

Humanizing Criminal Justice

Adult Probation Makes Its Bow in the Philippines

TO the majority of us here in the Philippines, "probation" is but a mere term, part of a jargon that holds the vaguest meaning—an unknown quantity. It is through no fault of the individual that this is so, for the aftermath of crime is rarely sensational, following a routine of punishment that touches public consciousness but lightly. After the commiserating cluck that a casual news reader usually vouchsafes a criminal sentenced from ten to twenty or even to thirty years in prison, the case, for him, is dismissed, finished forever.

The Marked Man

In the old days, even for those more closely concerned, the officers of the prisons, the final sentence ended the case of a prisoner. The serving out of justice was a rou-

tine procedure which promised nothing and led to nothing. A convict was a marked man, more poorly situated than if he had lost an arm or a leg or something quite as vital. Shame hounded him wherever he went, driving him hither and you till all perspective is marred by need and he once more resorts to crime. This, however, was a long time ago, and criminal justice has long since taken a turn for the better. The ban of shame is being lifted from the prisons, and the humanitarian spirit is seeking its way into the cells. More and more, the state is taking a paternal attitude towards the prisoners, introducing reform in its most lasting aspect.

Adult probation is part of this human reform, a decided step towards the humanization of criminal justice. Here in the Philippines, it has already been initiated.

The Probation Office was established in Manila on November 4, 1935. Within the half year, this office has handled forty-five cases in all. Out of these forty-five cases, sixteen have been released on probation under the supervision and guidance of the Probation Office; nineteen have been denied probation on the ground that it would be for the greater interest of justice and the protection of society to let them serve their terms in prison; the rest are still pending investigation.

What is Probation?

But what, exactly, is probation? Probation may be defined as the suspension of the execution of judgment in a case, giving the offender an opportunity to improve his conduct while living as a member of the community, and subject to conditions which may be imposed by the court, and under the supervision and friendly guidance of a probation officer. Probation removes the blindfold from justice and reveals the circumstances, the chances and the hopes for reform that attend every prisoner that is not a dyed-in-the-wool criminal. In the light of this knowledge, the court can determine what action to take in the individual case. Thus the blindfold is removed.

Of the sixteen probation cases mentioned above, good reports have been given. The little human failures that accompany probation cases as a rule have been reduced to such a negligible degree that they are not worth mentioning. In every case, proper observance of religious practices have been established. Work has been found or sought by each and it is not strange to find the probationer with an income of his own, buying back his self-respect and his place in the community through the sweat of his brow.

The advantages of probation to the probationer are (Continued on page 31)



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HUMANIZING . . .

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 manifold. It removes the stigma of the prison from him. It restores him to those whom he loves and effects adjustments for him which otherwise would be most difficult. It gives him back his self-respect and the right to work for those whom he is in duty-bound to support. It relieves him of the dangers of bad company while awakening him to faith in God, in his fellowmen and in himself.

Its Two-Fold Purpose

Probation, too, brings economies to the state. It relieves the government of the task of supporting the family which a man in prison leaves to its mercy. This burden is of course inflicted on every taxpayer, thus turning honest money into the support of crime. The probation system requires the probationer to support his family and pay whatever indemnity he had brought upon himself. Probation therefore serves a two-fold purpose: discipline and economy.

In Manila alone, the probation office has reported one case where an amount of P1,000.00 had been paid as indemnity to the offended party. Another case had secured a job and had earned P600 within ten days. Another receives a monthly salary of P100, while still another is learning to read and write.

Real Reformation

But these are minor triumphs when compared with the wonderful gift of freedom and reformation that is every probationer's share, and the chance to work out his term in the company of those whom he loves. These are little things when measured by the

stride which justice has taken—a stride that combines justice with mercy in such bountiful measure. The attitude towards criminals has undergone a great revolution, one that is only a little less great than the distance between the centuries. A turn of the wheel

of time and the foul dungeons, the pillory and the block were relegated to the host of useless antiques. No longer can a man be killed for stealing a loaf of bread. Criminal law became a means of protection, not an instrument of torture. Reformation ceased to

be a mere word which had an austere sound. It became real, a goal that can be achieved with patience and willingness. This humanizing of justice has now another tool—probation, the crowning point in the systematic development of a universal task.



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