

# Journey of an Ex-convict: From Conviction to Liberation

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**Abstract** – This is a qualitative study utilizing descriptive or hermeneutical phenomenology as research design where it described the lived experiences of selected ex-convicts from the time they are convicted and incarcerated up to the time they are liberated. Phenomenological interviewing was used in data gathering to describe the meaning of the phenomenon (the individual ex-convict's lived experiences) that each selected key informant shared. In-depth interviews were conducted to arrive at the three phases of data collection needed in the study, namely; epoche or researcher's self-examination that made him/her aware of personal bias about the phenomenon, phenomenological reduction where the researchers identified the essence of the phenomenon and structural synthesis where the search for deeper meanings and common essences of the phenomenon being studied is done.

Results revealed that the feelings of being convicted, co-inmates' treatment, challenges inside the penitentiary were some of the lived experiences each ex-convict encountered while convicted. The coping mechanisms an ex-convict observe provides him/her an opportunity to live more. Further, the social treatment, motivation to live, the presence of the Divine Intervention upon liberation made an ex-convict fully accept his/her life transformation for the better. With these challenges and lived experiences an ex-convict encountered, appropriate motivation coupled with proper coping mechanisms are highly needed for him/her to continue his life journey.

**Keywords** – hermeneutical phenomenology, lived experiences, epoche, phenomenological reduction, structural synthesis

## INTRODUCTION

The right to life and personal liberty, as posited by Devi, is the most important human rights [1]. One of the psychological factors that make human sociologically adaptive and feel accepted is the state of being free or liberated. The freedom endowed to humans in a democratic society is a privilege to express and act in accordance with his/her will. However, limitations exist with the presence of law and morality. Violations to these conducts lead to a temporary or permanent deprivation of freedom. When a verdict convicts an accused person, freedom is deprived either in a form of death penalty, monetary fine or imprisonment.

Incarceration, the state of being imprisoned, primarily deters a person from having a single move

in the community he/she is living in. He is deprived of many things, almost everything. The anthropological significance of this is that human incarcerated is able to formulate new principles and experiences different from the life they have when they are still free in the society.

Thus a person liberated from his/her incarceration, otherwise called an ex-convict (ex-offender, ex-prisoner, etc.), creates a renewal of life and may face challenges that their reclaimed freedom cannot help to overcome.

The glow of the life of an ex-convict whether it is disadvantageous or beneficial is an empirical question. The significance of recognizing their lived experiences after their conviction and upon their incarceration is accentuated on their roles as "deprived" members of the society. Whereas, the

implications of distinguishing their lived experiences upon liberation from incarceration are emphasized on their roles as “re-accepted” members of the society. With this, it is important to understand the perceptions and views of ex-convicts about the attitude of their neighbours towards their status of newly acquired freedom.

It can be seen though that the general attitude of ex-convicts’ neighbours toward them is hostile. For Averill et al., society denigrates and ostracizes ex-convicts [2]. When an inmate is released, he is dubbed to have completed his sentence and is considered again as a bona fide member of the society, but the truth is ex-convicts suffered for their crimes even after their required sentences end. After leaving the physical incarceration, UK Essays publication disclosed that ex-offenders entered another prison cells due to social stigma they experienced making them feel difficult to live for the second time [3]. Further, Davis found the same results and underscored that on the outside, the stigma attached to the ex-convicts is one of the causes of their unemployment [4]. On the other hand, the National Institute of Justice emphasized that employment after imprisonment provides ex-convicts’ motivation to live [5]. Such disclosure negates the fact that employment is commonly one of the challenges former ex-convicts embark on because almost every employer will look after the applicant’s background bearing his/her previous experience and recommendation and no further than their criminal record.

Walmsley, through the International Centre for Prison Studies accounted that there are more than 10.2 million people that are held in penal institutions throughout the world [6]. In the United States alone, there is a prison population total of 2,217,000 [7]. Whereas in the Philippines, the number increased from 108,305 to 110,925 [6]. Within that same year, the Bureau of Corrections Annual Report revealed that 4,147 were released from prison and this number continues to increase every year [8].

Nsanze, in his study about ex-prisoners’ transition processes into society, concluded that the former criminals and drug addicts’ linkages are the factors that make them different to non-offenders [9]. It was also found out that while undergoing transition processes, former criminals have encountered challenges due to ineffective pre-released plan in correctional institutions as well as post-release interventions that pertain to their lives.

In a related study conducted by Community Technical Aid in Dublin City, Ireland which aims to unveil the prisoners and ex-prisoners’ experiences, it was found out that there are several barriers that they confronted in their post-imprisonment period [10]. These include health related problems, homelessness, financial constraints, and ineffective prison rehabilitation programs, harassment for women prisoners among others. It can be really concluded that an ex-prisoner’s experiences are basically unpleasant and that the system needs a big improvement.

Afouxenidis, Klee and Cavouriaris conducted field study of ex-convicts reintegration into labor market and social life in three countries namely Greece, Germany, and France [11]. It was found out that the problems ex-convicts face during reintegration are professional qualifications for employment purposes, lifestyle and routine socialization problems and adjustments to the society. One of the issues that became much clearer from this study is that society has to shift away from the problems from expanding prisons and prison populations and focus much more towards thinking about penal reforms and specific procedures that may assist prisoners’ reintegration. Therefore a much broader approach to the whole issue of reintegration is required to intervene in the actual process of transition of prison life to social life.

Williams-Queen also validated these findings. Educational qualifications among ex-convicts were found to be one major problem for their employment [12]. These findings validated that finding a job is significant in ex-convicts’ effective re-entry into the community.

Moreover, Pager conducted a research identifying the barriers for ex-convicts’ employment [13]. Employers seem to use the information as a screening mechanism, weeding out undesirable candidates at the very start of the hiring process. The results of the study provided evidence for the powerful effect of a criminal record as an employment barrier.

In a study conducted by Alos, Esteban, Judar and Miguelezon, revealed that employability of ex-offenders disclosed that 43.6% of the ex-prisoners landed to any job after their release and their engagements to vocational trainings had favorable effects on their employability regardless of educational attainment or job skills at all [14].

While other researches support that ex-convicts have little access to human capital, Tietjen, in his

study disclosed that former criminals (who are academics, graduate students, undergraduate students and professionals) had successfully employed in the academe as researchers whose focus of investigations are geared towards criminological and criminal justice fields [15]. Such insights provided criminal justice policy makers and the criminological academy the existing gaps that require empirical investigations.

With the aggregate number of ex-convicts here in the Philippines and the prejudice over them, it is significant to hear their side and give them a chance to defend themselves in a society full of preconceptions and chauvinism. This study provided accounts of selected ex-convicts' lives from conviction to liberation. It also provided the ex-convicts' views or perceptions of the people's (neighbours) receptions towards their re-entry or reintegration into the society. Through this, helping them feel empowered would definitely improve their self-determination as they share their experiences. Also, the information (accounts and perceptions) and messages that these ex-offenders will convey will also reach out to those people who view them as somewhat inhuman thereby causing a paradigm shift in their beliefs. Most importantly, by understanding and analyzing the information gathered, solutions can be formulated for the challenges these ostracized members of the society are facing as they travel to their life's journey.

### **OBJECTIVES OF THE STUDY**

This study sought to explain the significant points in the life of an ex-convict from the time he is convicted and incarcerated up to the time that he is liberated. Further, this study looked into the life of selected ex-convicts inside the penitentiary and described the lived experiences and challenges they encountered from conviction to liberation. In addition, the study underpinned the selected ex-convicts' perceptions on the society's reception upon their liberation.

### **MATERIALS AND METHODS**

This is a qualitative study utilizing descriptive or hermeneutical phenomenology as research design for six selected ex-convict key informants. Padilla-Diaz underscored that a descriptive or hermeneutical phenomenology deals with the study of personal experiences requiring a description or interpretation of the meanings of phenomena experienced by participants in an investigation [16]. In this study, the

selected ex-convicts' personal and lived experiences or the phenomena and the interpretations of "being an ex-convict" were explored in the study.

Phenomenological interviewing was used in data gathering to describe the meaning of a concept or phenomenon (the individual ex-convict's lived experiences) that each key informant shared. According to Thompson, a phenomenological inquiry used in the study involved three in-depth interviews namely; epoche or researcher's self-examination that made him/her aware of personal bias about the phenomenon, phenomenological reduction where the researchers identifies the essence of the phenomenon and structural synthesis where the search for deeper meanings and common essences or imaginative exploration of the phenomenon is done [17]. These data analysis procedures were quite labour intensive on the part of the researchers for these require reflective minds to describe and analyze the "text" to interpret the "context." This means that the transference of explicit information (what the key informants say) to implicit information (how it is told; what is behind the narration, what are the meanings behind what is told and what is omitted) [16]. Further, Wolcott posited that analysis and interpretation of a phenomenological study involve descriptions, contexts, hidden discourses, meanings and essences [18].

### **RESULTS AND DISCUSSION**

#### *Life of an Ex-convict Inside the Penitentiary*

#### **A. Feelings of Being Convicted or Imprisoned**

The right to life and personal liberty is one of the rights a person needs to enjoy as a human being [1]. So if a person is deprived of this right, the general attitude of that person would be negative. It is very likely that he/she will feel all those undesirable emotions. When asked about how they felt when they have been convicted or imprisoned, the key informants revealed:

*Of course fear, boredom and longing for the family also. (Syempre kahadlok, laay, usa pa sad gimingaw sa pamilya.) (KI-1)*

*The moment you get inside, of course, there is fear. (Sa bag-o pa tang abot, mura pud ta'g mahadlok uie).(KI-3, KI-4)*

These exclamations indicate that fear is commonly shared by people who are convicted. This can be traced from their perceptions about how dreadful life is when imprisoned. Kelvens asserted that fear and anxiety are stimuli responses when one is threatened [19]. This utterance supports and validates the results. The life during imprisonment is threatened by several factors; either by hunger, health destruction or social discomfort. This implies that learning and experiences have an impact on the feelings of a person towards conviction.

### B. Co-inmate's Treatment

Contrary to public belief that there is inequality inside the prison cell especially that famous beating scene shown in movies, the selected key informants when asked about how they are treated by their co-inmates, revealed that:

*I am accepted (by my co-inmates). (Gidawat ra).(KI-1).*

*Everyone is treated equally. (Angay ra tanan)(KI-2).*

*I didn't experience being beaten. (Wala ko kasuway ug kulata)(KI-5, KI-6).*

These varied responses suggest that convicted or imprisoned people are often accepted and treated equally. But it is not the case all the time for some participants also revealed that:

*They ask me to do many chores and I was bullied in the beginning. (Gisugo-sugo ug gibugal-bugalan pagsugod))(KI-3).*

*Some are treating us as equal but others treated us as slaves. (KI-4)*

These answers conveyed that still, there is maltreatment inside the prison cell and this is happening within co-inmates. The researchers then found a pattern in these answers. Those who claimed to be treated pleasantly turned out to be imprisoned in either municipal or city/provincial jail while those who have been bullied comes from bigger prisons such as the New Bilibid Prison, the main insular penitentiary of the Philippines, found in Muntinlupa City. One key informant, who also experienced being

bullied, came from a prison in Kuwait where the prisoners are a mixture of almost all nationalities.

### C. Challenges and/or Lived Experiences Inside

Challenges and/or lived experiences have, and will always be part of the everyday struggle of a prisoner. The key informants, when asked what about the challenges that they have encountered while being inside the penitentiary, suggested:

*Longing for my family. (Kamingaw sa pamilya)(KI-2, KI-6).*

These responses denote that the longing for the family is one of the major challenges or lived experiences that an inmate could face. This finding is relevant to a specific finding in Community Technical Aid's study which states that one of the challenges encountered by prisoners is broken family relationship especially for those sentenced with long term imprisonment [10]. The abovementioned statements revealed that family is really of great importance to those who are imprisoned. Family support is very much needed during these crucial times plus the lesser chance of seeing them would really make a detainee miss and long for his/her family. Thus, the intense the longing.

Another set of key informants revealed:

*I'm very hungry because there's no food and we have no one to ask to buy us something. (Gutom kaayo kay wala kay kaon nya wala kay masugo) (KI-1)*

*It's very uncomfortable to sleep because of the small space.(Huot kaayo mi inig katog)(KI-5).*

These responses are also expected. Life inside the prison cell is too difficult. Food and space are also some of the major problems in an overcrowded penitentiary. Food is obviously one of the basic needs and it is undeniable that the food provided inside the prison is limited if not really nothing. Also, many accounts have narrated that if there is any, it is either spoiled or defective. The limitation or absence of this very important basic need will lead to deprivation and much poor living condition. Space is also limited since there is an overcrowding of prisoners inside the

penal institutions. Thus, this limited space results to discomfort and further discomposure.

#### **D. Coping Mechanisms**

Coping mechanisms are strategies employed to sustain stress management [20]. When asked on how they cope up with the challenges mentioned above, the key informants exclaimed that:

*I didn't mind it really, I just accepted everything. (Dedma na lang. Dawaton na lang ang tanan)(KI-3, KI-4, KI-5).*

These answers express that outright acceptance is the key in coping up with stress. Acceptance in human psychology is a person's approval of anything in any given situation [21]. These people choose to accept and endure the whole duration of their sentence rather than to complain and dispute against it.

*I just believed that someday I will be liberated. (Nisali na lang jud kong makagawas ko)(KI-2).*

*I just did my best to be good so that I won't have a record of mischief while inside. (Nagtinarong na lang jud ko para wala'y record) (KI-3).*

*I just endured everything. (Gi-agwanta lang)(KI-5).*

Another way to cope with the lived experiences is to have conversations with their co-inmates.

*I was entertained by my co-inmates who treated me as a family member already. (Gilingaw sa kauban nga pinirising mura nag pamilya.) (KI-1).*

*I just talked to my co-prisoners. (Storya-storya sa mga kauban)(KI-6).*

As humans, everyone is not meant to be socially isolated [22]. It is good to have a confidante to talk to especially on upsetting thoughts and feelings. Talking about something is a good way to release stress and be in proper composure again.

#### *Challenges Encountered by an Ex-convict upon Liberation*

#### **A. Treatment**

Both family and society's treatment toward ex-convicts affect them greatly. If they are treated pleasantly, that's very good. But, if they are not, that's another story.

##### **1. Family**

The key informants, when asked about their family's treatment towards them upon their liberation, imparted:

*They accepted me because they know that I'm not that kind of person. (Gidawat ra kay kahibaw man silang dili ko ingon na )(KI-1).*

*They're okay. They accepted me. (Gidawat ra)(KI-2, KI-4, KI-5).*

*They welcomed me. (Gihangop ko nila)(KI-6).*

These utterances indicated that the family is generally receptive toward their loved ones who have just gone out of incarceration. The family would not really mind what your crime is. If you are a family, you stick together. Blood, almost all the time, would be thicker than water.

##### **2. Society**

Society also seems to agree. The key informants, when asked if there is a difference in society's treatment toward them before and after they are imprisoned, conveyed:

*It's okay. The truth is they are happy that I'm already free because they even helped in praying. (Ok ra man sa ako-a. Lipay sila nuon nga nakagawas na ko...kay nitabang man sad silag gampo)(KI-2).*

*Nothing, it's still the same. (Wala ra man. Mao ra man gihapon) (KI-3, KI-4, KI-6).*

These responses express that society is also receptive. Society is now gradually opening its doors to those formerly incarcerated individuals. What used to be the denigrated and ostracized members of the society are slowly being accepted and are being reintegrated successfully.

But still, responses like these cannot still be eliminated:

*There is a big difference! We are very low in their eyes. You are in every inch a criminal because you were already imprisoned. (Naa dako kaayo! Parehas anang ubos na kayo kasa ilang pagtan-aw, criminal na jud kayo kaa binasud naka diha sa prisohan) (KI-1).*

*They won't talk to me. (Dili kaayo sila motagad nako)(KI-5).*

The society still has this resentment towards ex-convicts though this strengthens the declaration that society is undergoing societal innovations in its acceptance towards ex-convicts. Of course, it will take a long time to complete that process but the fact that the society is now divided in its view towards ex-convict suggests that the change is unfolding and needs an urgent attention.

#### **A. Motivation to Live**

Motivation is willingness to do things [23]. When asked on their motivation to live and continue their life, the key informants shared:

*I'm thinking of my kids. (Naghuna-huna sa mga anak)(KI-1).*

*I thought of my parents. (Naghuna-huna ko sa akong ginikanan)(KI-2, KI-6).*

*I thought of my family. (Naghuna-huna sa pamilya)(KI-3, KI-5).*

These responses really showed that it is usually the family which is the driving force of every individual. It is very prevalent in a family-oriented country like the Philippines. Filipinos give priority and importance to their families more than anything else [24]. Regardless of Western influences, the family remained to be the basic unit of the society. Even those Filipinos who are working overseas feel homesick. Tough job is ignored just to earn money and send remittances to their families in the Philippines.

#### **B. Divine Intervention**

When asked about the presence of God or a Supreme Being in their lives, the key informants proclaimed that:

*Yes, He still guides me not to think and do something bad. (Oo oi. Gilam dagan man lang gihapon niya akong huna huna nga di magbuhat ug dautan) (KI-1).*

*Nothing else, I look up to Him for graces and blessings. (Wa na'y lain. Adto man ko niya mangayo ug mag-ampo) (KI-3).*

*Yes, for He is the reason why no one hurt me while I was detained. (Oo kay wala jud ko hilabti didto sud sa prisohan)(KI-5).*

*Yes, He is above us all. (Oo, Siya ang l labaw natong tanan)(KI-6).*

*I always attend bible studies and that helped me to continue with my life. (Nag sige man ko ug attend ug bible study mao na nakatabang nako namo padayon sa akong kinabuhi)(KI-6).*

These verbatim accounts indicate that the belief in "God" or Supreme Being is still practiced by the ex-convicts. Their liberation is even marked by a stronger belief in a Supreme Being to show that they really have reformed and changed for the better.

#### *Ex-convicts Perception of Society's Reception*

When asked about their perceptions of society's receptions towards ex-convicts, the key informants asserted that:

*They see us as someone low, of course. (Syempre ubos kayo ilang panan-aw namo)(KI-1, KI-5).*

*Ex-convicts are feared and are branded as "dirty." (Gikahadlukan ug gihugawan sila sa mga ex-convicts)(KI-4, KI-6).*

These responses denote that though not all of them experienced it firsthand, the key informants were aware that not every ex-convict is as lucky as them. They still see the bigger picture that up until now, society still denigrates and ostracizes ex-convicts [2]. They still grasp the idea of the social stigma, the fear and distrust from the society directed to those ex-prisoners [3]. But, some remain firm in their stand that there is really nothing negative or unpleasant going on against the former convicts. Some participants narrated that:

*It's still the same. (Mao ra man gihapon) (KI-2, KI-3).*

These participants, which are from a mountainous barangay in the city, were able to assert such statement because they live in a small community but peaceful, where everyone knows each other and does not easily judge one another.

#### CONCLUSION AND RECOMMENDATION

The journey of an ex-convict is not that easy. The feelings of being convicted, the co-inmates' treatment, the challenges inside the penitentiary were some of the lived experiences each ex-convict encounter while convicted. The coping mechanisms an ex-convict observe provides him/her a brighter light to continue his/her life journey. Further, the social treatment, motivation to live, the presence of the Divine Intervention upon liberation made an ex-convict fully accept his/her life transformation for the better.

Further, there are many challenges and lived experiences on the way but with the right motivation and coping mechanisms, an ex-convict can overcome those challenges. The transformations that make society and its people aware of these challenges an ex-convict's experiences provide positive receptions towards ex-convicts. Thus, as an ex-convict continues his/her journey towards life, reception and support are the underlying mechanisms for them to live a normal life.

Documents revealed that prisoners encounter basic problems such as food and space. With this scenario, it is highly recommended that the government should provide appropriate basic needs to the detainees. Further study is highly recommended where a nationwide assessment on the life of every ex-convict be documented. Lastly, provision of equal opportunities in terms of employment, treatment and acceptance need to be observed for both government and non-government sectors in the society.

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