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International Journal of Advanced Research in Management and Social Sciences

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International Journal of Advanced Research in Management and Social Sciences (IJARMSS) is a Monthly Peer Reviewed online International research journal aiming at promoting and publishing original high quality research in all disciplines of engineering and applied sciences. All research articles submitted to IJARMSS should be original in nature, never previously published in any journal or presented in a conference or undergoing such process across the globe. All the submissions will be peer-reviewed by the panel of experts associated with particular field. Submitted papers should meet the internationally accepted criteria and manuscripts should follow the style of the journal for the purpose of both reviewing and editing.

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Characterization of Persons Deprived of Liberty (PDLs) At Santiago City District Jail - Female Dorm, Santiago City, Isabela

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ABSTRACT

Republic Act 6975 was enacted and was known as the DILG Act of 1990. Under this agency, the tri-bureaus were created: the Philippine National Police, The Bureau of Fire Protection and the Bureau of Jail Management and Penology under the Department of the Interior and Local Government. Under the BJMP are jails efficiently manned by professionals, qualified, trained and committed jail personnel all over the country. In the Province of Isabela, there are district jails created and one of which is located in Santiago City – the female dorm that caters solely for female offenders. The jail is manned by a lady officer and having lady jail officer. A total of fifty five (55) PDLs were used as respondents of the study representing 100 percent of its total population. This study was limited on the characterization of PDLs committed at the Santiago City District Jail –(female dorm), in Santiago City, Isabela. The researcher made use of a questionnaire to gather the needed data from the respondents. Interview was also conducted in order to verify some vague answers on the questionnaire. Based from the findings of the study on age, most of the respondents are young with an age brackets of 28-37 years old, all are females, majority are single, Roman Catholic, reached / finished high school, not employed, committed crimes against special laws and were arraigned, attended 1-5 times court hearings, been in jail for 2 years 1 day to 3 years and most claimed that they were alleged suspects of the crimes charged against them. It can be concluded that majority of the respondents' profile are similar but differs on the circumstances and reasons that led to the commission of the crimes as presented on the data gathered.

KEYWORDS: *Arraignment, Commitment Order, Crimes, Persons Deprived of Liberty (PDLs), Court, Court Trial, Safekeeping, Rehabilitation, District Jail, Characterization, Female Offenders*

INTRODUCTION

Republic Act 6975 was enacted and was known as the DILG Act of 1990. Under this agency, the tri-bureaus were created: the Philippine National Police, The Bureau of Fire Protection and the Bureau of Jail Management and Penology under the Department of the Interior and Local Government. Under the BJMP are jails efficiently manned by professionals, qualified, trained and committed jail personnel all over the country.

In the Province of Isabela, there are district jails created and one of which is located in Santiago City – the female dorm that caters solely for female offenders. The jail is manned by a lady officer and having lady jail officer.

IACHR- 2002, the right of persons deprived of liberty to humane treatment while under the custody of the state is a universally accepted norm in international law. In the Inter- American Human Rights System, this principle is enshrined primarily in Article XXV of the American Declaration, which provides: "every individual who has been deprived of his liberty has the right to humane treatment during the time he is in custody." In addition, the humane treatment to be accorded to persons deprived of liberty is an essential element of Article 5(1) and (2) of the American Convention, which protects the right to humane treatment of all persons subject to the jurisdiction of a State party.

Deprivation of liberty commences when the person is made aware, by means of physical restraining, words or behaviour, that they are not free to leave the place. This moment does not depend on how national laws regulate the moment of deprivation of liberty, as in many countries the moment of deprivation of liberty is taken to be the moment when the protocol/official record on such deprivation is made. However, the Court holds that deprivation of liberty commences when a person is "not allowed" to leave the spot.

In addition, as already mentioned, the Principles and Best Practices on the Protection of Persons Deprived of Liberty in the Americas are grounded in the fundamental idea that "All persons subject to the jurisdiction of any member State of the Organization of American States shall be treated humanely, with unconditional respect for their inherent dignity, fundamental rights and guarantees, and strictly in accordance with international human rights instruments".

In particular, and taking into account the special position of the States as guarantors regarding persons deprived of liberty, their life and personal integrity shall be respected and ensured, and they shall be afforded minimum conditions compatible with their dignity.

United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders (ILANUD) 2009, the State must take all necessary steps to ensure that all the detention centers in its territory –and not just those located in urban centers– are endowed with professional and well-trained staff.

Standard Minimum Rules for the Treatment of Prisoners (Rule 46.2) Generally speaking, penitentiaries are hostile, difficult, poorly funded environments, in which the work of prison officers can be, not just routine, but also highly stressful and exhausting. Such is why everything possible must be done to keep penitentiary staff motivated and conscious of the importance of the work they do.

BJMP firmly believes that these restorative efforts will inspire the PDL to rebuild their lost trail, and for the community to support their craft by accepting them as productive citizens of the society. At the same time, BJMP appealed for the support of the business sectors and other stakeholders through their respective corporate social responsibility to promote and engage the PDL crafts, a vehicle toward their successful re-entry back to the community.

STATEMENT OF THE PROBLEM

This study was focused on the characterization of Persons Deprived of Liberty (PDLs) at Santiago City District Jail - Female Dorm, Santiago City, Isabela. Specifically, it sought to answer the following questions:

1. What is the profile of the respondents in terms of:
 - 1.1 Age
 - 1.2 Civil Status
 - 1.3 Religion
 - 1.4 Highest Educational Attainment
 - 1.5 Occupation before Detention
2. What was the crime committed by the PDLs?
3. What is the status of the case of the PDLs as to:
 - 3.1 Arraignment Status
 - 3.2 Number of hearings
 - 3.3 Number of years in jail
4. What circumstance that has led to the commission of the crime?
5. Is there a relationship on the crimes committed when grouped according to select profile variables?

METHODOLOGY

This study employed the descriptive-correlational research design. It was used particularly to describe the profile of the Persons Deprived of Liberty (PDLs) at - Santiago City District Jail - Female Dorm, Santiago City, Isabela to determine the relationship among the profile variables, the status of the case and the circumstance that has led to the commission of the crime.

The primary tool in gathering the needed data was the questionnaire. The questionnaire was constructed by the researcher and pre-tested to determine the validity of the questions. Results of the pre-test were the basis of revising some questions not properly understood during the pre-test.

The data were tabulated, analyzed and interpreted by the researcher using descriptive statistics such as frequency counts, percentages and Pearson r'.

RESULTS AND DISCUSSIONS

Profile of the Respondents

Table 1. Frequency and Percentage Distribution of the Respondents' Profile as to Age

Age	Frequency	Percentage
Below 18 years	-	-
18-27 years old	11	20
28-37 years old	20	36.36
38-47 years old	11	20
48-57 years old	7	12.72
58 or more	6	10.9
Total	55	100

The frequency and percentage distribution of the respondents' profile as to age is shown in Table 1. As presented, a frequency of 20 or 36.36 percent belongs to the age brackets of 28-37. The lowest frequency of 6 or 10.90 percent belongs to the age bracket 58 or more. The data imply that respondents are relatively young when they got involved in crimes and some are already on their prime ages.

Table 2. Frequency and Percentage Distribution of the Respondents' Profile as to Civil Status

Civil Status	Frequency	Percentage
Single	28	50.9
Married	26	47.27
Separated	1	1.81
Widow/er	-	-
Total	55	100

Table 2 presents the frequency of 28 or 50.90 single PDLs followed by 26 or 47.27 married PDLs. The data imply that single people are more carefree compared to married individual.

Table 6. Frequency and Percentage Distribution of the Crime Committed by the Respondents

Crime committed	Frequency	Percentage
Crimes against persons	8	14.54
Crimes against property	3	5.45
Crimes against Special Laws	44	88
Others (kidnapping, estafa)	-	-
Total	55	100

The frequency and percentage distribution of the crime committed by the respondents is presented in Table 6. As presented, 44 or 88 percent of the respondents committed crimes against special laws specifically violation of the provisions of RA 9165. The data imply that majority of the respondents got involved on in selling and use of prohibited drugs.

Table 7. Frequency and Percentage Distribution on the Status of the Case of the Respondents as to Arraignment

Arraignment Status	Frequency	Percentage
Yes	46	83.63
Not Yet	9	16.36
Total	55	100

Majority of the respondents with a frequency of 46 or 83.63 percent have been arraigned on the cases filed against them as presented in Table 7 which implies that most of the PDLs have presented themselves to the court where there were asked if they plead guilty or not on the crime charged.

Table 8. Frequency and Percentage Distribution on the Status of the Case of the Respondents as to Number of Court Hearings

Number of Court Hearings	Frequency	Percentage
0	9	16.36
1-5	34	61.81
6-10	5	9.09
11-15	2	3.63
16-20	3	5.45
21 or more	2	3.63
Total	55	100

Table 8 presents the frequency and percentage distribution on the status of the case of the respondents as to number of court hearings. A frequency of 34 or 61.81 percent attended court hearings falling within the bracket of 1 to 5 times. The data imply that most of the PDLs have attended many court hearings for the cases filed against them due to various reasons and circumstances and awaiting final judgment from the court.

Table 3. Frequency and Percentage Distribution of the Respondents' Profile as to Religion

Religion	Frequency	Percentage
Roman Catholic	38	69.09
Iglesia Ni Cristo	12	21.81
United Methodist Church	-	
Born Again	-	
Others	5	9.09
Total	55	100

As presented in Table 3. Majority or 69.09 percent of the PDLs are Catholics. The data imply that Roman Catholic is the most dominated religion in this part of the province.

Table 4. Frequency and Percentage Distribution of the Respondents' Profile as to Highest Educational Attainment.

Highest Educational Attainment	Frequency	Percentage
Elementary Level / graduate	10	18.18
HS Level / graduate	39	70.9
College Level / graduate	4	7.27
Post Studies Level / graduate	2	3.63
Total	55	100

Table 4 shows the frequency and percentage distribution of the respondents' profile as to highest educational attainment. A frequency of 39 or 70.90 percent reached /finished high school. The data imply that most of the respondents have undergone formal basic education.

Table 5. Frequency and Percentage Distribution of the Respondents' Profile as to Occupation before Detention

Occupation before Detention	Frequency	Percentage
Farmer	11	20
Government Employee	3	5.45
Self-Employed	12	21.18
OFW	-	-
Others (not employed)	24	43.63
Total	55	100

The frequency and percentage distribution of the respondents' profile as to occupation before detention is presented in Table 5. Majority or 43.63 of the respondents were not employed before the commission of the crimes which implies that do not have permanent jobs as a source of living.

Table 9. Frequency and Percentage Distribution on the Status of the Case of the Respondents as to Duration of Stay in Jail

Duration of Stay in Jail	Frequency	Percentage
Below 1 month	3	5.45
1-6 months	12	21.81
6 months 1 day-12 months	6	10.9
1 year 1 day to 2 years	5	9.09
2 years 1 day to 3 years	15	27.27
3 years 1 day and more	14	25.45
Total	55	100

The frequency and percentage distribution on the status of the case of the respondents as to duration of stay in jail is shown in Table 9. The highest frequency of 15 or 27.27 percent of the respondents stayed in jail falling within the bracket of 2 years 1 day to 3 years. The data imply that most of the respondents have been in jail for a long while waiting for the pronouncement of judgment.

Table 10. Frequency and Percentage Distribution on the Circumstance that has led to the Commission of the Crime

Circumstance that has led to the Commission of the Crime	Frequency	Percentage
Revenge	1	1.81
Alleged Suspect	41	74.54
Jealousy	-	-
Poverty	1	1.81
Self-Motivated Interest	-	-
Self-defense	5	9.09
No reason	3	5.45
Others (Grudge)	4	7.27
Total	55	100

The frequency and percentage distribution on the circumstance that has led to the commission of the crime is presented in Table 10. A frequency of 41 or 74.54 percent of the respondents claimed that they were "alleged suspects" for the crime charged against them. The data imply that majority of the respondents have similar reason or circumstance why they are in jail.

Table 11. Test of Relationship on the Crimes Committed and the Profile of Respondents

Profile	r' value	Decision
Age	0.036	Reject
Civil Status	-0.035	Reject
Religion	-0.01	Reject
Highest Educational Attainment	-0.357	Reject
Occupation before Detention	0.241	Reject

± . 266 critical value .05

The test of relationship between the crimes committed and the profile of the respondents at Female Dorm, Santiago District Jail is presented in Table 11. As shown on the result, the r' value of all the profile of the respondents are lower than the critical value of .266. This means that there is a no significant relationship between the crimes committed and the profile of the PDLs. This implies that profile variables have nothing to do with the commission of the crime so the null hypothesis is rejected.

CONCLUSION

On findings of the study, it can be concluded that majority of the respondents' profile are similar but differs on the circumstances and reasons that led to the commission of the crimes as presented on the data gathered.

RECOMMENDATIONS

In the light of the foregoing findings, the researcher has the following recommendations to offer:

1. Information dissemination should be conducted in the different areas of the municipality.
2. Jail programs shall be strengthened to prepare PDLs on their reintegration.
3. More job opportunities to minimize the possibility of committing crimes.
4. Expedite resolution of cases.

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Characterization of Persons Deprived of Liberty (PDLs) at Ilagan City District Jail, Ilagan City, Isabela

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ABSTRACT

The Ilagan District Jail is located in Ilagan City, Isabela that houses Persons Deprived of Liberty (PDLs). The jail is manned by a commissioned officer as district warden assisted by a deputy warden. The jail has a total of one hundred twenty two (122) PDLs. The jail caters to PDLs coming from the city and adjacent municipalities as ordered by the court in their commitment orders. These PDLs are awaiting trials for the cases filed against them and eventually will be transferred to any of the national penitentiaries after final judgment by the court if the sentence given is three years one day and more. Others are left in the same jail wherein the sentence is lower. This study was limited on the characterization of PDLs committed at the Ilagan City District Jail, in Cabagan, Isabela. The researchers made use of a questionnaire to gather the needed data from the respondents. Interview was also conducted in order to verify some vague answers on the questionnaire. Findings of the study on age, most of the respondents are young with an age brackets of 28-37, males, single, Iglesia ni Cristo, reached / finished elementary, self-employed, committed crimes against person and were arraigned, attended 1-5 times court hearings, been in jail for almost 6 months 1 day-12 months and most claimed that they were alleged suspects of the crimes charged against them. It can be concluded that the highest educational attainment and occupation of the respondents have something to do in the commission of the crime. All other profile variables have no significant relationship to the commission of the crimes.

KEYWORDS: *Arrest, Commitment Order, Crimes, Persons Deprived of Liberty (PDLs), Court, Court Trial, Safekeeping, Rehabilitation, District Jail, Characterization, Offenders Judgment.*

INTRODUCTION

The Ilagan District Jail is located in Ilagan City, Isabela that houses Persons Deprived of Liberty (PDLs). The jail is manned by a commissioned officer as district warden assisted by a deputy warden. The jail has a total of one hundred twenty two (122) PDLs. The jail caters to PDLs coming from the city and adjacent municipalities as ordered by the court in their commitment orders. These PDLs are awaiting trials for the cases filed against them and eventually will be transferred to any of the national penitentiaries after final judgment by the court if the sentence given is three years one day and more. Others are left in the same jail wherein the sentence is lower.

IACHR- 2002, the right of persons deprived of liberty to humane treatment while under the custody of the state is a universally accepted norm in international law. In the Inter- American Human Rights System, this principle is enshrined primarily in Article XXV of the American Declaration, which provides: "every individual who has been deprived of his liberty has the right to humane treatment during the time he is in custody." In addition, the humane treatment to be accorded to persons deprived of liberty is an essential element of Article 5(1) and (2) of the American Convention, which protects the right to humane treatment of all persons subject to the jurisdiction of a State party.

In addition, as already mentioned, the Principles and Best Practices on the Protection of Persons Deprived of Liberty in the Americas are grounded in the fundamental idea that "All persons subject to the jurisdiction of any member State of the Organization of American States shall be treated humanely, with unconditional respect for their inherent dignity, fundamental rights and guarantees, and strictly in accordance with international human rights instruments".

United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders (ILANUD) 2009, the State must take all necessary steps to ensure that all the detention centers in its territory –and not just those located in urban centers– are endowed with professional and well-trained staff.

United Nations, Special Rapporteur on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, Third Report to the Commission on Human Rights, 2004, in addition to ensuring the proper training of the correctional staff, the public administration should also endorse the belief, in the minds of its members and in the community as a whole, that the work at the correctional institutions is an important service to the community.

Standard Minimum Rules for the Treatment of Prisoners (Rule 46.2) Generally speaking, penitentiaries are hostile, difficult, poorly funded environments, in which the work of prison officers can be, not just routine, but also highly stressful and exhausting. Such is why everything possible must be done to keep penitentiary staff motivated and conscious of the importance of the work they do.

The IACHR (2008) recognizes that the creation of new prison capacity –either through the construction of new facilities or the modernization and expansion of existing ones— is an essential measure to combat overcrowding and adjust prison systems to present needs; however, this measure alone does not represent a sustainable solution over time. Measures of immediate effect such as presidential pardons or collective release of particular categories of prisoners, based on age, state of health, seriousness of the

offense, among other factors, are not sustainable solutions to this problem either; even though in some cases these measures may be necessary and pertinent.

Effective attention to overcrowding also calls for States to adopt policies and strategies that include, among other things: (a) the legislative and institutional reforms required to ensure a more rational use of preventive detention, and for this measure to only be used as a last resort and an exception to the rule; (b) enforcement of the maximum time periods established by law for detainees to remain in preventive detention; (c) promotion of the use of alternative measures or substitutes for preventive detention and the deprivation of liberty as a sentence; (d) the use of other methods to serve sentences such as probation, supervised release and work or school release; (e) modernization of administration of justice systems to streamline criminal proceedings; and (f) prevention of illegal or arbitrary detention by law enforcement agents.

STATEMENT OF THE PROBLEM

This study was focused on the characterization of Persons Deprived of Liberty (PDLs) at Ilagan District Jail, Ilagan, Isabela. Specifically, it sought to answer the following questions:

1. What is the profile of the respondents in terms of:
 - 1.1 Age
 - 1.2 Sex
 - 1.3 Civil Status
 - 1.4 Religion
 - 1.5 Highest Educational Attainment
 - 1.6 Occupation before Detention
2. What was the crime committed by the PDLs?
3. What is the status of the case of the PDLs as to:
 - 3.1 Arraignment Status
 - 3.2 Number of hearings
 - 3.3 Number of years in jail
4. What circumstance that has led to the commission of the crime?
5. Is there a relationship on the crimes committed when grouped according to select profile variables?

METHODOLOGY

This study employed the descriptive-correlational research design. It was used particularly to describe the profile of the Persons Deprived of Liberty (PDLs) at Ilagan District Jail, Ilagan, Isabela to determine the relationship among the profile variables, the status of the case and the circumstance that has led to the commission of the crime.

The primary tool in gathering the needed data was the questionnaire. The questionnaire was constructed by the researchers and pre-tested to determine the validity of the questions. Results of the pre-test were the basis of revising some questions not properly understood during the pre-test.

The data were tabulated, analyzed and interpreted by the researchers using descriptive statistics such as frequency counts, percentages and Pearson r'.

RESULTS AND DISCUSSIONS

Profile of the Respondents

Table 1. Frequency and Percentage Distribution of the Respondents' Profile as to Age

Age	Frequency	Percentage
Below 18 years	3	2.45
18-27 years old	32	26.22
28-37 years old	36	29.5
38-47 years old	30	24.59

The frequency and percentage distribution of the respondents' profile as to age is shown in Table 1. A frequency of 36 or 29.50 percent belongs to the age brackets of 28-37. The lowest frequency of 3 or 2.45 percent belongs to the bracket of 18 years of age or more. The data imply that respondents are relatively young when they got involved in the commission of crimes.

Table 2. Frequency and Percentage Distribution of the Respondents' Profile as to Sex

Sex	Frequency	Percentage
Male	122	100
Female	-	-
Total	122	100

Table 2 shows the frequency and percentage distribution of the respondents' profile as to sex. All the respondents are males which imply that male respondents are more prone to commit crimes compared to women.

Table 3. Frequency and Percentage Distribution of the Respondents' Profile as to Civil Status

Civil Status	Frequency	Percentage
Single	60	49.18
Married	55	45.08
Separated	2	1.63
Widow/er	5	4.09
Total	122	100

As presented in Table 3, a frequency of 60 or 49.18 percent of the respondents is single. The data imply that individuals who are single are more carefree in life compared to married respondents.

Table 4. Frequency and Percentage Distribution of the Respondents' Profile as to Religion

Religion	Frequency	Percentage
Roman Catholic	49	40.16
Iglesia Ni Cristo	68	55.73
United Methodist Church	-	-
Born Again	2	1.63
Others	3	2.45
Total	122	100

As presented in Table 4, 68 of the respondents or 55.73 percent are members of the Iglesia ni Cristo. This implies that Iglesia ni Cristo is most dominated religion in this part of the province.

Table 5. Frequency and Percentage Distribution of the Respondents' Profile as to Highest Educational Attainment.

Highest Educational Attainment	Frequency	Percentage
Elementary Level / graduate	53	43.44
HS Level / graduate	49	40.16
College Level / graduate	19	15.57
Post Studies Level / graduate	1	0.81
Total	122	100

The frequency and percentage distribution of the respondents' profile as to highest educational attainment is presented in Table 5. A frequency of 53 or 43.44 percent reached /finished elementary followed by high school level or graduate with a frequency of 49 or 40.16 percent. The data imply that most of the respondents have undergone formal basic education.

Table 6. Frequency and Percentage Distribution of the Respondents' Profile as to Occupation before Detention

Occupation before Detention	Frequency	Percentage
Farmer	33	27.04
Government Employee	16	13.11
Self-Employed	55	45.08
OFW	1	0.81
Others (not employed)	17	13.93
Total	122	100

The frequency and percentage distribution of the respondents' profile as to occupation before detention is presented in Table 6. Majority of the respondents were self-employed before the commission of the crimes which implies that do not have permanent jobs as a source of living.

Table 7. Frequency and Percentage Distribution of the Crime Committed by the Respondents

Crime committed	Frequency	Percentage
Crimes against persons	63	51.63
Crimes against property	4	3.27
Crimes against Special Laws	48	39.34
Others (kidnapping, estafa)	7	5.73
Total	122	100

Table 7 presents the frequency and percentage distribution of the crime committed by the respondents. As presented, 63 or 51.63 percent of the respondents committed crimes against persons like "murder, homicide, rape, physical injuries and the like" followed by a frequency of 48 or 39.34 percent on crimes against special. The data imply that majority of the respondents got involved on crimes against persons punishable by the Revised Penal Code and special laws (like RA 9165) wherein the penalty is heavier compared to those crimes punishable under the RPC.

Table 8. Frequency and Percentage Distribution on the Status of the Case of the Respondents as to Arraignment

Arraignment Status	Frequency	Percentage
Yes	99	81.14
Not Yet	23	18.85
Total	122	100

Majority of the respondents with a frequency of 99 or 81.14 percent have been arraigned on the cases filed against them is presented in Table 8 which implies that most of the PDLs have been asked by the court if they pleaded guilty or not on the crime charged.

Table 9. Frequency and Percentage Distribution on the Status of the Case of the Respondents as to Number of Court Hearings

Number of Court Hearings	Frequency	Percentage
0	-	-
1 - 5	113	92.62
6 - 10	7	5.73
11 - 15	2	1.63
16-20	-	-
21 or more	-	-
Total	122	100

The frequency and percentage distribution on the status of the case of the respondents as to number of court hearings is presented in Table 9. As gleaned from the table, a frequency of 113 or 92.62 percent attended court hearings falling within the bracket of 1 to 5 times. The data imply that most of the PDLs have attended several court hearings for the cases filed against them and are awaiting final judgment from the court.

Table 10. Frequency and Percentage Distribution on the Status of the Case of the Respondents as to Duration of Stay in Jail

Duration of Stay in Jail	Frequency	Percentage
Below 1 month	6	4.91
1-6 months	21	17.21
6 months 1 day-12 months	31	25.4
1 year 1 day to 2 years	14	11.47
2 years 1 day to 3 years	23	18.85
3 years 1 day and more	26	21.31
Total	122	100

Table 10 presents the frequency and percentage distribution on the status of the case of the respondents as to duration of stay in jail. The highest frequency of 31 or 25.40 percent of the respondents stayed in jail falling within the bracket of 6 months 1 day-12 months. The data imply that most of the respondents have been in jail for quite some time for the court trials on the crimes charged against them.

Table 11. Frequency and Percentage Distribution on the Circumstance that has led to the Commission of the Crime

Circumstance that has led to the Commission of the Crime	Frequency	Percentage
Revenge	2	1.63
Alleged Suspect	69	56.55
Jealousy	1	0.81
Poverty	4	3.27
Self-Motivated Interest	13	10.65
Self-defense	13	10.65
No reason	5	4.09
Others (Grudge)	15	12.29
Total	122	100

The frequency and percentage distribution on the circumstance that has led to the commission of the crime is presented in Table 11. A frequency of 69 or 56.55 percent of the respondents claimed that they were "alleged suspects" for the crime charged against them. The data imply that majority of the respondents have common.

Table 12. Test of Relationship on the Crimes Committed and the Profile of Respondents

Profile	r' value	Decision
Age	-0.071	Reject
Civil Status	0.028	Reject
Religion	-0.003	Reject
Highest Educational Attainment	0.255	Accept
Occupation before Detention	0.23	Reject

± .178 critical value .05

The test of relationship between the crimes committed and the profile of the respondents at Ilagan District Jail is presented in Table 12. As shown on the result, the r' value of .255 for "highest educational attainment" and r' value of .230 for "occupation before detention" are higher than the critical value of .178. It implies that there is a significant relationship between the crimes committed and the highest educational attainment and occupation before detention of the PDLs. This implies further that the null hypothesis is accepted for both highest educational attainment and occupation before detention profile whereas all other profile variables have nothing to do with the commission of the crime which implies that the null hypothesis is rejected. The data furthermore imply that less educated individuals are more prone to get involved in the commission of crimes.

CONCLUSION

Based from the findings of the study, it can be concluded that the highest educational attainment and occupation of the respondents have something to do in the commission of the crime. All other profile variables have no significant relationship to the commission of the crimes.

RECOMMENDATIONS

In the light of the foregoing findings, the researchers have the following recommendations to offer:

1. Reintegration programs should be strengthened.
2. Measures to decongest the different jails must be undertaken.
3. Speedy trial must be done free the innocent and incarcerate the guilty.
4. Improve delivery of services to transform PDLs to become better individuals during reintegration.
5. Providing more job opportunities in order to minimize the possibility of committing crimes.

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Characterization of Persons Deprived of Liberty (PDLs) at Aparri District Jail, Aparri, Cagayan

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ABSTRACT

The Bureau of Jail Management and Penology (BJMP) as a line bureau of the Department of the Interior and Local Government (DILG) as provided under Republic Act 6975 of 1990 mandated to safeguard and rehabilitate all persons deprived of their liberty for whatever reason for their detention. These PDLs have been taken out of their normal environment and are no longer allowed to manage their own lives. There are factors needed to be given attention such as their individual characteristics (sex, age, etc.), the general situation in which they are detained, the reason for their detention, and the stage they are at in any judicial or administrative process and by whom they are being held. A total of one hundred seven (107) PDLs were used as respondents of the study representing 100 percent of its total population. The researcher made use of a questionnaire to gather the needed data from the respondents. Interview was also conducted in order to verify some vague answers on the questionnaire. Results of the study, majority belong to the age bracket of 18-27 years of age, males, and are married, they belong to the Roman Catholic, most reached and finished high school and during the commission of the crimes, many were self-employed. In terms of the crimes committed by the PDLs, most have crimes against special laws, majority of them were already arraigned, and mostly have attended 1-5 hearings, have stayed in jail for one year 1 month - 6 months. In addition, most circumstance noted was "self-motivated interest". It can be concluded that PDLs came from all walks of life as seen in the profile of respondents. The highest educational attainment and occupation of the respondents have something to do in the commission of the crime.

KEYWORDS: *offenders, Crimes, Persons Deprived of Liberty (PDLs), Court, Court Trial, Safekeeping, Rehabilitation, Arraignment, District Jail, Characterization, Judgment, Special Laws.*

INTRODUCTION

The Bureau of Jail Management and Penology (BJMP) as a line bureau of the Department of the Interior and Local Government (DILG) as provided under Republic Act 6975 of 1990 mandated to safeguard and rehabilitate all persons deprived of their liberty for whatever reason for their detention. These PDLs have been taken out of their normal environment and are no longer allowed to manage their own lives. There are factors needed to be given attention such as their individual characteristics (sex, age, etc.), the general situation in which they are detained, the reason for their detention, and the stage they are at in any judicial or administrative process and by whom they are being held.

The IACHR noted in its report on the situation of human rights in Mexico that most cases of torture and cruel, inhuman and degrading treatment take place in the context of the administration of justice, mainly during the stage of the preliminary investigation of crimes as a method to obtain confessions from alleged defendants or to intimidate them, with the culprits of these acts usually being both state and federal judicial police, the Office of the Public Prosecutor, and members of the armed forces. This general pattern in Mexico has also been observed in a significant number of hearings, petitions and cases examined by the Inter-American human rights system and have been the subject of consistent pronouncements of UN human rights protection mechanisms. During the working visit to Ecuador of the Rapporteur on the Rights of Persons Deprived of Liberty, some non-governmental organizations noted that the practice of torture for purposes of criminal investigation and mistreatment committed by police agents still persists. In this regard, the Federation of Women of Sucumbios claimed that cases of physical and psychological abuse have been reported at the Provisional Detention Center of Lago Agrio (such as the practice of "submarining," electric shocking on genitals and beatings of hooded detainees).

Additionally, the Ecumenical Human Rights Commission (CEDHU) stated that it is common to find in the dungeons (underground holding cells) of the Judicial Police and the Anti-drug Unit people who have been victims of torture investigation processes. According to reports, these people often are not provided medical care so that no evidence remains of the torture, and are only transferred to the prisons of the penitentiary system after the physical traces of torture have disappeared.

United Nations (2010), the existence of inherited institutional practices and a culture of violence firmly rooted in the security forces of the State. The institutionalized acceptance that abuse of detainees amounts to a valid procedure calls for a solid torture prevention framework. This framework must be taken seriously, and not merely as a mechanical and superficial exercise to fulfil a requirement. Effective respect for human rights requires a system in which all members are trained on the principles relating to democracy and human rights. This message of respect during training must be backed by the determination and commitment to investigate complaints of torture and abuse, and to prosecute and punish those responsible. This type of act requires official condemnation by the authorities, who must send a consistent message that such behavior shall be repudiated by all means of administrative, disciplinary and criminal proceeding. Moreover, constant use of violence by prison staff is tantamount to institutional validation or approval of such use, and this has a direct bearing on the high incidence of inmate-to inmate violence.

The humane treatment of PDLs is made even more challenging in prisons that are neglected, overcrowded or in the grip of prison gangs. The shortcomings in facilities, procedures and processes

often affect all PDLs to some degree, regardless of other factors. In addition, many authorities impose severe restrictions on PDLs, and are increasingly resorting to segregation and isolation.

The different jails as a place of confinement for PDLs under investigation for violation of law, or those awaiting or undergoing trial, or those awaiting final judgment, generally three years and below. Jails include provincial, and the district, city and municipal jails all are under the Department of the Interior and local Government (DILG). These jail facilities are scattered in every municipality, city and district of the seventeen administrative regions of the country. Hence, the conduct of this study. **STATEMENT OF THE PROBLEM** This study focused on the characterization of Persons Deprived of Liberty (PDLs) at Aparri District Jail, Aparri, Cagayan. Specifically, it sought to answer the following questions:

1. What is the profile of the respondents in terms of:

- 1.1 Age
- 1.2 Sex
- 1.3 Civil Status
- 1.4 Religion
- 1.5 Highest Educational Attainment
- 1.6 Occupation before Detention

2. What was the crime committed by the PDLs?

3. What is the status of the case of the PDLs as to:

- 3.1 Arraignment Status
- 3.2 Number of hearings
- 3.3 Number of years in jail

4. What circumstance that has led to the commission of the crime?

5. Is there a relationship on the crimes committed when grouped according to select profile variables?

METHODOLOGY

This study employed the descriptive-correlational research design. It was used particularly to describe the profile of the Persons Deprived of Liberty (PDLs) at Aparri District Jail, Aparri, Cagayan to determine relationship among variables, the status of the case and the circumstance that has led to the commission of the crime. The primary tool in gathering the needed data was the questionnaire. The questionnaire was constructed by the researcher and pre-tested to determine the validity of the questions. Results of the pre-test were the basis of revising some questions not properly understood during the pre

test. The data were tabulated, analyzed and interpreted by the researcher using descriptive statistics such as frequency counts and percentages.

RESULTS AND DISCUSSIONS

Profile of the Respondents

Table 1. Frequency and Percentage Distribution of the Respondents' Profile as to Age

Age	Frequency	Percentage
Below 18 years	-	-
18-27 years old	35	32.71
28-37 years old	25	23.36
38-47 years old	30	28.03
48-57 years old	17	15.88
58 or more	-	-
Total	107	100

Table 1 shows the frequency and percentage distribution of the respondents' profile as to sex. As shown in the table, majority are in the age bracket of 18-27 followed by age bracket of 38-47 which imply that PDLs are relatively young to commit crime.

Table 2. Frequency and Percentage Distribution of the Respondents' Profile as to Sex

Sex	Frequency	Percentage
Male	107	100
Female	-	-
Total	107	100

Table 2 shows the frequency and percentage distribution of the respondents' profile as to sex. The jail has 107 or 100 percent male PDLs which imply that males are more vulnerable to the commission of crime compared to female.

Table 3. Frequency and Percentage Distribution of the Respondents' Profile as to Civil Status

Civil Status	Frequency	Percentage
Single	48	44.85
Married	49	45.79
Separated	8	7.47
Widow/er	2	1.86
Total	107	100

As gleaned in Table 3, the data show that Aparri District jail has 49 or 45.79 percent married, 48 or 44.85 percent single PDLs, and 8 or 7.47 are separated and 2 or 1.86 are widower. In total, married people are more vulnerable in committing crimes compared to unmarried individuals.

Table 4. Frequency and Percentage Distribution of the Respondents' Profile as to Religion

Religion	Frequency	Percentage
Roman Catholic	97	90.65
Iglesia Ni Cristo	4	3.73
United Methodist Church	1	0.93
Born Again	2	1.86
Others ()	3	2.8
Total	107	100

Table 4 presents the frequency and percentage distribution of the respondents' profile as to religion. Majority of the respondents are Roman Catholics with a frequency of 97 or 90.65 percent. The data imply that Roman Catholic is the most dominated religion in the area.

Table 5. Frequency and Percentage Distribution of the Respondents' Profile as to Highest Educational Attainment.

Highest Educational Attainment	Frequency	Percentage
Elementary Level / graduate	30	28.03
HS Level / graduate	66	61.68
College Level / graduate	7	6.54
Post Studies Level / graduate	4	3.73
Total	107	100

Table 5 presents the frequency and percentage distribution of the respondents' profile as to highest educational attainment. As presented, majority of the respondent at Aparri Jail District reached or finished high school with a frequency of 66 or 61.68 percent and the lowest frequency of 4 or 3.73 percent has reached post graduate studies.

Table 6. Frequency and Percentage Distribution of the Respondents' Profile as to Occupation before Detention.

Occupation before Detention	Frequency	Percentage
Farmer	24	22.42
Government Employee	2	1.86
Self-Employed	75	70.09
OFW	1	0.93
Others (studying)	5	4.67
Total	107	100

As gleaned from Table 6, the frequency and percentage distribution of the respondents' profile as to occupation before detention is presented. Majority of the PDLs at Aparri District Jail are self-employed with a frequency of 75 or 70.09 percent while a frequency of 1 or 4.67 percent is an OFW which imply that majority of the PDLs do not have permanent jobs before being detained in jail.

Table 7. Frequency and Percentage Distribution of the Crime Committed by the Respondents

Crime committed	Frequency	Percentage
Crimes against persons	41	38.31
Crimes against property	8	7.47
Crimes against Special Laws	56	52.33
Others (kidnapping, carnapping, etc)	2	1.86
Total	107	100

Table 7 presents the frequency and percentage distribution of the crime committed by the respondents. As presented, Aparri District Jail has a frequency of 56 or 52.33 percent of the respondents committed crimes against special laws whereas the lowest frequency of 2 or 1.86 percent charged with kidnaping and carnapping. The data imply that respondents are more susceptible to violating special laws which require stricter penalties and higher fines or both.

Table 8. Frequency and Percentage Distribution on the Status of the Case of the Respondents as to Arraignment

Arraignment Status	Frequency	Percentage
Yes	106	99.06
Not Yet	1	0.93
Total	107	100

The frequency and percentage distribution on the status of the case of the respondents as to arraignment is presented in Table 8. Majority or 99.06 percent of the respondents were already arraigned by the court on the cases filed against them. The data imply that their cases are set eventually for court trials before pronouncement of judgment.

Table 9. Frequency and Percentage Distribution on the Status of the Case of the Respondents as to Number of Court Hearings

Number of Court Hearings	Frequency	Percentage
0	17	15.88
01-May	43	40.18
06-Oct	29	27.1
Nov-15	5	4.67
16-20	1	0.93
21 or more	12	11.21
Total	107	100

The frequency and percentage distribution on the status of the case of the respondents as to number of court hearings is presented in Table 9. As gleaned from the table, majority or a frequency of 43 or 40.18 percent of the respondents have attended court hearings within the bracket of 1 to 5 times during their stay in jail with the lowest frequency of 1 or .93 percent who has attended court hearings falling within the bracket of 16 to 20 times. The data imply that most of the PDLs have their days in court from the time they were arraigned which implies further that the wheel of justice is moving forward.

Table 10. Frequency and Percentage Distribution on the Status of the Case of the Respondents as to Duration of Stay in Jail

Duration of Stay in Jail	Frequency	Percentage
Below 1 month	6	5.6
1month - 6 months	62	57.94
6months 1 day-12 months	27	25.23
1 year 1 day to 2 years	9	8.41
2 years 1 day to 3 years	2	1.86
3 years 1 day and more	1	0.93
Total	107	100

Table 10 presents the frequency and percentage distribution on the status of the case of the respondents as to duration of stay in jail. As shown on the table, 62 or 57.94 percent of the respondents have stayed in jail falling within the bracket of 1-6 months. The lowest frequency of 1 or .93 percent has stayed in jail for 3 years 1 day and more. The data imply that respondents have been in jail for a while waiting for the final judgment of the cases filed against them.

Table 11. Frequency and Percentage Distribution on the Circumstance that has led to the Commission of the Crime

Circumstance that has led to the Commission of the Crime	Frequency	Percentage
Revenge	3	2.8
Alleged Suspect	27	25.23
Jealousy	13	12.14
Poverty	4	3.73
Self-Motivated Interest	35	32.71
Self-defense	4	3.73
No reason	4	3.73
Others	17	15.88
Total	107	100

The frequency and percentage distribution on the circumstance that has led to the commission of the crime is presented in Table 11. Majority or 32.71 percent of the respondents answered that "self-motivated interest" was the prime reason that led them in the commission of the crimes charged against them followed by being an "alleged suspect" with a frequency of 27 or 25.23 percent. The data imply that PDLs have varied reason or circumstances that led to the commission of crimes.

Table 12. Test of Relationship on the Crimes Committed and the Profile of Respondents

Profile	r' value	Decision
Age	0.078	reject
Civil Status	0.029	reject
Religion	0.144	reject
Highest Educational Attainment	0.194	accept
Occupation before Detention	0.252	accept

± .190 critical value .05

The test of relationship between the crimes committed and the profile of the respondents at Aparri District Jail is presented in Table 12. As shown on the result, the r' value of .194 for "highest educational attainment" and r' value of .252 for "occupation before detention" are higher than the critical value of .190. It implies that there is a significant relationship between the crimes committed and the highest educational attainment and occupation before detention of the PDLs. This implies further that the null hypothesis is accepted for both highest educational attainment and occupation before detention profile whereas all other profile variables have nothing to do with the commission of the crime which implies that the null hypothesis is rejected. The data furthermore imply that less educated individuals are more prone to get involved in the commission of crimes.

CONCLUSION

Based from the findings of the study, it can be concluded that PDLs came from all walks of life as seen in the profile of respondents. The highest educational attainment and occupation of the respondents have something to do in the commission of the crime.

RECOMMENDATIONS

In the light of the foregoing findings, the researcher has the following recommendations to offer:

1. Information dissemination of the functions of the criminal justice system must be done in order to help individuals not to get involved in crimes.
2. Providing more job opportunities in order to minimize the possibility of committing crimes.
3. Decongest measures must be given more attention in the different jails.
4. Speedy trial must be done in order to free the innocent and incarcerate the guilty.
5. Improve delivery of services to transform PDLs to become better individuals during reintegration.

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Distribution of Buddhism in the World and in Central Asia

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ABSTRACT

ANNOTATION. *The article describes the emergence of Buddhism, Buddhist mythology and written sources, four noble truths, the eightfold path, the most important categories of Buddhism, the main trends in Buddhism: Mahayana, Hinayana, Lamaism, the spread of Buddhism in the world and in Central Asia and regional features of Buddhism. The article analyzes the chain of causal occurrence of evil, the Buddha taught, consists of 12 members: the suffering of life is due to birth; birth - the pursuit of life; the pursuit of being - mental attachment to objects; attachment to objects - thirst, desire for things; thirst - by sensory perception; sensory experience - sensual contact with objects; sensual contact by the six organs of knowledge; six organs of knowledge - the embryonic period of development of an organism consisting of mind and body; the embryo cannot develop without the original consciousness; the original consciousness is conditioned by the impressions of the past life; these impressions are due to the twelfth link of the chain - ignorance of the truth. The article explores the noble eightfold path of the Buddha: Right views. Since ignorance and its consequences are the root cause of human suffering, for moral perfection one must first of all have the right views, i.e. to know the truth. The right views are the right understanding of the four noble truths; Proper determination. Knowledge of truths is useless without the determination to transform one's life in accordance with noble truths; Right speech. Proper determination should not remain just "religious desire", but should be translated into action; The correct behavior. The right determination not only produces the right speech, but is also embodied in the right action. The correct behavior is to refuse to destroy the living, to steal, from improper sense gratification; Correct lifestyle; The right direction of thought. A person must constantly remember what has already been learned. He should never think: "this is me" or "this is mine"; Proper concentration. A person who correctly conducts his life according to the indicated rules is freed from all passions and evil thoughts and goes through four stages of concentration that lead him to the cessation of suffering.*

BASIC EXPRESSIONS: *Buddhism, mainstream, Mahayana, Hinayana, Lamaism, mythology, written sources, ceremonies, distribution.*

INTRODUCTION

Buddhism is the most ancient world religion that originated in India in the VI-V centuries BC. Translated from Sanskrit and Pali the word buddha (buddha) means "enlightened", "awakened". This religion is one of the three major religions of modern China. Favorable conditions emerged for the emergence of Buddhism: by this time Indian culture had a written language, developed art forms, and a rich system of religious beliefs (Brahmanism, Vedism). A number of fundamental concepts and doctrines of Vedism absorbed Buddhism. This is the doctrine of karma, samsara, samskar, dharma, etc., as well as the Vedic symbolism, the worship of some plants and animals, the majority of family and domestic traditions [1:24].

The consecrated caste system with unchanged borders came into conflict with major changes in social relations associated with the redistribution of power (claims to kshatriya power from peripheral areas), the transition to large forms of slavery, the intensification of slave labor, all this led to the creation of powerful empire of Magadha – empire, but on the other hand exacerbated social contradictions. Most of the population of India felt that "life is suffering". Later this fact will be formalized by the Buddha as the first noble truth. Such was the situation in the Shakya tribe in the North-East of India, where Prince Siddhartha Gautama, the founder of Buddhism, was born in the noble family of Gotama [6:12]. There is no exact information about the date of his birth. According to some archaeologists and the Southern Pali tradition, this happened in 623 BC. The celebration of the 2500th anniversary of the nirvana of the Buddha in 1956 was timed to this date. From this year is the Buddhist chronology. Northern Mahayana tradition considers otherwise, but most schools agree on the date 380 BC. er European researchers believe that the period 380-410 BC. is archaeologically and culturally and historically. more reasonable.

PURPOSE OF RESEARCH

Buddhist mythology tells us that the birth of a prince was not the first birth of a Buddha [2:34]. According to legend, the future Buddha was reborn a total of 550 times. 83 times he was holy, 58 times – tsar, 24 – monk, 18 – monkey, 13 – merchant, moreover, fish, rat, carpenter, hare, etc. last time in the kshatriya family and fulfill your mission, i.e. teach ways to achieve nirvana. That is why he was called Siddhartha (He who achieved the goal). According to Buddhist mythology, a wandering ascetic astrologer predicted that a great future awaits Prince Siddhartha: either he will become a powerful ruler, able to establish a righteous order on earth, or he will be a great recluse. Shuddhodana's father wished his son to follow the first path he had predicted.

The father did everything possible to ensure that the prospect of becoming a hermit ascetic did not come true: he surrounded his son with unprecedented luxury so that he would never learn about the sufferings of the world. But the father's efforts were in vain. With the help of his servant, the prince secretly got out of the palace. Once there he met a patient and realized that there are diseases in the world. Then he saw an old man and realized that youth is not eternal. Later, Siddhartha observed a funeral procession and learned of death. Then he saw a hermit monk who was trying to escape from the suffering of this world, leading a solitary and contemplative life.

At 29, he decided to go the same way. After leaving the palace, family, Siddhartha became a wandering recluse (shramana). He quickly mastered the difficult ascetic practice of controlling breathing, feelings, the ability to endure hunger, heat and cold, learned to go into a trance, that is, reached a special state when he penetrated deeper into his sensations, became detached from the outside world. However, his feeling

of dissatisfaction did not leave him, since all this did not help Siddhartha to find the answer to the question: how to stop suffering?

After six years of ascetic practice and another unsuccessful attempt to attain the highest insight through starvation, he became convinced that the path of self-torture would not lead to the truth. Then, having regained his strength, he found a lonely place under the tree (which from that time is called the Bodhi tree, i.e., the "Tree of Enlightenment") and plunged into contemplation. His own past lives, the past, future and present life of all living beings, passed before Siddhartha's inner eye, and then the ultimate truth was revealed. The Buddha realized that life immersed in desires, worldly pleasures, this life is low, useless. The other extreme \neg life in self-torture. This life is also useless. The correct one is the middle path leading to peace, higher knowledge, enlightenment, nirvana. From that moment on, he became the Buddha, i.e. Enlightened or Awakened. Buddha decided to teach this path to people seeking relief from suffering [3:56]. As a result, his doctrine of the four noble truths was formed:

1. About suffering. The truth is that there is suffering. The whole existence of man is dukkha, i.e. suffering, dissatisfaction, disappointment. Birth is suffering, old age is suffering, illness is suffering, death is suffering. Connection with the unforgive \neg suffering. Separation with sweet \neg suffering. Lack of desire is suffering: a person wants life to be free from difficulties and suffer from the fact that it is not so. Constant rebirth multiplies this suffering.

2. About the cause of suffering. The cause of suffering from dissatisfaction with life, from the fact that it is impossible to get everything at once, that it is impossible to live forever, etc. \neg this is tanha, i.e. thirst for life, sensual pleasures, selfish attachment to something or someone. This thirst is limitless and insatiable. Evil is not in the desire itself as such, but in its selfish character.

3. On the elimination of the cause of suffering. Suffering can be destroyed. This is the destruction of thirst and passion through enlightenment, which makes it possible to get out of the circle of rebirths. Getting rid of such a selfish desire is overcoming it. To destroy the thirst for desire is to free oneself from his captivity and the sufferings associated with it.

4. On the way to the cessation of suffering. There is a path leading to the destruction of suffering. This is the way of self-deepening and approaching the main goal of liberation from the desire of everything, including from our own passions. This is a cure for self-discipline.

To achieve this goal, the Eightfold Path was developed:

1. The righteous knowledge of the four noble truths.
2. Righteous intentions to make a firm decision to learn self-discipline.
3. Righteous words. Words \rightarrow a reflection of character. Righteous words are, above all, true words. Self-discipline dictates that you honestly admit to yourself: how often a person tells a lie and ponder why this is so. And also to make words more merciful, in every possible way to avoid lies, idle chatter, insults and tactlessness.
4. Righteous acts are those that are in accordance with the principle of not causing evil. In this case, Buddhist self-discipline prescribes to curb anger, which can lead to injury or killing of living beings; do not steal, because it harms the community of which everyone is a part; curb sexual attraction outside of marriage, which corrupts the soul; avoid lying In Buddhism, any form of lies has no excuse. Refrain from intoxicating substances, as they do not allow you to fully control yourself mentally and physically.
5. Righteous way of life - compliance with the moral code in everyday life, in professional activities, in social life. Therefore, Buddhist studies are generally not related to the slave trade, the manufacture and trafficking of weapons, drugs, prostitution, or other forms of deviant behavior. Buddhist studies must be noble.
6. Righteous efforts mean a patient and persistent path to the intended goal, which requires great effort: self-education and self-control.
7. Righteous attention, that is, active attention vigilance. Buddhism has developed a system of exercises \rightarrow concentration and meditation, teaching to focus on one subject as if nothing else exists.
8. Righteous contemplation consists in choosing the right methods of contemplation and meditation.

The Buddha also identifies ten great obstacles to Nirvana [4:26]:

1. The personality illusion. 2. Doubt. 3. Sueverie. 4. Body passion. 5. Hate. 6. Attachment to life. 7. Desire for pleasure and tranquility. 8. Gordost. 9. Self-satisfaction. Ignorance.

The most important categories of Buddhism are also concepts that are the three main characteristics of being (trilaksha) in Buddhism: suffering (duhkha), variability (anitya) and the absence of unchanging soul (anatman) [5: 326]. The spirit was discussed in the first noble truth. In a changeable world there can be no changeable soul. It changes during life and after rebirth. In the context of Buddhism, man consists of dharma particles that make up the stream of consciousness. Conventionally, it is divided into five skandhas: body (rupa), sensations, feelings (vedana), recognition (sanjnia), karmic impulses [51] (sanskara) and consciousness (vijnana). After death, most of the skandh collapses. Buddhism teaches that the essence of man is unchanged; under the influence of his actions, only the being of a person and

the perception of the world change. By doing badly, he reaps sickness, poverty, humiliation. Acting well, feels joy and peace. The main role in the formation of karma Buddhism assigns thoughts, since words and deeds are secondary to consciousness. Buddhists believe that every thought, every word and deed leaves its karmic mark that leads a person to the next incarnation.

Buddhist morality refers to the so-called. "10 dark deeds" and "10 light virtues" [7:76]. The 10 dark deeds include: murder, theft, adultery; lies, slander, insult in a word, frivolous speech; greed, ill will, ignorance.

In the first centuries of its existence, Buddhism was divided into 18 sects, the differences between them led at the beginning of our era to the division of Buddhism into two branches: Hinayana ("Small chariot") and Mahayana ("Big chariot"). Hinayana established itself mainly in the southeastern countries and received the name of southern Buddhism, and Mahayana – in the northern countries, receiving the name of northern Buddhism [8: 231].

Mahayana is more popular, it has more admirers, it is characterized as "a wide circle of salvation". It is more comprehensible and its rituals are simpler, it does not require asceticism and asceticism, the main attention is paid to listening to sermons, participation in public and state activities. Going beyond India, Mahayana spawned many currents. An important role in it is the cult of bodhisattvas. This is how they called outstanding personalities who could enter nirvana and not be born again, but refused it in order to live and help those who wish to acquire nirvana. The cult of bodhisattvas somewhat complicated the ritual: new prayers, spells, sacrifices and lush rituals appeared. Consequently, the number of priests increased. Hinayana rejects the path of salvation for those who did not become a hermit monk. It is more closely associated with early Buddhism.

During his life, the Buddha taught various methods, but they were recorded only after the Buddha left. The life story of the Buddha is based on a number of Buddhist texts, including "Lalitavistara Sūtra" *8: 212+. The first texts mentioning the Buddha appeared 400 years after his death. The monks of each century increasingly embellished the biography of the Buddha, added unspecified information. The main source of Buddhism – "Tripitaka" (Three baskets) is also recorded much later. The origin of the name "Tripitaka" is traditionally explained by the fact that the scrolls of texts were stored in three baskets. But it is possible that even before the recording of all texts, the word "pitaka" was used in Sanskrit and fell in a figurative sense to designate a collection, a collection of something.

Different Buddhist texts were recorded in different languages and in different styles. The monks say that the Buddha himself advised him to keep his teachings in the language that is accepted in this society, taking into account the style inherent in this society. At the same time, special significance should be attached to the meaning; the text should not need additional interpretation.

Discrepancies in the interpretation of the main provisions of Buddhism led to the division of Hinayana into 18 schools [9:76]. The Theravada School, for example, once in Sri Lanka and Southeast Asia, kept its teachings in the Pali language, and the Sarvastivada School, which became popular in Central Asia, used Sanskrit. The Hinayana contains fundamental teachings, also recognized by the Mahayana. Namely, all the teachings of karma (the law of retribution, a causal relationship); all the rules of ethical self-discipline, including the rules of monastic discipline for monks and nuns; analysis of mental and emotional spheres; instructions on how to develop the ability to concentrate, as well as how to achieve wisdom, to overcome delusions and see reality. The Hinayana teachings contain many theoretical questions, such as, for example, ways to develop feelings of love and compassion. Unlike monks, the lay people of the Mahayana offered a simple ethical code, which was as follows: 1. Refrain from killing. 2. Refrain from stealing. 3. Refrain from fornication. 4. Refrain from lying. 5. Avoid exciting drinks.

Buddhists believe that not all truth is useful. They explained this idea with the help of a comparison: as much as the bundle of leaves squeezed in a hand is the least amount of leaves in the forest, so much of the truth revealed by the Buddha to his disciples is less than the truth that he knew himself, but did not consider it necessary to reveal to people as it is useless to them. The monks say that the Buddha himself explained this thought with the following comparison: if a person wounded by a poisoned arrow, instead of being treated, asks about what enemy he was wounded for, what kind of tribe he is, caste, who is his father and mother, etc. ., he will die from the wound, not having time to consult a doctor. Consequently, the seeker of salvation from the sufferings of life should not ask useless questions about the essence of the world, its origin, etc., but follow the indicated path of virtue, bearing in mind the eightfold path [10:56].

By the XII-XIII centuries. Buddhism in India practically declines and moves to other regions of Asia, acquiring a local tint. So in Tibet and Mongolia in the XII-XV centuries on the basis of the Mahayana Lamaism was established. The ethics of Lamaism includes the universal norms of morality and the rights and commandments of most religions: do not kill, do not take someone else, do not lie, do not drink, do not commit adultery. As well as virtues: generosity, goodness, humility, etc. European religion since the second half of the twentieth century does not use the term Lamaism, preferring to call it Tibetan (Mongolian, Buryat) Buddhism.

The spread of Buddhism in Asia began even before the new era. C III. BC e. Buddhism appeared on the territory of Central Asia, from the 1st century BC. n e- in China, from the II. –in the Indochina Peninsula, from the IV c. – in Korea, from the VII century. – in Tibet, from the XII century. – in Mongolia. Using its main principle – not to violate the established cultural traditions of different countries and peoples and, if possible, to grow together with them, Buddhism quickly integrated into the local culture, acquired a national coloring.

In Japan, in the 8th century, the monk Saichō founded a school of Tendai-shū. Separate dogmas of his teachings led to the emergence of new trends, for example, recognition of the exclusiveness of the Lotus Sutra gave rise to the Nichiren school. The full name of the sutra is translated from Sanskrit as the White Lotus Sutra of the Good Law. It is one of the earliest and most authoritative Mahayana texts, written in verse and prose. The basis of the school of Amidaism is belief in Buddha Amida (Amida — the Japanese name of Buddha Amitabha). A number of factors made Amidaism very popular among the Japanese population, mostly rural. 1) The simplicity of the cult. Liberation can be achieved through constant chanting of the mantra: "Namu Amida Butsu" – (Glory to Amida Buddha). 2) simple and understandable dogma 3) refusal of celibacy of monks 4) attractive myths about Buddha Amida, whose name in Sanskrit means – Infinitely radiant Buddha. The school of Japanese Zen Buddhism pays great attention to meditation, emphasizes its role in achieving sudden insight and enlightenment. Zen Buddhism has gone far beyond Japan and is popular among the creative intelligentsia.

In Uzbekistan, during the reign of Kanishka, Buddhism was the state religion, and many Buddhist monasteries were built. One of the areas of Buddhism - Sarvastivada - spread to the inhabited lands in Bactria and Sogdiana. Bactria was located in the area between the Hindu Kush mountains in Afghanistan and the Oxus River (Amu-Darya) and included Afghan Turkestan and part of the territory of modern Turkmenistan. Sogdiana was located mainly in the area between the rivers Oxus and Yaksartes (Syr-Darya) and covered some areas of modern Tajikistan, Uzbekistan and, probably, Kyrgyzstan. In the middle of 1 century. BC. it extended from Kashmir to the north to Khotan in the southern part of the Tarim River Basin in East Turkestan. At the end of 1 c. AD Most of these territories were part of the Kushan Empire, inhabited by the Central Asian peoples of Hun origin, who concentrated in the north-west of India. Kushan King Kanishka was the patron saint of Sarvastivada. During his reign, great cave Buddhist monasteries and scientific centers were built in Bamiyan in Central Afghanistan, as well as in Ajina-Tepa, Kara-Tepa and some other places in southern Tajikistan, near modern Termez. Also during the reign of Kanishka Sarvastivada from Kashmir she fell into Ladakh. The writing of Sarvastivada texts in Sanskrit was completed and work began on translating it into the Hotan language. However, in Central Asia, all Buddhist texts were recorded in Sanskrit.

Currently, Buddhism is spread all over the world. In 1950, the World Brotherhood of Buddhists (VBB) was created in Sri Lanka to bring together modern Buddhist schools and organizations. The headquarters of this organization is located in Bangkok (Thailand). According to the Charter, the Brotherhood promotes the cultural and educational mission of Buddhists in the world, and also recommends that monks give up political activities in order to preserve the purity of Buddhism.

CONCLUSION

In conclusion, Buddhism teaches that dark deeds leave a so-called karmic mark, that is, undesirable consequences in the next life. For example, the reward for greed is the non-fulfillment of desires in the next life, detractors will suffer deformities, numerous diseases, and an abominable character. Bright virtues: generosity, moral actions, meditation, reverence, helpfulness, attribution of his merit to another, ability to enjoy the success of others, following the correct teaching.

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The New Preliminary Development of the Tax System of the Republic of Uzbekistan

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ABSTRACT

ANNOTATION: *This article highlights the ongoing reform of the taxation system in Uzbekistan over the past two years. In particular, they discussed the reduction of the tax burden, the drafting and adoption of a new Tax Code, simplification of the taxation system, and improvement of the tax administration system to a new level.*

KEYWORDS: *taxation, tax burden, types of taxes, tax reform, tax concept, tax administration, tax and mandatory payments.*

From the moment of gaining its independence, Uzbekistan needed funds for state building, independent economic and social policy, and strengthening its sovereignty. The country had to rely only on his strength. The former Soviet Union's state-of-the-nation budget allocation and distribution system, which has been operating for more than 70 years, has failed and there was a need for funding for national resources. In 1991 and 1992 the state budget deficit was up to 50 per cent.

When transferring to market economy system, it was necessary to establish all from 'zero' on tax legislation, to establish tax authorities, to train and form a community of taxpayers. All of these have been accomplished under the conditions of compulsory submission of taxes to prevent the sudden transference in social life.

When Uzbekistan gained its independence, the tax system began to be formed. Taxation was crucial in the setting of statehood - the fate of a young sovereign state largely depended on the effective solution of the task. In a very short period of time, two tasks had to be done at once. First, forming a tax system that is consistent with socioeconomic and political conditions of the younger country and adopting the necessary legal acts on it. Secondly, to create an appropriate system of tax administration.

Despite all the stages of the formation and development of the independent state, the tax system has successfully solved the tasks on the budget, the provision of necessary financial resources, and the provision of economic and social development, a number of systems preventing the level of solvency of

economic development in the field , entrepreneurship and the increase in investment activity, shaping healthy competence competition atmosphere as well as taxation and supporting acceptance of other compulsory payments showed problems. The main directions of the concept of improving the tax policy of the Republic of Uzbekistan in order to eliminate existing systemic problems, to simplify the tax burden and simplify the taxation system, to improve the tax administration, identified in the Action Strategy for the Five Priorities of the Republic of Uzbekistan in 2017-2021. Consequently, the investment capacity of the Republic of Uzbekistan and the creation of a modern taxation system that stimulate the regular growth of the revenues of the state budget. This has led to a new level of taxation of the Republic of Uzbekistan.

The development of our country's tax system for the period up to 2018 has been studied by deviding it into three periods by economists [2]. There are four main stages of the evolutionary development of the national tax system of the Republic of Uzbekistan.

The first stage (1991-1995) is the stage of formation of the tax system. The tax system has been formed under difficult economic conditions: interruptions in economic relations, transition to market relations under centralized distribution of resources, with high level of inflation. All this has affected the results of economic activity, and ultimately, the impact on the budget.

The second phase (1996-2005) - the adaptation of the tax system to market relations. The Government's policy on liberalization and promotion of private businesses has contributed to the economic growth, the increase in the number of taxpayers, and the expansion of the tax base. In contrast to the first stage, our state has been actively promoting its stimulating function, along with its fiscal and redistribution functions for rewards.

The third stage (2006-2017) - Improving the tax system in the context of market reforms and modernization of the economy. At this stage, the market reforms that led to the liberalization of economic activity and the development of small and private businesses became the basis for the development of the tax system.

The fourth stage (from 2018 up to now) is the stage of further improvement of the taxation system on basis of international norms and standard requirements, which is characterized by consistent reduction of tax burden, simplification of taxation system, improvement of tax administration, rapid development of the economy and improvement of investment attractiveness of the country.

From January 1, 2018, measures have been taken to improve tax administration radically, increase tax collection and other compulsory payments, and introduce new tax administration mechanisms [3].

At the same time, the rights of taxpayers began to be systematized. Today, the taxation system is facing new challenges that meet modern requirements [4].

Based on the objectives and measures set forth in the above [5], within the framework of the Concept of Improvement of the Fiscal Policy of the Republic of Uzbekistan, from January 1, 2019 [6]:

a) Firstly, the tax burden on the labor payment fund was reduced by:

The single rate of income tax for all citizens was introduced at the rate of 12 percent, of which 0.1 percent were directed to personal accumulative pension accounts. At the same time, certain categories of citizens will retain the current tax exemption tax rate of 4 times of the minimum monthly wage. At the same time, the insurance premiums were canceled which were deducted from off-budget Pension Funds to citizens' wages.

In 2018, if a monthly wage was from one to five times the minimum, the monthly tax was 7.5 per cent, from five to ten times - up to 16.5 per cent and higher than ten it was 22.5 per cent of monthly wages, it would be too complicated to mess with the raising scale.

In addition, 8% compulsory insurance premium was collected from the salary for off-budget Pension Fund.

According to this arrangement, a large part of the wage tax burden falls on employers - private businesses, small businesses, and entrepreneurs. Let's say that the employee receives a wage of 1 million sums a month from which 300 to 450 sums off for taxation. As a result, excessively heavy tax burden also reduces the employer's ability to create new jobs and to pay current salaries to existing employees as he wishes. In order to avoid these payments, they went on the way to hide the number of real staff and cash payments with the money in "envelope".

The situation has reached such a level that the number of people paying taxes in the country turned up 4.6 million people out of more than 13 million able-bodied population. The remaining millions of our compatriots, who earn money by providing themselves with money, but have never been officially registered, have survived such a clandestine economy. They can not use trade unions provision, buy mortgages, have no future retirement, and the most ardent, the labor law discrimination does not affect these employees. Worse, in the case of untaxed tax, the state budget will be damaged to billions of soums.

Changes in tax policy have now changed dramatically: the tax burden has been drastically reduced, making it simple, transparent, and equally important for employers and workers.

From 1 January 2019 the single tax rate for personal income tax is set at 12 percent, while the average rate of tax on the world is 20 percent.

In particular, the reduction of the single social payment rate up to 12% and the abolition of mandatory deductions to the State Targeted Funds from legal entities created conditions for additional funds to be invested by enterprises.

b) Secondly, the common and simplified taxation of taxpayer taxation, as well as the transition to simplified taxation, with the optimization of taxes on turnover (gross receipts) has been improved through the followings:

obligatory deductions from the turnover (gross receipt) of legal entities have been canceled at the State Targeted Funds;

corporate income tax rate from 14% to 12%, 22% and 20% for commercial banks, as well as lower mobile communication, mobile communication service of legal persons (companies), based on the level of profitability for them to cancel the procedure for calculating the profit tax from 14 increased by 20%; profit tax rate deducted from from 10 to 5 percent for sources of income on dividends and interest income;

All businesses, including turnover (gross revenue) for legal entities - 1 billion corporate property tax, land tax and tax on the use of water resources has been issued;

The system is improved through the procedure of calculation and payment of excess profit tax, including royalties;

In accordance with the amendments made to the Tax Code from January 1, 2018 the tax on income of legal entities has been combined with the taxation of greening, cleaning system and social infrastructure development, and since January 2019 the tax on usage of gasoline, diesel fuel and gas has been abolished. At the same time, the tax on gasoline, diesel fuel and gas was introduced into the object of excise tax.

c) Third, the tax on a simplified procedure for taxpayers to reduce the negative impact on the improvement of tax policy is carried out through the following measures:

The property tax rate is reduced while preserving the order of 5% to 2% by using a higher rate of tax for legal entities calculated for legal entities, buildings and facilities, including the previously privatized inefficient use of facilities by subjects. The uniform tax regime for the single land tax payers has been maintained.

d) fourth, the procedure for calculation and payment of value added tax (VAT) and excise tax has been improved through as in followings:

the current 20 percent rate of VAT taxation is preserved by introducing a full value-added tax system, clarifying the tax base and reducing the number of benefits, as well as reducing the tax rate by the end of 2019.

Since January 1, 2019 the value added tax of the tax system of Uzbekistan has begun to be widely introduced. VAT is fundamentally different from the previous types of taxes and, of course, leads the country's economy to positive results. By introducing the "value chain" of value added tax, the taxpayer has been able to organize cooperative and nonviolent taxpayers and introduce a simplified taxation procedure by taxpayers' paying voluntary value added tax. Taking into account international experience, it is envisaged introducing the second criterion for introducing entrepreneurship subjects to small businesses group of taxpayers. It will be a taxpayer's income. When it comes to the small business, it pays off additional tax obligations remaining in a simplified taxation system.

As a result of the reforms, in 2018, 19 types of taxes, other mandatory payments and fees were reduced to 15 in Uzbekistan. Also, in the first quarter of 2019, there has been an increase in the number of taxes, the number of payers and the amount of revenue in comparison with the same period of last year. In particular, according to the data of the State Tax Committee, the number of taxpayers was about 7 thousand, but today their number has increased by 35 thousand to 5.2 times more than the previous year. 1.4 trillion soums of value added tax , at the same time, 217.5% of the proceeds were provided. The number of payers of profit tax increased to 32 thousand and it increased 4.2 times. Income tax revenue is 389.8 billion soums, increased by 228.3%, income tax for individuals - 717.5 billion soums and increased by 161.5%. The number of individuals paying income tax was 4.8 million, an increase of 450,000 or 10 percent compared with the same period last year. Now, thanks to a reduction in the tax burden, the company has 169 billion soums at the disposal of enterprises. 1.7 or 14.3 times. The number of payers of property tax increased from 9.3 thousand to 63 thousand or 6.8 times, and the number of payers of land tax from 12.9 thousand to 75 thousand or 5.8 times. Tax revenues to the state budget

amounted to 18.4 trillion soums soums, which is 1.6 times more than in the corresponding period of the previous year.

The draft Tax Code of the Republic of Uzbekistan in the new edition is placed on regulation.gov.uz the portal of discussion of draft normative legal acts of the Republic of Uzbekistan for the public discussion till November 10, 2018. According to the State Program on Implementation of the Strategy of Action on the Five Priorities of Development of the Republic of Uzbekistan in 2017-2021 in the "Year of Active Investments and Social Development" [7], the new version of the Revised Tax Code is to be set up by 1 June 2019.

Tax reports are to be introduced on the basis of simplified and scaled new tax reporting forms for all tax types for the period following 1 January 2019 [8].

Based on the results of the research conducted by Paying Taxes-2019, the total tax rate in Uzbekistan is 32.1%. This is lower than the global average (40.4 percent) [9]. Uzbekistan ranked 64th out of 190 countries surveyed.

In a report released by Doing Business 2019: Training for Reform, the World Bank Group, Uzbekistan lost 2 positions in comparison with last year's survey. The information is provided on May 1, 2018.

Uzbekistan ranks second in the ranking of the CIS countries: Azerbaijan - 25, Kazakhstan - 28, Russia - 31, Belarus - 37, Armenia - 41, Moldova - 47, Kyrgyzstan - 70, Tajikistan - 126th and Uzbekistan being the 76th has worsened its position by 2 positions in comparison of last year . At the same time, the taxation index rose by 2.19 percent in terms of indicators, showing positive dynamics, but lost positions on six criteria, due to the overdriving of other participants.

The President of the Republic paid special attention to the country's position in the World Bank report. The Roadmap for Improving the Uzbekistan's Tax Indicators report to World Bank and International Finance Corporation's Business Review confirms that according to which the long-term outlook for Uzbekistan will be 40th in 2022.

In short, the form and structure of the tax system of our country has radically changed. Tax authorities are not just a tax collector, but also a close assistant to the taxpayer. The main purpose of this principle is to bring the new system closer to our people and entrepreneurs. Due to the reform of tax administration, the introduction of advanced international practices, transparency and fairness in the national tax system are

achieved. The new concept of the taxation system is built on the principles of transparency and fairness, equal conditions for all, which ensures the sustainability of the formation of the State budget.

In conclusion, many reforms in the industry are contributing to the further improvement of the tax system in Uzbekistan based on the international standards and regulations, further development of our national economy, investment attractiveness of the country, and gaining a worthy place in the world rankings.

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9. *Paying Taxes-2019 - The Next Annual Rating of the World Bank, International Finance Corporation and Pricewaterhouse Coopers.*
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