

**THE EFFECTIVENESS OF THE KATARUNGANG PAMBARANGAY
LAW/BARANGAY JUSTICE SYSTEM IN SABANGAN, MT. PROVINCE,
PHILIPPINES**

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ABSTRACT

This study was conducted to gauge how effective is the Katarungang Pambarangay Law(KBL)/ Barangay Justice System(BJS) in Sabangan, Mountain Province using questionnaire-checklist to elicit the desired data. There were three groups of respondents in this study, the Barangay Officials, Lupon Members and Residents of the Barangay with total 225 respondents for the 15 barangays of Sabangan, Mountain Province, Philippines.

The respondents perceived that they are much aware on the existence of the Katarungang Pambarangay Law/Barangay Justice system and even with the existence of this law, still parties to the disputes opted to settle their conflicts the indigenous way of settling conflicts with no formalities resulting, however, in amicably settling such dispute.

Further, respondents perceived that the problems encountered in the implementation of the KBL/BJS is moderately serious with the meager honoraria given to the Lupon Members emerging as the moderately serious problem followed by the lack of trainings, hence it is recommended that the Department of Local Government and other concerned agencies to conduct continuous trainings and seminars especially to the members of the Lupon for them to be updated with the law for their more efficient and effective performance of their functions.

Results also showed that the Katarungang Pambarangay Law is very much effective in Sabangan, Mountain Province despite the continued practice of their indigenous way of settling disputes, which in a way strengthened their value on close family ties and the closeness of the people residing in the barangay thereby preserving the harmonious relationship and maintenance of peace and order in the place and practically helping de clogging of cases in courts.

Keywords: Katarungang Pambarangay Law/Barangay Justice System, Lupon Members, honoraria, Indigenous ways, and harmonious relationship.

Introduction

Barangay is the smallest unit in the Local Government. As the basic political unit, the barangay serves as the primary planning and implementing unit of government policies, plans, programs, projects and activities in the community, and as a forum wherein the collective views of the

people may be expressed, crystallized and considered, and where disputes may be amicably settled. (The 1991 Local Government Code with Basic Features, by Jose N. Nollado)

On June 11, 1978, President Marcos issued Presidential Decree No. 1508 establishing a system of amicably settling disputes at the barangay level.

On February 10, 1979, the Katarungang Pambarangay Rules took effect. These Rules governed the establishment, administration and operation of the Lupong Tagapayapa and the Pangkat ng Tagapagkasundo as well as the procedures in settling disputes among barangay members through mediation, conciliation and arbitration.

On October 10, 1991, Republic Act No. 7160, the Local Government Code of 1991 was signed into law which took effect January 1, 1992, specifically Chapter 7, Title One, Book III of said Code provides for the Revised Katarungang Pambarangay Law (KBL) repealing PD 1508 and is now the governing law which expanded the jurisdiction of the barangay court to include a wider range of cases and made some procedural changes.

In the Cordilleras, which include Mountain Province, the people have shown continued preference in following their customary ways of settling disputes. However, with the changes on indigenous practices and the passage of National Laws affecting the implementation and observation of indigenous values, the people have to face the current realities and make necessary adjustments particularly in their local procedures which, while admittedly predominant and acceptable as a mode of disposing controversies, may not be legal in accordance with the existing laws.

In Mountain Province, Wayway, in her 2002 study pointed out that conflicts and disputes involving family and community members are channeled to the council of elders (“amam-as”) for resolution, held most often at the “ato or dap-ay”. The accused will be meted with an ordinansa (penalty) that is commensurate with the offense committed if found guilty. If innocent, the accused is set free and cleared of the charges against him. But whatever decisions arrived at, the accused is motivated to repent or to reform by the outpouring support of the community.

Body

The study is limited in the Municipality of Sabangan Mountain Province, consisting of the fifteen(15) barangays namely; Bao-angan, Busa, Bun-ayan, Capinitan, Camatagan, Data, Gayang, Lagan, Losad, Namatec, Napua, Pingad, Poblacion, Supang and Tambingan.

Random sampling was applied in the population of the members of the Lupong, Barangay Officials and residents of the barangay.

Table 1. On the Degree of Awareness of the respondents of Sabangan, Mountain Province on the Existence of the Katarungang Pambarangay Law.

Specific problem number one seeks to determine the degree of awareness of the respondents on the existence of the Katarungang Pambarangay Law.

Indicators	4	3	2	1	Weighted Mean
What is your level of Awareness on:					
1.Procedures in the dispute resolution.	91 (364)	97 (291)	34 (68)	3 (3)	3.23
2.Composition of the Lupon members.	101 (404)	106 (318)	17 (34)	1 (1)	3.36
3.Qualifications of the Lupon members .	78 (312)	114 (342)	31 (62)	2 (2)	3.19
4.Role of the Department of Interior and Local Government in assisting the Lupon members in the implementation of the Katarungang Pambarangay Law.	54 (216)	126 (378)	36 (72)	9 (9)	3
5.Resolution of disputes within the prescribed period provided under Section 410 of Republic Act 7160, to wit; the Pangkat shall arrive at a settlement or resolution of the dispute within fifteen(15) days from the day it convenes.	51 (204)	126 (378)	41 (82)	7 (7)	2.98
6.The recording of the Katarungang Pambarangay proceedings	62 (248)	114 (342)	43 (86)	6 (6)	3.03
Overall Mean	3.13				

As shown from Table 1, the respondents are much aware on the existence of the Katarungang Pambarangay Law as evidenced by the area mean of 3.13. The composition of the Lupon Members garnered the highest mean of 3.36 because the respondents were involved in the composition of the Lurons. The Barangay Captain would choose from among the community members through recommendation and upon application by the community members that they would like to be members of the Lupon through a general assembly called by the Barangay Captain. It is followed by the procedures in the dispute resolution with a weighted mean of 3.23. Followed further by the qualifications of the Lupon Members with a mean of 31.9, because the respondents are aware of the qualifications of the Lupon members as posted in the Barangay Hall and other strategic areas for everyone interested to file their application.

Fourth in rank with a mean of 3.03 is the recording of the Katarungang Pambarangay Proceedings, as the Barangay Secretary would be the one who would take the proceedings in a particular dispute resolution. Followed by Role of the Department of Interior and Local Government in assisting the Lupon members in the implementation of the Katarungang Pambarangay Law with a mean Of 3, wherein this Department would conduct once I a while training but sometimes no training at all for the Lupon Members to be updated on recent innovations of the Law. The lowest mean of 2.98 is Resolution of disputes within the prescribed period provided under Section 410 of Republic Act 7160, to wit; the Pangkat shall arrive at a settlement or resolution of the dispute within fifteen(15) days from the day it convenes, wherein this provision in the Law is not actually followed because in some cases decided by the Lupon Members it is decided at that day hence not needed to wait for the 15 days.

Table 2. Comparison of the degree of awareness of Respondents on the Existence of the Katarungang Pambarangay Law According to Group.

Indicators	A	B	C	Weighted Mean
What is your level of Awareness on:				
1. Procedures in the dispute resolution.	3.25	3.25	3.17	3.22
2. Composition of the Lupon members.	3.44	3.35	3.31	3.37
3. Qualifications of the Lupon members.	3.28	3.17	3.12	3.19
4. Role of the Department of Interior and Local Government in assisting the Lupon members in the implementation of the Katarungang Pambarangay Law.	3.16	3.29	2.81	3.09
5. Resolution of disputes within the prescribed period provided under Section 410 of Republic Act 7160, to wit; the Pangkat shall arrive at a settlement or resolution of the dispute within fifteen(15) days from the day it convenes.	3.05	2.97	2.92	2.98
6.The recording of the Katarungang Pambarangay proceedings	3.19	2.97	2.93	3.03
Overall Mean	3.23	3.17	3.04	3.15

As shown from Table 2, respondents are much aware on the existence of the Katarungang Pambarangay law with a weighted mean of 3.15. The Barangay officials and the Lupon Members are much aware on the existence with mean of 3.23 and 3.17 respectively, while the residents with a mean of 3.04 using 4-point Likerts scale, the mean would fall with the much aware scale.

LEGEND: A= Barangay Officials

B= Lupon Members

C= Residents

Table 3. Summary Table for ANOVA on the degree of Awareness of the Respondents on the Existence of the Katarungang Pambarangay Law in Sabangan, Mountain Province according to Group.

Source of Variation	Sum of Squares	df	Estimated Variance	F-ratio
Between	0.1065	2	0.0532	2.02
Within	0.3945	15	0.0263	
F(.05)= 3.68 2.02<3.68 Decision : Accept Ho				

In the analysis of variance, shown at Table 3, the computed F-ratio of 2.02 at 5 percent level of significance is less than the tabled F-ratio of 3.68, thus the null hypothesis is accepted that there are no significant differences on the degree of awareness of the people of Sabangan, Mountain Province on the existence of the Katarungang Pambarangay Law. Further, the group did not significantly vary the perceived degree of awareness on the existence of the Katarungang Pambarangay Law in Sabangan, Mountain Province.

Table 4. Degree of Seriousness of the Problems Encountered in the Implementation of the Katarungang Pambarangay Law in Sabangan, Mountain Province.

Indicators	4	3	2	1	Weighted Mean
Problems encountered in the implementation of the Katarungang Pambarangay Law					
1.Lack of trainings/seminars of the Lupon members relative to the Katarungang Pambarangay Law.	68 (272)	72 (216)	72 (144)	13 (13)	2.87

2.Lack of cooperation among members of the Lupon or diversity of ideas of the Lupon members.	37 (148)	93 (279)	69 (138)	26 (26)	2.63
3.The lengthy resolution of disputes.	32 (128)	87 (261)	74 (148)	32 (32)	2.53
4.The meager honoraria given to Lupon members.	62 (248)	94 (282)	49 (98)	20 (20)	2.88
5.The unavailability of other members of the Lupon during hearings due to some personal problems.	42 (168)	80 (240)	79 (158)	24 (24)	2.62
6.Lack of support from the community members.	40 (160)	81 (243)	74 (148)	30 (30)	2.58
7.Inadequate communication devices for proper coordination with other barangays concerned.	36 (144)	86 (258)	70 (140)	33 (33)	2.56
8.Decisions of the Lupon members are influenced by some politicians.	29 (116)	63 (189)	52 (104)	81 (81)	2.18
9.Hearings are unnecessarily postponed.	31 (124)	63 (189)	66 (132)	65 (65)	2.27
10.Hearings are not systematically done.	31 (124)	72 (216)	50 (100)	72 (72)	2.28
Overall Mean					2.54

As gleaned from Table 4, the meager honoraria given to Lupon Members garnered the highest rating with a weighted mean of 2.88, which implies that the Lupon members are hesitant to be members because of the honoraria given to such members. As per interview from other Barangay Captain that in their own barangay they have only six members of the Lupon hence it will not comply with the provision of the law that there be at least ten members. But with the meagre monetary incentive, only few would apply to become members, hence some are appointed by the Barangay Captain. It is followed by lack of

trainings/seminars of the Lupon members relative to the Katarungang Pambarangay Law with a mean of 2.87, the Agency concerned in providing trainings and conduct seminars to Lupon Members are not complied with. In the barangay that I resided, I interviewed members of the Lupon if there were trainings or seminars conducted and the answer was none at all. The mean of 2.63, Lack of cooperation among members of the Lupon or diversity of ideas of the Lupon members, not all members of the Lupon are qualified for as stated above that because of the meager honoraria, few would apply hence the Barangay Captain would appoint even if not qualified just to complete the required composition of the Lupon members thereby creating diversity in ideas of said members. 2.62 is for The unavailability of other members of the Lupon during hearings due to some personal problems, followed by Lack of support from the community members with a mean of 2.58, Inadequate communication devices for proper coordination with other barangays concerned with 2.56 mean, 2.53 is the lengthy resolution of disputes, Hearings are not systematically done with a mean of 2.28, with least problem implemented is Hearings are unnecessarily postponed with a mean of 2.27, Decisions of the Lupon members are influenced by some politicians with a mean of 2.18, Lupon members are not influenced by any politicians.

Table 5. Comparison of the Degree of Seriousness of the Problems Encountered in the Implementation of the Katarungang Pambarangay Law According to Group

Indicators	A	B	C	Weighted Mean
Problems encountered in the implementation of the Katarungang Pambarangay Law				
1.Lack of trainings/seminars of the Lupon members relative to the Katarungang Pambarangay Law.	2.92	2.79	2.89	2.87
2.Lack of cooperation among members of the Lupon or diversity of ideas of the Lupon members.	2.64	2.57	2.67	2.63
3.The lengthy resolution of disputes.	2.59	2.48	2.52	2.53
4.The meager honoraria given to Lupon members.	3.04	2.76	2.84	2.88
5.The unavailability of other members of the Lupon during hearings due to some personal problems.	2.67	2.59	2.61	2.62
6.Lack of support from the community members.	2.6	2.47	2.68	2.58
7.Inadequate communication devices for proper coordination with other barangays concerned.	2.61	2.44	2.61	2.55

8. Decisions of the Lupon members are influenced by some politicians.	2.16	2.05	2.32	2.18
9. Hearings are unnecessarily postponed.	2.16	2.24	2.4	2.27
10. Hearings are not systematically done.	2.33	2.27	2.23	2.28
Overall Mean	2.57	2.47	2.58	2.54

As gleaned from Table 5 that the groups perceived a similarly degree of seriousness of the problems encountered in the implementation of the Katarungang Pambarangay Law. With a weighted mean of 2.54, the respondents perceived that they the problems encountered are moderately serious.

Table 6. Summary Table for ANOVA on Degree of Seriousness of the Problems Encountered in the Implementation of the Katarungang Pambarangay Law According to Group.

Source of Variance	Source of Squares	df	Estimated Variance	F-ratio
Between	0.0786	2	0.0393	0.64
Within	1.6456	27	0.0610	
F(.05)= 3.35 0.64 < 3.35 Decision: Accept Ho				

In the analysis of variance, gleaned in Table 6, the computed F-ratio of 0.64 is less than the table F-ratio of 3.35, thus the null hypothesis is accepted. Hence, there are no significant differences on the problems encountered in the implementation of the Katarungang Pambarangay Law/Barangay Justice System considering the group. The implementation of the Katarungang Pambarangay Law is very much serious as perceived by the people of Sabangan, Mountain Province.

Table 7, Effectiveness of the Katarungang Pambarangay Law in Sabangan, Mountain Province.

Indicators	4	3	2	1	Weighted Mean
How effective is the Katarungang Pambarangay Law or the Barangay Justice System					
1.Disputes/ complaints are not filed immediately in courts.	84 (336)	115 (345)	22 (44)	4 (4)	3.24
2.The law has reinforced existing traditional customs in settling disputes among barangay member.	96 (384)	105 (315)	20 (40)	4 (4)	3.20
3.Strengthening of the Family and community ties.	117 (468)	95 (285)	8 (16)	5 (5)	3.44
4.It contributed in the maintenance of peace and order in the barangay.	120 (480)	90 (270)	8 (16)	7 (7)	3.44
5.Lessened the incurring of expenses in settling disputes.	99 (396)	106 (318)	16 (32)	4 (4)	3.33
6. The system has provided a forum for exchange of ideas that could improve the relationship among barangay members and/or relationship with other barangays.	107 (428)	103 (309)	13 (26)	2 (2)	3.4
Overall Mean 3.34					

As shown from Table 7, the respondents perceived that the Katarungang Pambarangay Law in Sabangan, Mountain Province is very much effective as evidenced by the area mean of 3.34. It is further noticed, that the respondents perceived that the Katarungang Pambarangay Law has Strengthened the Family and community ties and it contributed in the maintenance of peace and order in the barangay as evidenced by the area mean of 3.44 which means that the citizens in the barangay would rather choose to settle their disputes in their respective barangay to maintain the closeness of the family members and the maintenance of peace and order in their barangay. Followed by The system has provided a forum for exchange of ideas that could improve the relationship among barangay members and/or relationship with other barangays with a mean of 3.4, Lessened the incurring of expenses in settling disputes with a mean of 3.33, Disputes/ complaints are not filed immediately in courts with a mean of 3.24, and the lowest in rank is that the law has

reinforced existing traditional customs in settling disputes among barangay member with a mean of 3.20.

Comparison of the Effectiveness of the Katarungang Pambarangay Law in Sabangan, Mountain Province According to Group.

Table 8 presents the Effectiveness of the Katarungang Pambarangay Law in Sabangan, Mountain Province According to Group.

Indicators	A	B	C	Weighted Mean
How effective is the Katarungang Pambarangay Law or the Barangay Justice System				
1. Disputes/ complaints are not filed immediately in courts.	3.27	3.28	3.17	3.24
2. The law has reinforced existing traditional customs in settling disputes among barangay member.	3.41	3.25	3.24	3.3
3. Strengthening of the Family and community ties.	3.48	3.43	3.41	3.44
4. It contributed in the maintenance of peace and order in the barangay.	3.44	3.39	3.48	3.44
5. Lessened the incurring of expenses in settling disputes.	3.37	3.32	3.31	3.33
6. The system has provided a forum for exchange of ideas that could improve the relationship among barangay members and/or relationship with other barangays.	3.41	3.37	3.41	3.4
Overall Mean	3.4	3.34	3.34	3.36

As gleaned from Table 8, The respondents with a weighted mean of 3.36 perceived that the Katarungang Pambarangay Law or the Barangay Justice System in Sabangan, Mountain Province is very much effective. The Lupon Member and the residents have the same mean of 3.34, while the barangay officials have a mean of 3.4.

Table 9 Summary Table for ANOVA on the Effectiveness of the Katarungang Pambarangay Law in Sabangan, Mountain Province According to Group.

Source of Variation	Sum of Squares	df	Estimated Variance	F-ratio
Between	0.0177	2	0.0089	0.04
Within	3.1183	15	0.2079	
$F(.05) = 3.68$ $s \ 0.04 < 3.68$ Decision: Accept H_0				

In the analysis of variance as shown from Table 9, the computed F-ratio of 0.04 at 5 percent level of significance is less than the tabled F-ratio of 3.68, hence, the null hypothesis is accepted. This implies that there are no significant difference on the effectiveness of the Katarungang Pambarangay Law, considering groups.

Some pictures taken during an actual dispute resolution regarding piece of land



This is the complainant with the barangay Secretary and the Barangay Captain as the Chair of the Lupon. The complainant stating his version.



This man is the one being complained of and the members of the Lupon.



The man being complained of is also given the chance to present his argument.



This elderly woman who is the original owner of the land in dispute is showing to the members of the Lupon as well as the one being complained of the exact boundary of the property.



After such brief argument, the complainant and being complained of are now satisfied with the decision of the Lupon, hence they are shaking hands to show their agreement. These two are actually neighbors and genealogy would prove that they are related, thereby actually preserving their closeness as member of the barangay and as family.



The researcher who was given the chance to observe the actual dispute resolution.

Conclusion

1. The respondents perceived that they are much aware on the existence of the Katarungang Pambarangay Law/Barangay Justice system and even with the existence of this law, still parties to the disputes opted to settle their conflicts the indigenous way of settling conflicts with no formalities resulting, however, in amicably settling such dispute.

2. It is perceived by the respondents that the degree of Seriousness of the Problems Encountered in the Implementation of the Katarungang Pambarangay Law in Sabangan, Mountain Province is moderately serious with the meager honoraria of the Lupon Members rank first. The Department of the Interior and Local Government should spearhead and conduct trainings and seminars in relation to the Katarungang Pambarangay Law to help the Lupon Members be updated with this Law.

3. On the effectiveness of the Kararungang Pambarangay Law or the Barangay Justice System, respondents perceived that the Katarungang Pambarangay Law is very much effective which have the effect of strengthening the family and community ties as well as the maintenance of peace and order. With the Katarungang Pambarangay Law, disputes or conflicts are settled amicably within the barangay level hence, preserving the good relationship of the citizens.

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