jail of Batangas and the New Bilibid Prison were utilized as venues as actual investigation.

Ten maximum-security prisoners, six medium security-prisoners and five minimum-security prisoners were informally interviewed. A pack of cigarettes always helped in eliciting honest and more down to earth answers.

On the side of the administration, several prisons officials were likewise interviewed. A letter of introduction from the school was required before any information was given.

As expected, the inmates and the prison officials had different versions and perceptions about prison life and management. Both sides will be presented and the reader is left to judge whose version is more credible.

III. PRISON SYSTEM

A. Definitions

For the purpose of this paper, the following definitions are made:

Prison — A generic term comprising the places maintained by public authority for the detention of those confined under the legal process, whether the imprisonment is for the purpose of insuring the production of the prisoner to answer in future legal proceedings, or whether it is for the purpose of punishment for an offense of which the person has been duly convicted and for which he has been duly sentenced.

Penology — Study of punishment of crime, both in its deterrent and its reformatory aspects; the study of management of prisons.

System — A method, or plan, an assemblage of bodies as a connected whole, an organization.

Philippine Prison System — The plan or organization of the various prisons, or penal institutions of the Philippines as a whole viewed from the vantage point so that it may be seen clearly and understood readily as it is organized. It should be distinguished from a penal system which may embrace or share of judicial process and may embody even the definition and application of laws and procedures, as well as critical dissertations on various penal theories and philosophies.

B. History

1. Brief History of Prisons in General

The prison, viewed as an institution for detaining men against their will, originated in the most remote antiquity. It is quite impossible to fix the exact date of the general beginning of imprisonment for crime.¹ Records, however, show that in the early years, prisons were known to be a place where offenders were tortured and punished. The place was so dirty and uninhabitable as to augment the sufferings of the prisoners.

The age of Justinian brought about a new legal principle. Such principle professed that "prisons ought to be used for detention only, but not for punishment."²

¹ BARNES, *THE STORY OF PUNISHMENT* 114 (1972).

² KORN & LLOYD, *CRIMINOLOGY AND PENOLOGY* 405 (1964).

During the 16th century a different kind of misfits, the beggars and the vagabonds flourished in England. King Henry VIII thought it wise to pass severe laws to protect the "upright men" from such misfits. As a result two institutions developed to cope up with the problem. These were the jails or prisons chiefly used for the detention of those accused of crime pending their trials. The other were workhouses which were not penal institutions but were utilized solely to repress vagrant and paupers. The combination of these two institutions during the colonial period (18th Century) produced the modern prisons. This system was characterized by the establishment of reformation with cellular confinement and the use of hard labor as disciplinary and reformative measures.³

Criminal Science also evolved during this period. One of the first breakthroughs in laying its foundation was Beccaria's book,⁴ of Crimes and Punishment. Beccaria believed that the only justification of legal confinement was the protection of society by prevention of crime and that the principle of uniform maximum severity was wrong and ineffective. Punishment must be proportionate to the crime and established by law.

The view of Beccaria was adopted and implemented by the prison reformers that followed. One of them was John Harvard, reputed to be the greatest English prison reformer. He believed that prisons should be sanitary and secure, have separate cells and prisoners should have useful work in proper workshops with regular moral and religious instruction. The Quakers in 1776 also advocated that prisoners could be reformed through labor and meditation.⁵

No significant radical change in the prison system happened in Europe in the early years of the 20th century. However, after World War I, the punitive treatment of prisoners was shown to make men and women worse. Thus, Europe moved toward the "individualization of punishment" principle. Under this system, rehabilitation was a primary concern and the humiliating features of the prison system removed.⁶

Employment of technical men like sociologists and psychiatrists were also emphasized and later considered as an indispensable part of the prison staff.

Thus, saw the movement of prison justification from punitive to rehabilitative, from the inhumane treatment of prisoners to the more humane one that considered the basic rights of prisoners. This is not evenly practiced by the different countries even now, as some of these principles continue to be violated.

³ *Ibid.*, p. 406.

⁴ BECCARIA, OF CRIMES AND PUNISHMENT 96 (1964).

⁵ PHILIPPINES (REPUBLIC) CONGRESS, SENATE COMMITTEE ON JUSTICE, LAUREL ON PENAL REFORM (THE STATE OF PHILIPPINE PENAL INSTITUTIONS AND PENOLOGY), hereinafter referred to as the LAUREL REPORT.

⁶ *Ibid.*, 11.

2. Brief History of Philippine Prison System

One of the most important facets of our criminal justice system is the institution of prisons. It is found to be an indispensable means towards societal survival and deterrence from further assaults against the state. Like any other institutions, the Philippine prison system also underwent some transformations.

Pre-Spanish

The pre-Spanish era was marked by basic political diversity. The main political unit was the *barangay* which exercised jurisdiction within its small territorial limits composed mostly of about 100 to 200 families. Consequently, there was no single criminal justice system and there was no single prison system in the Philippines. As a matter of fact, imprisonment as a penalty for law-violations was unheard of. There were no prisons to house any felon since punishment was mainly retributive in character.⁷

Some historical documents such as the Code of Kalantiao (1433) prescribed death, incineration, flagellation, mutilation, swimming under water for a fixed time, ant treatment and fines. Those guilty of recidivism were beaten to death or exposed to ants for 1 day. Slavery or servitude was also imposed as subsidiary penalties for fines.⁸ All these indicate that the pre-Spanish criminal law was purely punitive and retributive.

Spanish Regime

Upon the imposition of the Spanish control, the European Criminal system was introduced in the Philippines. Those penal laws consisting of royal decrees, orders, ordinances, rules and regulations for the governing of colonies which were later embodied in the *Recopilacion de las Leyes de India*, became the base of the Philippine Penal Laws.

The compilation also was the basis for rules governing prison administration. Vicente Liwanag in his doctoral dissertation gives us some idea of the Spanish penal rules.

x x x there were laws which prohibited the imprisonment of poor people in lieu of fines, rules separating men and women prisoners, the segregation of persons detained apart from those already convicted by the courts and the separation of prisoners of good conduct from those incorrigible character. Maltreatment of the prisoners was prohibited and so was the extorting of money from them as well as his use of their services by employers of the prison for personal benefits. The receiving of gifts in any form by prison employers from families of the prisoners was strictly forbidden while the bringing of food and clothes was permitted. Rigid search

⁷ LAUREL REPORT, *op. cit.*, p. 14.

⁸ See NATIONAL POLICE COMMISSION, CRIME PREVENTION AND CONVICTION (FIRST NATIONAL CONFERENCE ON A STRATEGY TO CONTROL CRIME 3 (1976).

was made of these articles in order to prevent the introduction of weapons. No alcoholic drinks were permitted to be brought in.⁹

By 1887 the aforecited *Recopilacion* was substituted by the imposition of the Spanish Penal Code of 1870.

Basically the Spanish criminal justice system was punitive or retributive in character. It also sought to segregate convicted criminals from the mainstream of the society. Punishment of criminals was undertaken by the incarceration of convicts for a period depending on the nature of the crime.

Initially, prisoners were confined in jails under the jurisdiction of the *commandancia* of the province. There was no single penal system until the Spanish government decided to erect national penitentiaries. On September 12, 1859, the Spanish government opened for public bidding the construction of a prison to be known as the *Carcel y Prisdio Correccional* which would house about 1,127 prisoners all over the Philippines.¹⁰ Upon awarding the contract to Sixto Ejida Obispo for ₱268,083.25, construction of the building began at Azcarraga, Manila.¹¹ Seven years later, the building was completed.

The prison which was to be known as the Bilibid Prisons was described as follows:

It was composed of the following buildings: one building for the offices and quarters of the prison warden and 15 buildings or Departments for prisoners which were arranged radially and formed spokes. The central tower formed the hub. Under this tower was the chapel. There were four cell-houses for the isolated prisoners and four isolated buildings located on the four corners of the walls which served as kitchen, hospital and stores. The prison was divided in the middle by a thick wall.¹²

Aside from the Bilibid prisons there were three other principal penitentiaries established by the Spanish government in Cavite, Zamboanga and the Marianas Island.

American Regime

Upon the withdrawal of the Spanish government, all prisoners were released and the penitentiaries were abandoned until 1905 when the American Army reestablished the institutions and created the Bureau of Prisons under the Department of Commerce and Police.¹³ During the period, additional insular prisons were established: Iwahig Penal Colony, San Ramon Prison (reactivated), Corregidor Stockade (phased out in 1941), Bontoc Prison, Correctional Institute for Women and the Davao Penal Colony.

⁹ LIWANAG, COMPARATIVE EVALUATION OF OHIO AND PHILIPPINE PENAL SYSTEM 20 (1970).

¹⁰ *Ibid.*

¹¹ *Ibid.*, p. 19.

¹² LAUREL REPORT, *op. cit.*, p. 25.

¹³ Note: Act No. 1407 (1905), sec. 25. The Bureau was later transferred to the Department of Public Instruction and then transferred to the Department of Justice.

In 1924, Director of Prisons Ramon Victorio advocated the transfer of the Bilibid Prisons from the heart of Manila to a place outside the city because of the rapid increase of the prison population.¹⁴ A committee headed by the Secretary of Justice was formed in order to study the feasibility of the proposal. In 1936, the city of Manila exchanged its 552 hectares of land located at Muntinlupa, Rizal for the Bilibid Prison which later became the Manila City Jail.¹⁵ Thereafter, construction began and shortly before the outbreak of the war and before the complex was completed, the transfer of all insular prisoners was undertaken.

During the war, the New Bilibid Prison at Muntinlupa was used by the Japanese for incarcerating suspected guerrillas and Japanese enemies. Upon the liberation of Manila, former American prisoners of war were confined at the New Bilibid Prisons for recuperation.

The American period did not radically alter the penal philosophy of the Philippines. It continued to rely on the outmoded classical doctrine of free will which punished the crime rather than the criminal. The promulgation of the Revised Penal Code did not significantly change the philosophy. It is also punitive in character, albeit with some redeeming features such as the mitigating and aggravating circumstances wherein the conditions or the circumstances of the criminal at the time of the commission of the crime are to be considered.¹⁶

In 1919 the Philippine Bar Association created a committee to investigate the conditions inside the national penitentiary. The committee found out that the prisoners were subjected to cruel and excessive punishment.¹⁷ They singled out the *bartolina* which constitutes of close confinement in irons with the prisoner's hands chained to a post or wall at about the height of his shoulder. A gag was also used occasionally to prevent the prisoner from making loud or disagreeable noises. This gag consisted of a piece of wood fitted to enter the mouth of the prisoners.

On the other hand, the institution of open penal farms was introduced. Prisoners with good record of behavior at the New Bilibid Prisons were transported to penal colonies at Iwahig at Davao to work as farmers in an atmosphere similar to a free society.

Present

Upon the establishment of the present Philippine republic, ideas of rehabilitation began to be advocated. In 1949, the Department of Justice

¹⁴ LIWANAG, *op. cit.*, p. 21.

¹⁵ Report of the Bureau of Prisons.

¹⁶ See Aquino, *Crime Prevention and Treatment of Offenders in the Philippines*, in THREE MEMORANDA ON THE TREATMENT OF CRIMINAL OFFENDERS AND PREVENTION OF CRIMES IN THE PHILIPPINES 1 (1947).

¹⁷ See Raul Ingles, *50 Years with the Times: Lawyers Investigated Tortures of Prisoners*, Manila Times, January 14, 1969, p. 14-A.

issued rules for the treatment of prisoners which aimed, among others, at the rehabilitation of the criminal. The purpose of the prison system was not merely to punish the crime but likewise to rehabilitate or correct the criminal.

However, this did not significantly alleviate the actual condition of the prisons. The New Bilibid Prisons proved to be inadequate to meet the demands of growing prison population. The overcongestion, inadequate food, accommodation and idleness of the prisoners were cited as causes of the prison riots of the 1950's and the 1960's. The Senate committee on Justice of the Fourth Session of the Sixth Congress investigated the condition of the penitentiaries in 1968-69, and findings revealed the sub-human conditions inside the prisons.

In 1971, the government erected two satellite camps to alleviate the problem of congestion inside the National Bilibid Prisons proper. The Camp Sampaguita houses the medium-security prisoners, the youthful offenders and the Reception Diagnostic Center. The Camp Bukang-Liwayway on the other hand houses the minimum-security prisoners who have served at least one-fifth of their maximum sentence.

By 1976, the Philippine government had more than 1,500 correctional institutions. Of this number, 8 are insular prisons under the direct supervision of the Directors of Prisons; 72 are provincial jails administered by the provincial governors; 65 city jails and 1,437 municipal jails¹⁸ which are administered by the local police agencies under the Integrated National Police.

C. Theories and Purposes of Prison System

There are three main schools of thought or approaches with regard to the treatment of criminals. These schools of thought are better known as the classical, neo-classical and the positive or Italian.

The first school of thought, the classical school, lays stress on the crimes not on the criminal. Punishment is retributive and punitive. It is standardized and proportioned to the gravity and nature of the offense. This school assumes that every individual has free will and knows the penal law. It is further postulated that man is rational and calculating. Thus, he will refrain from criminal acts if threatened with punishment to cancel the hopes of possible gain or advantage.¹⁹

Curtis Bok in his monograph, *Problems in Criminal Law*, published in 1955 proposes that prison management should be conducted with rigid discipline, few privileges and no nonsenses. Prison should have maximum security, with high walls, floodlights, armed guards and steel bars.²⁰

¹⁸ NATIONAL POLICE COMMISSION, *op. cit.*, p. 7.

¹⁹ I. AQUINO, REVISED PENAL CODE 3 (1961), quoting SEAGLE, HISTORY OF LAW 241 (1946).

²⁰ LAUREL REPORT, *op. cit.*, 46.

Among the exponents of this school of penology were Beccaria, Rousseau, Montesquieu and Voltaire.

The second school of thought is the so-called Neo-classical school. This approach to penology arose at the time of the French Revolution and the period immediately following. It maintains that while the classical doctrine is correct in general it should be modified in certain details. It argues that since children and lunatics cannot calculate pleasures and pains they should not be regarded as criminals or be punished. Mitigating and exempting circumstances are to be taken into account. The reaction to crime is no longer purely punitive, punishment is imposed upon some lawbreakers but not on others. By this approach it is necessary for administrators of justice to consider the psychology and sociology of the crime.²¹

The third school of thought is the Positivist School. It views crime as a social phenomenon and attaches much importance to the criminal or the actor. Positivist criminology is reformatory and preventive and individualizes punishment. It views the criminal as a sick man who needs not to be punished but cured. The prison then should be a criminology hospital rather than a place for punishment.²² Not all prisoners are treated the same way so that those criminals who can be reformed are to be reformed and those who cannot be reformed are to be segregated or killed.²³

The main exponents of this school of thought were Cesare Lombroso, Enrico Ferri and Raffaele Garofalo.

Theory of the Philippine Revised Penal Code

The present Revised Penal Code, known also as Act No. 3815 of the Philippine Legislature approved on December 8, 1930, is a compilation of the penal laws then in force in the country, without radical changes in structure. The backbone of this code is the Penal Code of Spain of 1870, which was in force in this country up to December 31, 1931; and as such, belongs to the old or classical school. It is eminently retributive in its purpose, and considers crime only as an issue of free human will, as a judicial entity pure and simple, paying little or no attention to the person.²⁴

Before the Revised Penal Code, there was a proposed "Correctional Code" completed in 1916 by Rafael Pan, a member of the Code Committee created by Act No. 1941. This Code laid emphasis on the rehabilitative function, instead of the punitive feature of penal law. It was not adopted by the lawmaking body but some of its provisions were incorporated in the "Revised Penal Code",²⁵ e.g., mitigating and exempting circumstances.

²¹ SUTHERLAND & CRESSY, *PRINCIPLES OF CRIMINOLOGY* 260 (6th ed., 1960).

²² 1 AQUINO, *op. cit.*, note 19, pp. 3-4.

²³ SUTHERLAND & CRESSY, *op. cit.*, pp. 260-261.

²⁴ GUEVARA, *PENAL SCIENCE AND PHILIPPINE CRIMINAL LAW* 708 (1974).

²⁵ 1 AQUINO, *op. cit.*, p. 1.

Present trends also recognize that the purpose of the prison system need not be strictly punitive. Thus, it was stated in a working paper prepared by the Technical Panel, anti-disciplinary Committee in Crime Prevention (National Police Commission)²⁶ that — "Correction has many purposes and it is important to recognize that correctional program can differ for various types of offenders. For instance, in sentencing the convicted murderer, the punitive and deterrent purposes are served rather than the rehabilitative. The contrary is true with respect to the deprived, ill-educated, vocationally incompetent youth who is adjudged delinquent. With him, rehabilitative and reintegrative purposes predominate."

The Rules of Treatment of prisoners issued in 1960 by the Department of Justice includes progressive views regarding the treatment of prisoners but still considers as the primordial end of imprisonment, the segregation "from society of a person who by his acts has proven himself a danger to the free community."²⁷

As per theory and implementation in the present set-up, prisons are for the punishment of offenders and the correctional aspect is only subsidiary. Philippine Penal institutions are not equipped with adequate facilities and properly trained personnel to shift from the idea of retribution and punishment to one which emphasizes individualized treatment of the convict.

IV. COMPARATIVE STATUTORY RIGHTS OF PRISONERS/OFFENDERS

The climate of concern for human rights felt throughout the world culminated in the United Nation's Declaration of Human Rights which defines explicitly the rights of offenders even after conviction. The declaration includes, among others, protection from torture or cruel, inhuman or degrading punishments, a fair and public hearing in the determination of criminal charges and presumption of innocence until proven guilty.

The Philippine Constitution makes mention of a basic right which should be respected when a person is accused or even convicted of crime. "No person shall be deprived of life, liberty or property without due process of law, nor shall any person be denied the equal protection of the laws."²⁸ Persons accused of crime are entitled to a speedy disposition of their cases before all judicial, or quasi-judicial bodies. As a sanction to this mandate, the Constitution provides that a case or matter shall be decided or resolved from the date of its submission, shall be eighteen months for the Supreme Court, and, unless reduced by the Supreme Court, twelve months for all

²⁶ Crime Prevention and Corrections; *Working Paper prepared by the Technical Panel, Inter-Disciplinary Committee in Crime Prevention*, in NATIONAL POLICE COMMISSION, CRIME PREVENTION AND CONVICTION (FIRST NATIONAL CONFERENCE IN A STRATEGY TO CONTROL CRIME, Quezon City, July 22-24, 1976).

²⁷ Rule 1(a).

²⁸ CONST., Art. IV, sec. 1.

inferior collegiate courts, and three months for all other inferior courts.²⁹ It is of common knowledge that a person accused of having committed a crime, is arrested and immediately put to jail. It seems to run counter to another constitutional provision which provides that in all criminal prosecutions, the accused shall be presumed innocent until the contrary is proved.³⁰ There were many instances when a person pronounced not guilty had stayed within the four walls of a prison cell for a longer period of time than if proved guilty.

It would seem that the culture and the legal and administrative structures of a country determine in large measure the manner in which such country addresses itself to issues related to the rights of prisoners. Sweden and other Scandinavian countries have included in their Constitution or laws, the creation of ombudsman, an agency to elevate citizen's grievances to include prisoners. New Zealand followed the Swedish model. Different approaches have been evolved in other countries. USSR and some socialist countries have their Procurados General vested with the primary responsibility for assuring the uniform application of law. In other countries, independent boards perform comparable functions to that of the Civil Liberties Bureau of the Ministry of Justice in Japan where the Bureau is vested with the power to investigate and collect informations concerning cases involving violations of human rights.

In recent years, the United States and a few countries have witnessed an unprecedented involvement of the courts in the effort to define the limits of administrative discretion relative to human rights. In some European countries, special judges are appointed to monitor the lawful execution of sentencing, which is in fact, an order of the court. In Italy, the Penal Code provides for a surveillance judge whose responsibility is to assure the proper and legal application of the sentence. France, Poland, Portugal and Brazil have similar provisions in their Penal Codes.³¹

The debate about the appropriate role of the correctional institution is expected to continue and one unresolved question is about the extent the correctional system should have on the responsibility or the authority to employ measures designed to change human behavior and attitudes. Conversely, to what extent has the prisoner the right to reject, without prejudice, programs designed to correct or rehabilitate him? In a number of countries the primary objective of the prison system is to reform the convict through labor or through a process of reeducation that will ensure the subordination of individual interests to those of the larger society. The recognition of the existence of human rights does not necessarily guarantee that they will be extended to persons charged or convicted of crime. It is of paramount importance that effective grievance system is provided the prisoner to seek

²⁹ CONST., Art. X, sec. 11.

³⁰ CONST., Art. IV, sec. 19.

³¹ Five Pillars of the Criminal Justice System.

redress for the infringement of any of their rights as recognized in the Standard Minimum Rules advocated by the United Nations.

V. PRESENT SET-UP (IMPLEMENTATION)

The effect of rules, concepts and ideals cannot be felt unless converted into action. An examination of the actual implementation of the rules and avowed policies of the Philippine prison system is in order. Several variables affect the implementation among which are the enforcing officers, the classification of prisoners, the treatment of officers, specially their living conditions and day to day activities. These factors if not properly handled will frustrate the lofty ideals for which the prison system is purported to be established.

A. Enforcing Officers

One important variable of our penal system is the quality of the officers duty bound to enforce the two avowed purposes of the penal system: to segregate and rehabilitate the prisoners.

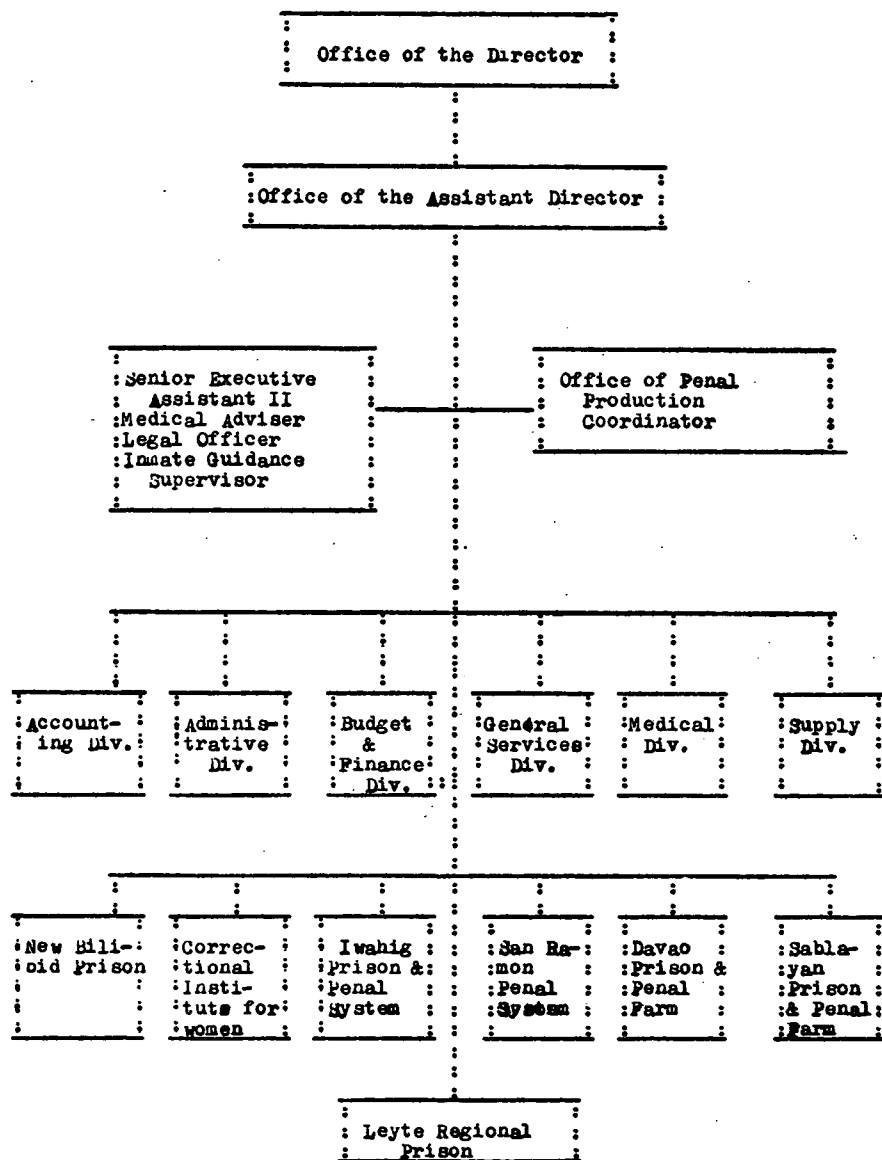
Organization

The overall coordinator of the country's penal institutions is the Bureau of Prisons, which is directly under the Secretary of Justice. The Bureau of Prisons is primarily in charge of the national penitentiaries and exercise supervisory powers over the provincial, city and municipal jails.

Careful analysis of the organizational chart reveals a discrepancy between the avowed rehabilitative purpose of the penal system and the actuality. One would note immediately that there is no major department with the single purpose of taking care of the rehabilitative aspect of the prison. The only office that may be related to this purpose is that of the Inmate Guidance Supervisor which merely advises the Director concerning individual guidance counselling. Furthermore, the supervisor does not have a staff to undertake researches, implementation and coordination of the rehabilitative treatment. It may be true that the Bureau has an office of Penal Production Coordinator which coordinates the agricultural and industrial production of the correctional institutions but such activity, although it may be included in work-therapy may just be profit-oriented unless such activities are made with the ultimate design of rehabilitation.

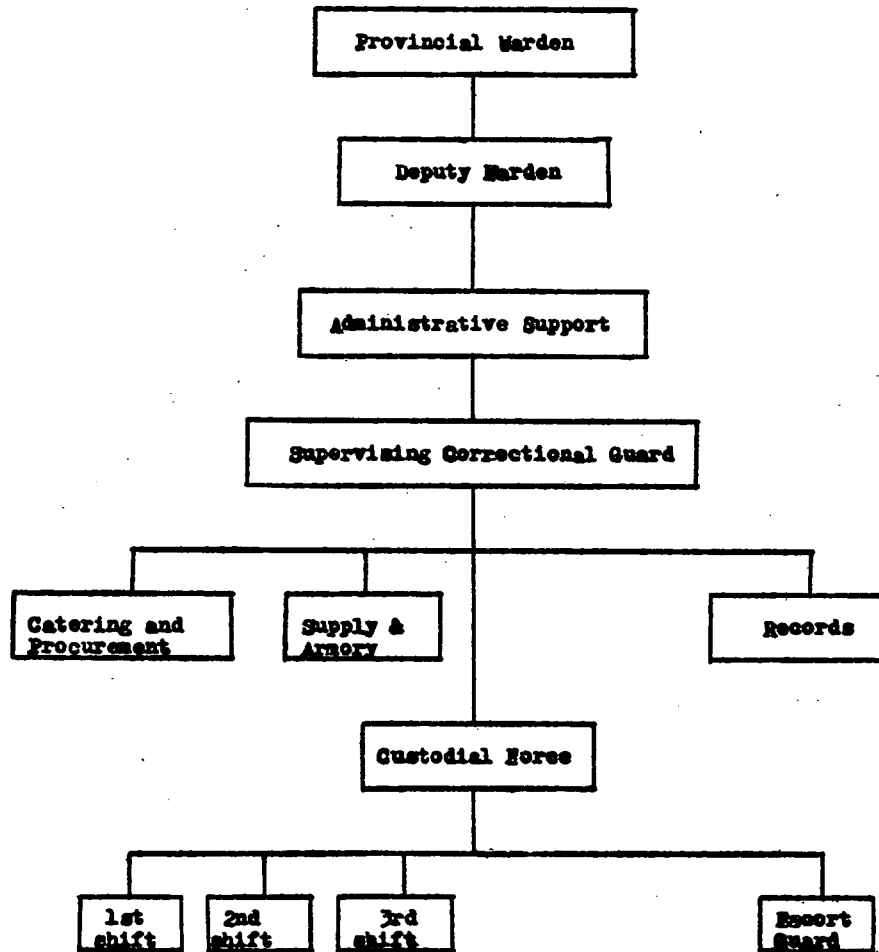
The Reception Diagnostic Center which should have been the nerve center of rehabilitation suffers from two defects: (1) The center merely recommends the kind of treatment that an individual prisoner should receive. It has no power to supervise the implementation of the treatment and (2) the center is directly under the New Bilibid Prisons when in fact the center classifies and recommends treatment not only for New Bilibid prisoners but also for prisoners of the Bureau's penal colonies.

The following chart shows the organizational structure of the Bureau of Prisons:



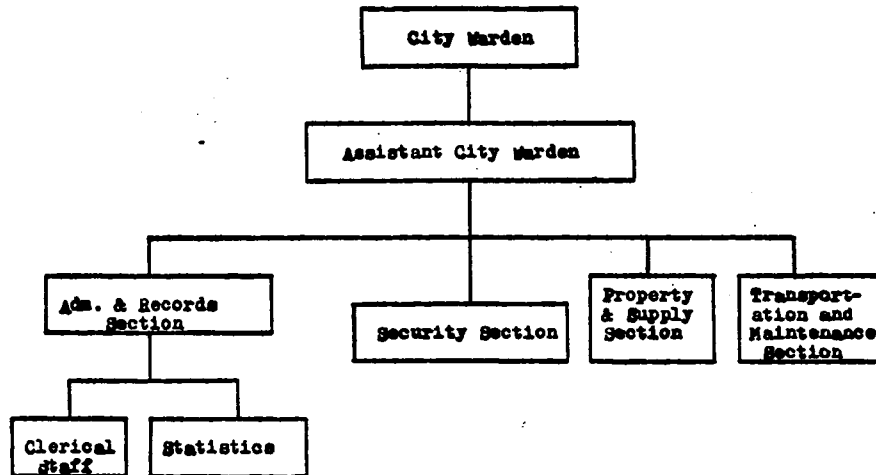
The chart also indicates that the Bureau has only nominal supervisory power over the provincial jails and the city and municipal jails inasmuch as the jails are financially supported by their respective local governments.

The Batangas Provincial Jail Organizational chart shows:

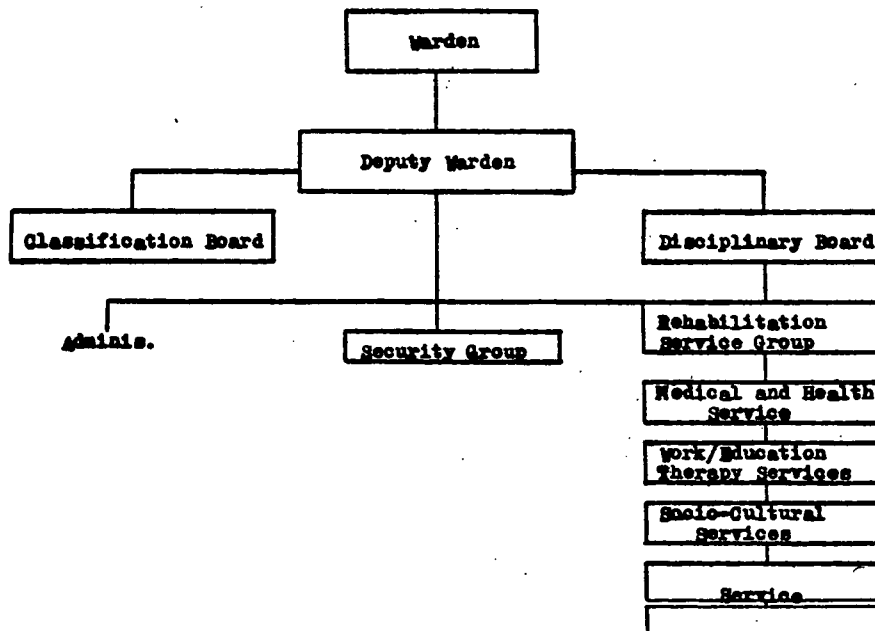


A cursory examination of the chart indicates that there is no office or division designed to provide rehabilitation services. The chart indicates only two major divisions: administrative staff and the custodial staff. There is even no classification Board.

The same situation may be observed in the organizational chart of the Quezon City Jail.



Nevertheless, in a recent conference conducted by the National Police Commission, the Commission came up with a proposed standard organizational chart:



In the new chart, the Rehabilitative division is given significance. If the above chart is to be implemented, great stride towards penal reform may be achieved. But up to now, the Philippine penal system neglects the rehabilitative aspect of penology.

Personnel Qualification and Training

Like other Bureaus in the government, the Director of the Bureau of Prisons is a presidential appointee and all others are appointed in accordance with Pres. Decree No. 807. On the other hand, the jails are manned by the members of the Integrated National Police.

The Office of the Director today is occupied by a retired army general whose training and orientation may not be adequate to serve the rehabilitative purpose of the penitentiaries under him. In an interview with Professor Pedro Solis of the U.P. College of Law who made a comparative study on European penology, he said that modern prison systems are headed by technical men who have specialized in penology and prison administration. Furthermore, the Assistant Director of the Bureau confessed that he was an engineer by profession.

In theory, appointment to the prison staff must conform with the minimum qualifications laid down by the Wage Position Classification Officer (WAPCO). All positions in the staff including that of driver, and janitor require corresponding eligibilities. For instance, a prison guard must have any combination of training and experience equivalent to graduation from second schools and one year service in military or civilian guard work.

Interviews with high ranking officers of the guards showed that the WAPCO classification for the recruitment of guards is not being followed. The actual minimum requirements observed are those of height and weight. A guard must be 5'5" tall and must have a weight of 120 lbs.

The vaunted Reception Diagnostic Center is also not free from some criticisms. In the first place, the RDC is under the Superintendent of the New Bilibid Prisons whose orientation is entirely different from that of the RDC. The Superintendent transferred the Center's psychiatrist to the National Bilibid Prisons hospital, thus depriving the center of the services of a psychiatrist in the personality analysis of prisoners. It was observed that the center used to have permanent guards who had been trained to observe and report behaviors of individual prisoners. The reports made by these guards were vital in the diagnosis and classification of each prisoners. These guards have also been transferred to be ordinary custodial guards of the maximum-security prison.

The center is now headed by a former school teacher and not by a psychologist or sociologist.

It was also noted that the center lacks sufficient technical personnel. It only has four psychologists, four sociologists, one penal psychiatrist and one penal institution teacher, when in fact there are about 8,000 inmates inside the New Bilibid Prisons.

The guards may be considered to have an important role in rehabilitation. Amongst the prison personnel, they are the persons who are in frequent contact with the inmates. As such they ought to be trained as agents of rehabilitation. But observations and interviews showed that training of guard merely relate to the custodial aspect. The chief of the Reception Diagnostic Center might be availed of to help train the guards for rehabilitative work but so far the Bureau has not taken steps in this direction.

The provincial and city jails are in the same situation. They do not have any jail personnel to implement the jail's purpose of rehabilitation.

The personnel and guard's are recruited from the police forces who are not especially trained for jail operation. According to the city warden of Quezon City, the rehabilitation cannot be undertaken by policemen whose training and orientation is punitive in character. The fact that they are policemen may prevent a friendly guard-inmate relationship necessary for rehabilitation.

Personnel-Inmate Relationship

Interview of 10 inmates was undertaken in order to determine the inmate's impression of the prison's personnel. The determination of their opinions may be significant indicators of personnel's effectiveness in the rehabilitation aspect. As a psychological rule, it is difficult to rehabilitate a prisoner when from his point of view the "rehabilitator" is also in need of treatment. It must be noted that the truth of the accusations made by prisoners is immaterial for the purpose of this paper. What is important is to determine the prisoner's feeling toward's their "teacher".

The most serious complaint aired by the inmates interviewed concerns their food allowance. According to data gathered, the food allowance for each prisoner is ₱4.50 per day. However, it was alleged that what is actually spent for the prisoner's food is only ₱1.50. They said that the rest of the allowance are withheld or pocketed by certain officials and personnel of the Bureau. Consequently, the food served to them is not fit for human consumption. As a matter of fact, they said that they deliberately make it not palatable so that there will be more left-overs for the personnel's private piggeries.

It is to be wondered why there are blunt weapons inside the prisons when in fact visitors are well inspected before entering the premises. The respondents said that these weapons were brought in by the guards themselves and sold to them for exorbitant prices.

The respondents were asked what they thought about the guards. They said that they are agitators. They make intrigues to induce gang warfare inside the penitentiaries. Several reasons were cited by the respondents: (1) It is in the best interest of the guards to keep the gangs from being

united, for it would be difficult to confront about 8,000 prisoners united against them. (2) The riots and gangs were a cover-up for the guard's corrupt practices inside the prison. (3) Animosity between gangs increases demands for weapons which are sold by guards.

Aside from weapons, it was also stated that the guards also sell other commodities such as food, liquor, soap also at exorbitant prices. They said that a commodity which is worth ₱3.00 outside is sold inside for the amount of ₱15.00. It is also significant to note that they named about four guards who are notoriously engaging in the lucrative business.

Moreover, respondents thought that some guards are mentally insane. There was one guard who with the use of a riot shot gun fired point blank against some prisoners playing "*cara cruz*". When asked why, he said that he thought they were dragonflies. Although the guard is now under technical arrest, prisoners think that he will be acquitted and will resume his position as guard soon.

There are more accusations against the personnel, and whether or not they are true, the responses show an unhealthy relationship between the personnel and the inmates.

B. Prisoners

1. Classification

Crime is a social disease. Like its kind which afflicts the body, crime has its causes, its history; it can lead to complications more serious, more malignant; it can be fatal. Thus, through the ages, society has devised a succession of systems and manner of dealing with the ailment, each one a reflection of the mood and temper of time. Indeed, the treatment of crime and the criminal has become one of the most unfailing tests of the civilization of any country.

The prison of today is a clinic where the afflicted member is segregated, diagnosed, treated and rehabilitated with the view of returning him to the fold of the normal community, equipped with a healthier sense of values and prepared to accept the responsibilities of community life.

The initial and often the most crucial step in any treatment process is classification and the prescription of treatment procedure.

a. Municipal or City Prisoners — Any person detained or sentenced for violation of a municipal or city ordinance; a person detained pending trial before a municipal or city court; a person detained by order of a judge of a municipal or city court pending preliminary investigation of the crime charged until the court shall demand him to the Court of First Instance; and a person who by reason of his sentence may be deprived of liberty for not more than thirty (30) days. The imposition of subsidiary imprisonment shall not be taken into consideration in fixing the status of a prisoner

hereunder except when the sentence imposes a fine only. He is committed to the municipal or city jail.³²

A visit made at the Quezon City Jail (taken as a sample) shows the following break-down of the classes of prisoners:

Detention Prisoners	No.
a. male	336
b. female	12
Detention Prisoners under P.D. 1081	
a. male	24
b. female	0
Sentenced Prisoners	
a. Insular (National)	1
b. Local	0
c. Correctional Institution	0
City Prisoners	
a. male	10
b. female	0
Minors	
a. male	0
b. female	0
Total	393 ³³

b. Provincial Prisoners — Any person detained pending preliminary investigation before the Court of First Instance; a person who by reason of his sentence may be deprived of liberty for not more than one year or is subjected to a fine of not more than ₱500 or is subjected to both penalties, but if a prisoner receives two or more sentences in the aggregate exceeding the period of one year, he shall not be considered a provincial prisoner. The imposition of subsidiary imprisonment shall not be taken into consideration in fixing the status of a prisoner hereunder except when the sentence imposes a fine only. He is committed to the provincial jail.³⁴

A visit made at the Batangas Provincial Jail (taken as a sample) shows the following breakdown of the classes of prisoners:

Detention Prisoners	No.
a. male	87
b. female	1

³² PHILIPPINES (REPUBLIC) DEPARTMENT OF JUSTICE, RULES FOR THE TREATMENT OF PRISONERS, 1960, Sec. 2(1).

³³ As per Quezon City Jail Records (September 2, 1977).

³⁴ PHILIPPINES (REPUBLIC) DEPARTMENT OF JUSTICE, RULES FOR THE TREATMENT OF PRISONERS, 1960, Sec. 2(2).

Provincial Prisoners	
a. male	14
b. female	0
Insular (National) Prisoners	
a. male	5
b. female	0
<hr/>	
Total	107 ³⁵

c. National Prisoners — Any prisoner who is neither municipal/city nor provincial prisoners shall be considered national prisoner; also a person sentenced for violation of the customs law or other laws within the jurisdiction of the Bureau of Customs or enforceable by it. He is committed to the Bureau of Prisons.³⁶

A convicted person classified as an insular or national prisoner is transferred from a municipal or city or provincial jail to the New Bilibid Prison at Muntinlupa, Rizal. He has to be further classified into maximum, medium or minimum prisoner. In our penal set-up, this function is handled by the Reception and Diagnostic Center, which is a relatively new development in the field of correction. As an institution, it started functioning only on October 1, 1953.

Classification

The involved process of diagnosis begins from the time the individual offender is received at the Center, which is the only institution of the Bureau of Prisons assigned such function. Hence, within the limited framework of staff and facilities, every effort is made to determine the individual inmate's physical inadequacies, his character disorders, his educational, social and vocational needs, his moral weaknesses as well as his strength.

All this effort is geared to the creation of multi-dimensional pictures of the inmates — an individual with characteristics that are solely his own. This individuality demands treatment programs with uncontained flexibility and range to meet the diverse needs and problems of as many types of prisoners as there are prisoners.

Admission-Orientation Program

During the first two weeks or so, the newcomer is confined at the quarantine cell where he undergoes an orientation of prison life. He is also examined in order to see whether he is in need of medical attention or suffering from diseases which may necessitate his segregation from the rest of the prison population.

³⁵ As per Batangas Provincial Jail Record (August 10, 1977).

³⁶ PHILIPPINES (REPUBLIC) DEPARTMENT OF JUSTICE, RULES FOR THE TREATMENT OF PRISONERS, 1960, Sec. 2(3).

Diagnostic Program

After the quarantine period, the newcomer undergoes extensive interviews which seek to probe into his family history, his educational background, his mental condition, his personality make-up and intellectual functioning, his social and vocational history and even with his plan upon release.

Those with certain skills or appropriate academic training may be given pre-classification or exploratory assignments in any of the various sections of the center. Illiterates are enrolled in adult education classes. Religious counselling and catechisms are conducted regularly.

Treatment Planning

All the data gathered in the interviews and tests together with the observations and recommendations of the staff become part of the individual's prison record and forms the basis for individualized programs of treatment.

In the process of treatment planning, a multiplicity of factors are further considered, such as length of sentence, recidivistic tendencies, type of crime and degree of involvement, availability of prison equipment and staff, the inmate's region of origin and many others.

The Staff Interview

Finally, after a period of about two months, the individual is called to a staff interview, where with his individual participation, the program directed toward his rehabilitation is laid out and set on record. This covers the following areas: 1) degrees of custody, 2) work assignment, 3) academic training, 4) medical, psychological, psychiatric and sociological recommendations.

After the staff interview the inmate is then discharged from the Center and transferred to any of the following institutions to which he was recommended:

New Bilibid Prison — A mixed custody type of institutions for recidivists, intractable offenders and security risks, and medical and psychiatric cases. Short termers and those who have served a prescribed portion of their term in good behavior are given minimum security privileges. Maximum prisoners are those who are incarcerated within the four walls of the prison and wear orange uniforms; medium prisoners have the blue or gray uniform and for the minimum prisoners, those otherwise known as the living out prisoners sport the brown suit.

Iwahig and Sablayan Penal Colonies — a minimum security facility for first offenders with relatively long sentences, who should profit from a relatively conducive rural setting. They have extensive agricultural proj-

ects, livestock and fishery, hospitals, general utility and maintenances, institutional and religious services, adult educational classes.

Davao Penal Colony — basically the same type of prisoners as those assigned to the Iwahig and Sablayan Penal Colonies but needing closer custodial supervision. Besides having similar activities, Davao has some manufacturing activities and industrial shops.

San Ramon Prison Penal Farm — Maximum security prison with a satellite farm and extensive coconut plantation.

Manila Office — For medium security prisoners. It provides janitorial and maintenance services for government building in the Greater Manila area.³⁷

The Reception and Diagnostic Center is so organized to insure the success for which it has been established. It has the following staff:

- (1) Inmate Classification Coordinator
- (2) Penal Psychiatrist
- (1) Penal Institution Education Supervisor
- (1) Penal Institution Teacher
- (1) Senior Guidance Psychologist
- (3) Guidance Psychologists
- (3) Sociologists I
- (2) Social Workers
- (2) Inmate Interviewer
- (1) Vocational Placement Officer
- (1) Senior Clerk
- (1) Clerk
- (1) Supervising Prison Guard
- (3) Senior Prison Guard
- (10) Prison Guard

The question, however, is whether or not this framework remains only on records or is an actual reality. The Superintendent of the Center is frank enough to admit that the ideal organization remains in theory. For instance, never was there a psychiatrist in the center. The Superintendent considers his positions as a tough one. He relates that before, there were prison guards as may be seen from the chart, who were trained to observe the behavior and actuations of prisoners in the RDC. However these guards were transferred to the New Bilibid Prison. Without the knowledge of the Reception and Diagnostic Center in many instances, prisoners are already classified into maximum, medium or minimum without an indication of the basis of the classification and without participation of the RDC. This practice undermines the purpose for which the RDC was established.

³⁷ As per interview, Mr. Arturo Bustria, Superintendent, RDC.

C. Treatment of Prisoners

Imprisonment and other measures which result in cutting off an offender from the outside world are afflictive by the very fact of taking away from the person the right of self-determination and depriving him of his liberty. Therefore the prison system should not, except as an incident to justifiable segregation or maintenance of discipline, aggravate the suffering inherent in such a situation.

The purpose and justification of a sentence of imprisonment on a similar measure deprivative of liberty is ultimately to protect society against crime. This end can only be achieved if the period of imprisonment is used to ensure, so far as possible, that upon his return to society, the offender is not only willing but able to lead a law-abiding and self-supporting life.

To this end, the institution should utilize all the remedial, educational, moral, spiritual and other forces and forms of assistance which are appropriate and available, and should seek to apply them according to the individual treatment needs of the prisoners.

The regime of the institution should seek to minimize any differences between prison life and life at liberty which tend to lessen the responsibility of the prisoners or the respect due to their dignity as human beings.

These general guiding principles on the treatment of prisoners are provided for in the standard Minimum Rules for the Treatment of Prisoners. Such rules apply only to sentenced prisoners. We now consider the daily activities of prisoners at the New Bilibid prisons and see how these guiding principles are applied to them.

1. Living Conditions

a. Accommodations

Sections 6-10 of Article IV of the *Rules for Treatment of Prisoners* (1960) describe what kind of accommodations must be provided by the Institution for the use of prisoners:

Sec. 6. All accommodations provided for the use of prisoners and in particular all sleeping accommodations shall meet all requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air, minimum floor space, lighting, heating and ventilation.

Sec. 8. The sanitary installations shall be adequate to enable every prisoner to comply with the needs of nature when necessary and in a clean and decent manner.

Sec. 9. The bathing and shower installations shall be adequate to enable every prisoner to make full use of them according to reason.

Sec. 10. All parts of the institution regularly used by the prisoners shall be properly maintained and kept scrupulously clean at all times.

During the visits made by the group to the New Bilibid Prison, Provincial Jail of Batangas, Quezon City Jail and the Municipal Jail of Romblon, it was noted that the above-mentioned rules, in most cases, were given only lip service.

Congestion seems to be the perennial problem of Philippine prisons. This was particularly observed in the New Bilibid Prisons which has a capacity of 3,500 prisoners but which currently houses more than 8,000 prisoners. Sleeping accommodations is a far cry from that provided for by law. Even minimum comfort on the part of the prisoners is not provided. The authorities do not supply mattresses or pillows. The cells are uncomfortably cold and damp. Sleeping accommodations are so meager that prisoners are constrained to sleep in corridors. It would not be surprising then to know that prisoners would rather get sick and enjoy the comfort of hospital beds than be "healthy" and stay in their cells.

Bathing and shower installations for the prisoners leave much to be desired. Toilets do not work properly. They are very dirty and not fit for human use. Also, there are not enough toilet facilities. Many times prisoners have to forego their morning rituals. Water is also scarce and prisoner usually go for days without taking a bath or doing their laundry.

The prison officials are aware of such accommodations but would rather attribute it to "lack of funds" rather than mismanagement.

b. Personal hygiene, clothing and bedding

Section 1, Article XII of the *Rules for Treatment of Prisoners* (1960) provides that a prisoner must be "clean and orderly, everywhere and at all times, in his prison, clothes, bedding and dormitory. He shall be given the opportunity to bathe at least once a day.

Section 1 of Article VI also describes the amount of clothing the penal institutions are supposed to provide for prisoners.

The prison shall provide each prisoner with the following uniforms and equipments for which he or she shall be held accountable — 3 suits or uniforms, 2 blankets, 1 pillow, 2 pillow cases. . ."

As previously discussed, the facilities of the Philippine prisons, at least those we have visited, do not provide for a healthy hygienic atmosphere for the prisoners. Laundry detergents are used as soap in taking a bath. Adequate beddings contrary to the provision of the law, are not provided. Not enough clothing is given to prisoners, many have outgrown their clothes, some are even half-naked. For all the deficiencies, the prisoners' families, funds of gang members usually attempt to provide and supplement.

c. *Food*

Section 20 of the *Rules for Treatment of Prisoners* (1960) describes what kind of food must be provided by the institution to the prisoners.

1. Every prisoner shall be provided by the administration at the usual hours with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served.
2. Drinking water shall be available to every prisoner whenever he needs it.

Even the chickens do better. This is the usual comment of inmates of the New Bilibid Prison. The budget for food per day is supposed to be ₱4.50 but according to the inmates we interviewed, only ₱1.50 is actually spent. It is alleged that the difference is divided among prison officials for themselves. Here is the usual menu:

1. Breakfast — one *pandesal* which is more often than not hard, left-over. With the *pandesal* is either sugar or coffee but never coffee with sugar.
2. Lunch — rice, beans, okra or mongo with dark liquid which is supposed to be their soup.
3. Supper — rice, 12 pieces of dilis or 2-3 pieces of tuyo.

Prisoners complain of the rice as being rotten and usually with worms. They complain about the soup which tastes a little better than mud. Most of the time they have to “repair” the food by adding salt, vetsin, sugar and other food seasoning.

The prisoners in the provincial, city and municipal jails eat at least more decent food than Bilibid inmates.

It is a wish by the Bilibid prisoners that everyday would be the birthday of their Director so that they will have a chance to taste pork, good vegetables and chicken (“even if wings only”).

d. *Medical Services*

Section 22—

1. At every institution shall be available the services of at least one qualified medical officer who has some knowledge of psychiatry.
2. Sick prisoners who require specialist treatment shall be transferred to specialized institutions or to civil hospitals where hospital facilities are provided, their supplies and equipment shall be proper for the medical care and treatment of sick prisoners and there shall be staff of trained officers.

The medical services offered by the prisons we visited is, to say the least, very inadequate for the ever growing number of prisoners. Management of medical services is below par. Medical officers are not always available to serve the needs of prisoners. Moreover, sick prisoners are not provided with their needed medicine by the prison authorities. In Bilibid, the group found out that aspirin is the most popular and the most versatile medicine, it is prescribed to prisoners with catarrh or "gastro enteritis." Doctors are inadequate, one of the two psychiatrists of the RDC or the Reception and Diagnostic Center is even utilized as a regular doctor of the prison hospital. Only when the non-medical personnel observe that the prisoner badly needs a psychiatrist is the latter is "borrowed" from the hospital.

In the provincial, city and municipal jails, medical services is a little bit better. Prisoners are taken to nearby government hospitals if they get sick although no medical attention is usually given to prevent the inmate from being afflicted with a disease or ailment.

2. Activities

Prison Labor

The main activities of the prisoners at the New Bilibid Prisons are gardening, hog-raising, cottage industries and the like. In the penal colonies, however, truly agricultural labor can be seen as the prisoners in our penal colonies plant rice, corn, etc. These activities are all prison labor, which should not be understood as that prison labor designed to be hard, harsh, monotonous and unpleasant in order to emphasize its essentially retributive and deterrent factors, but it should be understood in its modern day concept of being a means of treatment, contributing to the national growth, maintaining and increasing the prisoner's ability to earn an honest living after release, and vocational training for young prisoners. Prison labor does not necessarily mean, therefore, working in the open field, tilling the land and planting different kinds of vegetables and other crops. Some who are skilled in making cottage industry products may also pursue this line of interest; others who find interest in handling machines and engines may also select this field of prison labor.

It was said that "no single phase of life within prison walls is more important to the public and to the inmate than efficient industrial operations and the intelligent use of the labor of prisoners." Indeed, prison labor, in its present-day context, should be helping the prisoners in reforming their lives inside in preparation for their eventual release. The monotony of being segregated from society would be diminished by a well-planned prison labor, the ultimate results being that the prisoners will not only be rehabilitated but will also contribute to the national economic growth.

In the National Bilibid Prison, it was noted that in most cases, only the minimum security prisoners are the ones performing the prison labor in the fields. This is explainable by the fact that these prisoners are the least security risks among all prisoners. Field work ranges from planting different kinds of vegetables to raising hogs and other domestic animals. Proceeds from these go to the institution which in turn may be spent for its maintenance.

The prisoners who perform the work receive very meager compensation, and only after six months of being permanently assigned to a definite work, subject to the condition that he maintains good conduct and shows interest and a definite degree of progress in the particular work assigned to him. It is however noted that this meager compensation is not directly received by the prisoner himself. Such are kept in trust for him by the institution, subject to the rules that only one half thereof may be utilized for purchases of the prisoners' needs while the remainder shall be paid only upon release. Under some exceptional circumstances, however, if satisfactory reason of necessity for withdrawal is shown, then the Director of Prisons or the Superintendent may authorize the disbursement of any part of the amount retained.

It is a fact that whenever one works, he expects a compensation commensurate to the work done. Interest in an endeavor is not total if there is no clear indication as to the receivable remuneration. It is however not expected that prison labor be compensated proportionately to the work done considering that the prisoners are also being housed and fed by the institution. However, a reasonable and just compensation under the present circumstances will alleviate the miseries of these prisoners, who, even though they are segregated from society for crimes done against it, should nevertheless be made to feel that they are still human beings.

Education and Vocational Training

Provision shall be made for further education of all prisoners capable of profiting therefrom. The education of illiterates and young prisoners shall be compulsory and special attention shall be paid to it by the institution. So far as practicable, the education of prisoners shall be integrated with the educational system of the country so that after their release they may continue their education without difficulty.

Above provisions are taken from the Standard Minimum Rules for the Treatment of Prisoners. It will be noted that youthful offenders and illiterate are the principal objects of this training although the inclusion of the adult prisoners is not precluded.

In the National Bilibid Prisons, the educational training as intended by above rules is not at all a reality. Slow headway on the vocational training

however is evident, the only major setback being that there is lack of funds to equip such vocational training center. Hence, the prisoners only content themselves with what are readily available although such are not really their line of interest.

It can be said that the inadequate education and vocational training devices employed by our present prison system do not at all help in rehabilitating our prisoners. It cannot be expected that the meager equipment in our present vocational centers will at all times have a strong impact on training our prisoners for the "outside world," but to give justice to the efforts of our government may at least get something to start with.

Recreation and Leisure-time Activities

It is important that these activities should be well-implemented because the more a prisoner works without any recreation at all, the more he feels bored and whenever a prisoner feels bored, he does anything or plans everything destructive to the institution and the society in general. Hence, it is provided in the Standard Minimum Rules for the Treatment of Prisoners that recreational and cultural activities shall be provided in all institutions for the benefit of the mental and physical health of the prisoners.

It is expected that every morning at least, the prisoners should be sun-bathing and doing some exercises outside their cells. There is no problem with the minimum security prisoners. However for those in the maximum security cells, this is not feasible due to the danger that riots might ensue.

Facilities for outdoor games are present in the prison grounds. There are basketball courts to play at but apparently no ball is available. So that the main recreational activities of the prisoners are confined mostly inside their cells. They resort to playing cards and other games of chance because facilities for indoor games are absent.

It cannot be denied that recreational activities are important to the prisoner's morale and are significant to effective institutional discipline. Hence, selection of such activities that will truly interest the prisoners should be done effectively. It is a fact that prisoners use their leisure to more damaging effects than non-criminals, hence to avoid this it is important that prisoners should not be given the chance to habituate himself to sloth, vices and demoralizing associations.

VI. CONCLUSION AND RECOMMENDATIONS

If the main and sole purpose of our prisons is to segregate an offender from the rest of the society because that man is socially dangerous, then our prison system has fulfilled its purpose and it can be considered to be effective. We follow the classical school of penology that justifies imprisonment to punish the offenders. As a consequence, treatment of our prisoners is punitive and retributive.

There is however, a different kind of approach in dealing with such offenses that is gaining ground all over the world. Today, prisons are no longer thought of as solely established for the punishment of the offenders. Experience shows that this kind of approach only make men and women worse. The increasing number of recidivists, habitual delinquents and hardened criminals seems to suggest that the punitive approach fails in the achievement of a more lofty purpose, that is, the rehabilitation of the offender, so that he can be admitted to the mainstream of the free society again but this time a reformed and responsible man.

Rehabilitation is the present trend of dealing with offenders. The individual responsibility of the offender is slowly being substituted with that of society's responsibility. It is argued that a person who does wrong should be punished but that punishment is not the ultimate goal. Punishment must not be too harsh, too inhuman to the extent of disregarding the basic rights of prisoners, self-respect among others.

The Philippine Prison System is challenged to consider the current trend in the treatment of prisoners. The Philippine Prison System is challenged to reevaluate the principles on which the punishment and imprisonment of the offenders is based.

Should we be convinced that rehabilitation should be the main purpose of our prison and not that of punishment and retribution, the following recommendations are proposed:

1. Philippine penology should graduate from the punitive purpose to that of rehabilitation as a guide in the treatment of prisoners. This is not to advocate a change from the classical school to the positivist school. The writers of this work do not propose to strip the offender of his individual responsibility of the misdeed he committed. We only propose that harsh punishment should not be the main and sole purpose of imprisonment.
2. As a consequence of this proposed change of approach, the following specific recommendations are suggested:
 - a. Prisoners must be treated humanely respecting their basic rights including, among others, self-respect and dignity. More human living conditions in accordance with the rules of treatment of prisoner should be sincerely followed and implemented and should not exist merely as paper principles. Decent food, adequate and proper medicine, comfortable beds and suitable clothings should be provided.
 - b. Pave the way for their rehabilitation by providing work and activities that are useful in the eventual release. Prison farms, industrial workshops, recreation facilities, and vocational education are suggested.

- c. Prison officials and staff should be carefully selected, adherence to the minimum requirements should be observed. Officials and members of prison staff should not only be physically fit but mentally and professionally prepared as well. They should set the example of sincerity and dignity and not tolerate or abet the perpetuation of corruption in the prison.
- d. Information campaign, unbiased researches on treatment of prisoner should be conducted and presented to the society so that they may not remain apathetic to the sad plight of the prisoners. If the society is convinced that prisons should be reformed, society (concerned citizen pressure groups intellectually) can lobby to augment the present deficient funds that supports the prison system.

All the above proposals could only remain as an idea if adequate funding is not extended. With adequate funding, prison officials could also be given attractive pay so that temptation to corruption like selling prohibited materials to prisoners will be prevented. Technical men like the sociologists and psychiatrists will also be attracted to the jobs realizing the objective of putting knowledgeable men in the prison staff.

With sufficient funding more prison buildings can be constructed to avoid congestion that leads to moral degeneration of prisoners.

- e. The prisons should not be viewed in a vacuum. It must be understood that it is only a part of a larger system, the criminal justice system (it includes the police, prosecution and courts). Proper integration should be adopted so that one system will not inherit the shortcomings and defects of the other.

It is therefore imperative that the national and local governments should make the prisons system as one of the priorities in the allocation of the national resources.