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# EXAMINING THE NELSON MANDELA RULES IN BALUNGAO DISTRICT JAIL

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**ABSTRACT**

*This study explores the practices employed by jail personnel at Balungao District Jail in upholding the rights enshrined in the Mandela Rules, with a focus on managing inmates' dignity and fulfilling their basic needs. Prison overcrowding is one of the key contributing factors to poor prison conditions around the world. It is also arguably the biggest single problem facing prison systems and its consequences can at worst be life-threatening at best prevent prisons from fulfilling their proper function. The study utilized a qualitative descriptive method, conducting semi-structured interviews with Jail officers at Balungao District Jail. The findings highlight the jail's commitment to humane treatment, evidenced by the absence of solitary confinement and physical torture, and the consistent provision of food, healthcare, and other essentials. The study underscores the importance of maintaining manageable inmate populations to ensure effective rehabilitation and adherence to international human rights standards. This research offers insights into best practices in correctional management, emphasizing the balance between security and humane treatment, which contributes to a more stable and rehabilitative environment for inmates.*

**KEYWORDS:** *Mandela Rules, Correctional Management, Human Rights in Jails, Inmate Rehabilitation, Overcrowding in Prisons*

## INTRODUCTION

Jail is defined as a place for the confinement of people accused or convicted. Jail and prisons are as old as the society. Jail or prisons are created for various reasons, retribution, incapacitation, deterrence, and rehabilitation (Raphael Rowe Foundation, n.d.).

But as time goes by, the jail or prison faces a problem. Some of them are the insufficient budget, overcrowding of prisoners, and maltreatment, either physical or mental (Aprea, 2022). In prisons, because of the lack of liberty, detainees are particularly at risk of being victims of torture or ill-treatment (Albano, et.al, 2023). Violence and torture are an integral part of prison life. In extreme cases, violence can result in homicide. Detainees may be victims of violence inflicted by prison staff or fellow inmates (Albano, 2023). Some recorded violence is sexual violence, even if they have the same gender or the violator is an officer inside the jail (Sharma, 2023). According to Albano (2023) there are methods of maltreatment which can be classified as psychological and physical, of which physical methods inevitably lead to psychological consequences. Some maltreatment methods, such as sexual violence, almost unavoidably combine physical abuse with psychological abuse.

Prison overcrowding is one of the key contributing factors to poor prison conditions around the world. It is also arguably the biggest single problem facing prison systems and its consequences can at worst be life-threatening at best prevent prisons from fulfilling their proper function (Prison Overcrowding - Penal Reform International, 2021). During the pandemic, prison overcrowding has increased. Because of that, some problems are being encountered by the prisoners, some are increased violence, lack of adequate health care, limited programming and educational opportunities, and reduced visitation (Initiative, 2020).

Bureau of Jail Management and Penology and the Bureau of Corrections are considered institutions for the Philippine correction system. But even if there are two agencies for the correction institution, they are still facing problems, like overcrowding and maltreatment of the prisoners (Bea, 2023).

According to the United Nations News (2023), the Philippines is ranked third for the most overcrowded prisons. The Philippines is considered to have the eleventh-highest prison population in the world (UN News, 2023). Moreover, the incarcerated are placed in life-altering circumstances when the prison cells are overcrowded, resulting in varied prison-crowding experiences. Overcrowding is also one of the main reasons why the prisoners encounter various diseases and most of the time, they don't have enough medical assistance given to them (MacDonald, 2018). During the pandemic, the UNODC reported that the BJMP and the BuCor are facing critical constraints, like jail and prison overcrowding, lack of facilities to address public health emergency concerns, and a limited number of medical and health professionals to cover the rising number of cases related to mental health deterioration, among others.

Given the challenges mentioned above, it is reasonable to argue that correctional institutions in the Philippines face limitations in fully adhering to the various aspects of the Mandela Rules. While it is clear that the Philippine Correctional System suffers from different issues and challenges, there is a paucity of research on the actual effects of overcrowding in the fulfillment of different aspects of the Mandela Rules, the sufficient

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measures to prevent violence inside the jail and prison, and the successful practices of jails to fulfill the rights of the PDL as enshrined in the Mandela Rules. To address this gap, this research provides a clear picture on the effects of overcrowding, the measure to prevention violence, and practices to fulfill the different aspect of Mandela Rules.

**Statement of the Problem**

1. How does overcrowding affect the fulfillment of various aspects of the Mandela Rules?
2. What successful practices exist within Balungao Jail that are given to inmates based on Mandela Rules?

## METHODOLOGY

**Research Design.**

This study employed a descriptive design through a semi-structured interview. A research study employing descriptive design integrates quantitative and qualitative research methods to gather data aimed at describing a phenomenon, situation, or population (Manjunathan, 2019). Common methods utilized in descriptive research encompass observations, surveys, and case studies. Unlike experimental designs, descriptive research does not involve the manipulation or control of variables by researchers (Kelkar, 2023). This approach is necessary to corroborate the gathered statistical data and understanding the trends surrounding it through key stakeholders.

**Population and Locale of the Study.**

This study was conducted in Balungao Jail as a focal point for the study. Balungao is an emerging community within which studies involving grassroots application of the Mandela Rules is best displayed. This makes it a relevant locale in studying the concerns the protocols contained in the study. On the matter of interview participants, the researchers employed purposive sampling, as defined by Hart and Rennison (2018), a nonprobability sampling technique where participants are selected based on specific characteristics related to the research focus. Given the study's emphasis on the Mandela Rules the participants were chosen based on their work as jail officers and their designations within the facility.

**Data Gathering Tool**

The instrument that was used in this study to collect data from the participants was a semi-structured interview to determine the effects of overcrowding in the fulfillment of Mandela Rules and successful practices to fulfill the rights of PDL in Mandela Rules. The interview guide was prepared and serve as a guide to gather factual information from the participants that were useful for this study.

**Treatment of the Data**

The study employed a thematic analysis. Thematic analysis was also used on the gathered interviews which systematically identifies, analyses, and reports patterns within a dataset, which included interview responses and relevant literature. Dawadi (2020) describes thematic analysis as a way to systematically organise and analyse complex data sets. The researcher familiarized the given recordings, texts, and notes to gain insight on the contents. After which, codes were assigned to each segment of the transcriptions. The next step was the theme generation. Patterns were identified which allowed for themes to emerge The establishment of the themes came after refining and reviewing. These themes were then analysed and summarized to address the problems of the study. In order to further validate the credibility of the study, the study utilized triangulation, as described by Olsen (2004), adapting various steps in order to explore the dimensions of a social phenomenon. Triangulation involved comparing and corroborating data from semi-structured interviews, content analysis, and related literature, validating findings across different empirical sources.

## RESULT AND DISCUSSION

**How does overcrowding affect the fulfillment of various aspects of the Mandela Rules?**

This section outlines the negative effects of overcrowding on the fulfillment of PDL's rights under the Mandela Rules.

**Strain on the Rights of the PDL in Overcrowded Jail Facilities.**

This theme highlights the pervasive impact of overcrowding on inmates' rights specifically on their physical health and access to essential resources. The theme was elaborated below; select samples of participants' supporting statements, implications, and supporting studies are likewise described below.

Overcrowding significantly exacerbated the spread of diseases and limits access to healthcare services causing significant health-related problems and diminish the PDLs right to health. Participants holds that:

> Participant 1: "As for health, many PDLs will have diseases because they are overcrowded in a dorm and will be infected with diseases."
> Participant 2: "Their rights as PDL are also affected when overcrowded. Especially in health, because not everyone can be taken care of, and it's easier to get sick."
> Participant 3: "Health is also affected; disease will be contagious. When overcrowded, it is difficult for us Jaik officers to deliver healthcare services. This results in a delay in treatment, lack of medical attention that can be given and a higher chance of them contracting the disease."
> Participant 4: "Their health is also affected because there are so many of them; they will really get infected."

In addition, the lack of resources due to overpopulation directly affects the ability to meet the basic needs of PDL and overcrowding compromises prisoners' ability to maintain personal hygiene, which further deteriorates their living conditions and overall well-being. Some participants explain that:

> Participant 1: "Overcrowding affects a jail facility because when overcrowded, you cannot provide the activities or services properly because the resources will be lacking with the amount of PDL."
> Participant 2: "First of all, their comfort is sacrificed, but of course, they are PDL, so they shouldn't be comfortable. But of course, it's hard to live when it's overcrowded; you don't know how to fit yourself. I had experience during my training there in a small jail

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facility with a high population. As it's crowded inside, they don't have many activities because they don't have a place to do them. Then, when sleeping, make it difficult for them to find their place to sleep. And their hygiene: when it's crowded, not everyone can take a bath. They don't bathe there every day; they just have a schedule…"

The data emphasizes the serious consequences of overcrowding for the rights and well-being of persons deprived of liberty (PDL). Overcrowding aggravates disease transmission, severely restricting inmates' access to healthcare services, which is a fundamental right. Jail facilities' incapacity to offer proper medical treatment due to the high number of convicts not only violates their right to health but at the same time perpetuates a cycle of disease and neglect within the jail facility. As participants highlighted, excessive population density causes prompt spread of illness and treatment delays, exacerbating the health crisis in these overcrowded areas. This circumstance violates the fundamental concept of humane treatment as established in international standards, such as the Mandela Rules, which emphasize the importance of maintaining prisoners' health and dignity.

**Undermines Ability: Due to Risks to One's Security, Safety, and Mental Health**

This theme addresses the psychological, safety, and security challenges posed by overcrowded environments:

Overcrowding has a psychological impact on inmates, such as increased stress and irritation, leading to a volatile environment, and raising the risk of conflict. Two of the participants pointed that:

Participant 3: "It's hard, it's hot, when it's hot, they're also hot-headed so they're more easily irritated. So, it is also difficult for us to maintain security."

Participant 4: "And when it's overcrowded, the heads of the PDLs will also be heated; the heat of the weather and their feelings will mix. And in such a situation, you think about your safety."

Hence, with overcrowding, it becomes increasingly challenging to ensure the safety and security of both prisoners and staff, as the facility struggles to manage the increased population.

It can also be interpreted that overcrowding may also be viewed as increasing the strain on workers, making it impossible to maintain order and provide proper supervision, compromising overall safety. At the same time, overcrowded circumstances impair inmates' rights, especially their dignity and fair treatment, resulting in breaches of the standards set for humane treatment.

In contrast, all of the participants stressed that, under their present designation, the Balungao District Jail (the locale of the study) did not suffer overcrowding. They provide an overview regarding the current situation of the Balungao District Jail, which can give a clear picture of the situation of a jail facility when it is not overcrowded. Hence, this can offer a basis for comparing the experience of jail personnel from overcrowded jails to non-overcrowded jails. This was further elaborated together with participants selected statements.

The Balungao District Jail benefits from a manageable inmate population, which positively influences the overall environment and the effectiveness of management. This manageable population contributes to a more stable environment where inmates are described as "kind" and "manageable. Participants explained that:

Participant 1: "Balungao District Jail is fine. Right now, there is a jail population of 200 to 600. We have male and female PDLs now. They are kind; they are manageable. In Balungao District Jail, it is not an overcrowded jail because, unlike in Manila, where it is really overcrowded."

Participant 2: "So far, it's okay. The conditions of the PDLs are okay; they are not overcrowded, they can eat three times a day, and they are not bored because our activities are continuous."

Moreover, health monitoring at the Balungao District Jail is a key focus, with ongoing care for inmates with high blood pressure, diabetes, and tuberculosis. The jail coordinates with partner agencies such as LGUs, RHUs, and hospitals for health services, including vaccination programs. Participant 1 holds that:

"We have health monitoring; since I'm a nurse, we monitor those with high blood pressure, diabetes, or TB. We coordinate with our partner agencies, like LGUs, RHUs, and hospitals; they go there or here when they conduct vaccines. So far, high blood pressure is the most common issue here in terms of health. He also has diabetes and TB, but the medication is on-going."

In addition, the jail offers various programs and activities aimed at rehabilitation and keeping inmates engaged. Although the facility is not yet fully equipped for the KKDK (Katatagan Kontra Droga sa Komunidad) program, there are other initiatives like Bible studies, skills enhancement, and sports activities. Two of the participants stressed that:

Participant 1: "Those who are imprisoned here are being rehabilitated because there are programs that we follow. But the rehabilitation is happening outside, since there are rehab centers outside, but BJMP also has programs like KKDK. But our facility here at the Balungao District Jail is not yet a KKDK facility; our two personnel still need to undergo training for the KKDK program of the BJMP. Because there, the jail itself is like a rehabilitation center."

Participant 2: "From time to time, there are people who come here like born-again. They conducted a Bible study together or sometimes offered a feeding program. The Iglesia ni Kristo has a vow every day, or sometimes an online mass that's only for interfaith. We also have skills enhancement; we teach them to cook some kind of business food. They also play sports; sometimes they play games; sometimes they play with the personnel; or sometimes they do OJT."

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The researchers concludes that the data implies that overcrowding directly undermines the ability to maintain humane conditions and uphold the rights of inmates. In facilities like Balungao District Jail, where overcrowding is not an issue, inmates receive more personalized care, with ongoing health monitoring and access to various rehabilitation programs. This corroborates with the statements of participants regarding their previous experience in overcrowded jails, which suggests that overcrowding in jails leads to significant negative outcomes, including deteriorating mental health, increased risk of conflict, and violations of basic human rights. The situation at Balungao District Jail highlights the importance of maintaining manageable inmate populations to ensure that their dignity, health, and rights are preserved. .

**Based on the Mandela Rules, what are the successful practices that exist within Balungao District Jail that you are giving to the PDL?**

This section underscores the best practices perform by the participants to fulfill the rights of the PDL under Mandela rules.

**Upholding Human Dignity in Correctional Practices**

This theme focuses on the commitment to treating inmates with respect and ensuring that their dignity as human beings is preserved.

The participants emphasize that the Balungao District Jail avoids practices such as solitary confinement and physical torture, which are often depicted in media and violate human rights. Instead, the Balungao District Jail is committed to a humane approach, where inmates are treated well, reflecting a strong alignment with international standards, such as the Mandela Rules. Participants reported that:

> Participant 1: "Because here, as seen in the movie, we are not brutal towards them. We always ensure that our treatment of them is humane. We treated them well, there was no solitary confinement, no physical torture that was heard or seen, nothing. We respect their dignity as a person. They are still human."
>
> Participant 2: "…Human dignity is respected, we are not here like you see in a movie where there is torture, there is nothing like that here."
>
> Participant 3: "The right to health is fulfilled, we don't have solitary confinement, and we don't torture anyone. So right after entering, I said the treatment was friendly, the moment they were admitted here, their dignity as a person was immediately respected."
>
> Participant 4: "Their dignity is respected. Health is really monitored; there is no solitary confinement; all rights are fulfilled."

The researchers concludes that the commitment to upholding human dignity, as demonstrated by the rejection of practices like solitary confinement and physical torture, aligns closely with the Mandela Rules and international human rights standards. This practice underscores the importance of treating inmates as human beings deserving of respect and humane treatment, regardless of their incarcerated status. This implication supports the findings in SOP 1 that when inmates are treated with dignity, there is a positive impact on their behavior, psychological well-being, and potential for rehabilitation. This alignment with human rights standards can also enhance the Balungao District Jails's reputation and contribute to better outcomes for inmates, including lower recidivism rates.

**Consistent Fulfillment of Inmates' Rights and Basic Needs**

This theme highlights the participants' dedication to consistently meeting the basic needs and rights of inmates, particularly in terms of food, sleep, and healthcare.

Participants stress that the inmates receive adequate nutrition, proper sleeping conditions, and active health monitoring by jail nurses. This consistent fulfillment of basic needs as the best practices was aligned in the Mandela Rules, ensuring that inmates' rights are not neglected and that they are treated humanely and with care. Two of the participants holds that:

> Participant 2: "The most fulfilling of their rights here is that we do not neglect their food or basic needs. We are consistent in fulfilling all their rights, maybe that is our best practice. Because they can sleep well, they eat three times a day. In terms of health, our jail nurses are very active. When someone gets sick, they will go to the clinic and be given medicine, as long as it is not medicine that requires a prescription."
>
> Participant 4: "Their rights are given properly under Mandela's rules. Continuous implementation of all their rights may be our best practice. When it's their right, they will really give everything; it can't be denied."

The data highlights the importance of consistently meeting the basic needs of inmates, such as food, sleep, and healthcare, as part of the facility's best practices. The findings of this research have shown that when inmates' basic needs are reliably met, it leads to a more stable and peaceful environment, reducing the likelihood of unrest and promoting better health outcomes. The active involvement of jail nurses in monitoring and addressing health issues further outlines the critical role of healthcare in maintaining the well-being of inmates. The Balungao District Jail's adherence to the Mandela Rules by ensuring that all rights are fulfilled without neglect reflects an exemplary approach to correctional management in the Philippines. This consistency not only improves the quality of life for inmates but also supports the broader goals of rehabilitation and reintegration into society.

## CONCLUSION

Based on the data analyzed and the findings of the study, the researchers deduced the following conclusions:

1. The disparity between overcrowded jails and the Balungao District Jail, where overcrowding is not a problem, emphasizes the need to keep PDLs numbers acceptable. In less congested jails, PDLs receive more specialized treatment, regular health monitoring, and access to rehabilitation programs, all of which contribute to a more stable and humane environment. This comparison indicates that overcrowding not only breaches international standards for the treatment of inmates but also creates an environment in which the

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fulfillment of basic human rights becomes unreachable.

2. The practices employed by the Balungao District Jail demonstrate a successful model of correctional management that respects the rights and dignity of inmates while maintaining security and order. These practices not only align with the Mandela Rules but also contribute to better outcomes for inmates, including improved health, reduced recidivism, and a more positive correctional environment.

## RECOMMENDATION

Based on the findings and conclusions mentioned above, the researcher suggests the following recommendations:

1. The government and correctional administration should strengthen the use of non-institutional programs to reduce the strain on correctional facilities. Also, overcrowding is a result in a large number of people committing crime. Hence, it is recommended that law enforcement agencies prioritize their crime prevention approach.
2. The practices employed by the Balungao District Jail should be documented and shared as a model of best practices for correctional management. Other facilities can learn from these examples to improve their own management strategies, particularly in maintaining a balance between security and humane treatment.
3. One of the limitations of this study is the scope of the study; the data was gathered only on BJMP personnel; consequently, the researchers recommends to future researchers who want to replicate this study to gather also a data coming from the PDL, to have further comparison and corroboration and a more in-depth and scientific study

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