

## Stamping Out the Tramp

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*TAG(S): CRIMINAL LAW, VAGRANCY STATUTES*

The Article opens by discussing vagrancy statutes as a whole, beginning with the reason behind the need to formulate them, which generally pertains to the preservation of the state. These reasons are further specified as follows: (1) people will be forced to work and will thus relieve the state from the responsibility of directly caring for them; (2) it is a step not only towards the beautification of streets and public places but also towards good order; and (3) it strikes out the breeding places for crimes. Emphasis is also placed on the point that a vagrant is punished not by doing certain acts but by being what he is. Indeed, a man is not punished for loitering but for the condition that forces him to loiter.

The Article then proceeds by focusing on the vagrancy law in the Philippines, as embodied in Article 202 of the Revised Penal Code. This discussion was done by looking into a string of judicial decisions of the Philippine Supreme Court vis-à-vis the American jurisprudence. In conclusion however, the Author posits that vagrancy is a failure of the whole society, for the biggest factor that will drive a man to be a vagrant is poverty. A man who turns to the streets is a man who was not given a reasonable opportunity to prosper in life. Hence, the Author ends by questioning how well these vagrancy laws have fulfilled their purpose, since penalizing vagrants makes them defy the law all the more. The Author further suggests what vagrants probably need — reformation rather than imprisonment and a state that provides opportunities rather than condemnation.