

Level Of Implementation Of Katarungang Pambarangay: Basis For An In-Service Training

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Abstract

This study aimed to determine the Level of Implementation of Katarungang Pambarangay: Basis for an In-Service Training by the Barangay Chairman and the members of Lupong Tagapamayapa in the city of Borongan, Eastern Samar, 2021. This study was conducted among ten 10 barangay Chairmen and one hundred 100 members of Lupong Tagapamayapa. The researchers modified a questionnaire which has two 2 parts, first to determine the profile of the respondents, second, to determine the level of Katarungang Pambarangay in terms of; Power and Duties of the Barangay Captains as Chairman of Lupong Tagapamayapa, Mediation, functions of Lupong Tagapamayapa, and, functions of the Secretary.

The descriptive survey method was used. Statistical tools used were proportion for the profile, weighted mean for the level of implementation and T-test for the significant difference between the perceptions of the two groups of respondents. Tally sheets were used in order to obtain the overall result.

Based on the results of the study, the following conclusions were drawn: The level of implementation of the Katarungang Pambarangay was rated high by the Barangay Captains themselves in knowing the functions in their performance of duty particularly their supervisory authority to the Members of the Lupong Tagapamayapa. Barangay Captains perceived high level of implementation of the three (3) categories of Provisions; the primary functions of the Chairman of the Conciliation Panel and the functions of the Secretary of the Lupong Tagapamayapa.

The findings in the test of hypothesis showed that the groups did not differ on their perceptions regarding the level of implementation of the mediation of the Lupong Tagapamayapa. Their perceptions differ in the powers and duties of the barangay captains as chairman of the Lupong Tagapamayapa in the functions of the chair of the panel and in the functions of the secretary.

A training Program must be given to the Barangay Captains and Members of the Lupong Tagpamayapa for the full implementation of the Provisions particularly on three (3) items which were rated moderate by respondents. First, the preparation of notices to constitute a group of pacifying committee who are residing or working in same barangay. Second, seeing to it that the group of pacifiers exercises administrative supervisions over the various conciliation panel and in the performance of such powers, duties and functions as prescribed by law. Third, the administration of oaths in connection with any matter relating to all proceedings in the implementation.

Keywords: Criminology, Level of Implementation, Katarungang Pambarangay, In-Service Training, Philippines.

The Problem and Its Scope

Rationale

The Republic of the Philippines is especially noteworthy in respect to dispute processing. From earliest records of their social history, the Filipino has tended to reconcile all but the most heinous offenses within the village and without recourse to formal law and government systems of justice (Vreeland, 1976; Machado, 1979). Such a relatively closed system of social control probably resulted from the isolated nature of communities hidden among the 7000 or more islands. Each village had an elected chief or datu who was often personally acquainted with all islanders and kin to many. The chief sought to resolve disputes amicably through meditation by relying on powers of personal influence and persuasion. In 1978 President Ferdinand E. Marcos signed a decree mandating that throughout the nation an attempt be made by the barrio captains to solve all minor disputes at the neighborhood or village level. Specifically, disputants in cases which would bring about jail terms of thirty days or less, or the fine of 200 pesos (i.e., about 25 dollars in 1978) or less, must meet with the captain where an informal process of amicable settlement would be initiated. During this same time period, the Spanish term "barrio," which had developed a negative connotation as a primitive, rural village, was administratively changed to "barangay" a neutral Tagalog term meaning community. All barrio captains became known as barangay captains, and the near casual, time-tested process of amicable settlement became officially labeled "barangay justice" (i.e., Katarungang Pambarangay or community justice). It is important to realize that a single rural village may be a barangay, or a number of barangays may comprise a town or city. For example, Manila, the largest metropolitan area, is made up of 1830 barangays, and there are 48,481 barangays (i.e., isolated or clustered) throughout the nation. A vast majority of these (i.e., 37,698) reportedly have official barangay justice

systems (Ministry, 1983). Given a Philippine population of about forty-five million, the average barangay would be 900 people. In essence, with the stroke of a pen, the captain, with rather vast informal influence and authority at the village level, was made, at least administratively, a functionary of higher government. Hence, in the Philippines, a system was set on course which appears to have the potential, if not the effect, of formalizing what had been a rather clear, informal process of dispute settlement. A requirement mandated by law that two persons in dispute must attempt to solve their civil or criminal altercation informally, rather than having the immediate option of going directly to a formal court, appears to be rather rare. More perplexing from a theoretical standpoint, is whether or not the formalizing of a traditionally informal process is an example of a totalitarian administration trying to include the settlement of minor neighborhood disputes under the umbrella of a strong government regime. A second argument to explain the 1978 presidential decree is that the Philippine government reasoned that by requiring the captain to hear, and hopefully resolve, minor disputes within the barangays, and outside town and city courts, a great deal of congestion would be removed from the formal judicial system. Minor thefts and assaults could then be relegated to the neighborhood, and would most likely not reach higher court. This second argument has some appeal to many nations, including the United States, in their efforts to lessen the burden of crowded courts (Berger, 1982). Notwithstanding the importance of addressing the political motives of the Marcos administration in restructuring local justice processing, a need persists to identify more clearly the way the new system altered basic social interaction patterns within the community. A focus upon the following research questions is in order. First, how did the system of dispute settlement, as mandated in 1978, modify the justice process in regards to the daily life of Filipinos at the barangay level? For example, what were the characteristics of the various groups and the roles which comprised the new barangay organization and through which disputes were then processed. Second, what indications, if any, suggest that a tendency persisted for the local villagers to resist change and to revert to the informal patterns of dispute settlement traditional to pre-martial law?

Katarungang Pambarangay is a system of dispute resolution instituted in all barangays in the Philippines that seeks to promote, among others, the speedy administration of justice, by providing all avenues to an amicable settlement, thereby considerably reducing the dockets in our courts of justice.

Katarungan Pambarangay Process is undoubtedly one of the best things have happened in the government in the last decade it has revived the Filipino tradition of settling disputes amicably, thereby promoting the cause of peace and order at most critical time in Philippine history. It has successfully prevented further congestion of the judiciary for litigation or greater consequence of the national life. Katarungan Pambarangay

Process can be said to have already found its rightful place among the most valued social and political institutions (Orendain, 2000).

The essence of a barangay justice is a peaceful and harmonious resolution of conflicts within the barangay instead of adversarial proceedings in the courts. Peaceful settlement of disputes among the family and barangay members without going to the courts "is a time honored tradition in the Philippines and is at the root of a Filipino culture." KP recognizes the traditional modes of dispute resolution borne-out of time-honored traditions of: Pakikisama (community-spirit), Utang na loob (debt of gratitude) Kinship.

Originally, Katarungan Pambarangay Law was promulgated in June 11, 1978, through Presidential Decree 1508, which was repealed and re-embodyed in Chapter 7, Title I, Book III, Republic Act No 7160, otherwise known as Local Government Code of 1991. It then offered an accessible, faster, and less expensive way of deciding disputes among the residents of over 40, 000 barangays throughout the country. This law constituted the Philippine official report to simplify and render less formal the legal system for settlements. It was not until after a year more, however, that the new law became operational. The period between the enactment of the law and its implementation was taken up by preparations for the setting up of the system which included the selection of barangay residents and their organization into the various village mediation boards (Lupong Tagapayapa) and training them in the rudiments of mediation system (Tradio, 2002).

Finally, on November 12, 1979, the President of the Philippines issued Letter of Implementation No.105, directing that immediate steps be taken by all government officials and offices concerned to endorse the provision of Presidential Decree No. 1508.

Since then, the new law gradually made its existence felt among communities in both urban and rural areas. Barangay residents gradually saw in the new system an easier manner of threshing out differences among neighbors, friends, relatives and even family members. The members of the Lupong Tagapamayapa then became peace makers in their respective communities. Years have passed since Katarungan Pambarangay Process actually began. In its anniversary report on the Katarungang Pambarangay Law, the Department of Local Government cited both the success and the deficiencies of the system within 9 years of its implementation. The success outweigh the deficiencies, thus indicating that Katarungang Pambarangay Process brought about some improvements in the government response to the legal needs of the citizens. The department of Local Government took definite steps to make Katarungang Pambarangay Process a better organized and a more efficient system to serve its purpose (Aralar, 2003).

Based on the 10 year report of the DILG on Katarungang Pambarangay Law, the types of cases brought before the lupon are as follows : A.

Criminal cases: Physical injuries; Slander; Threats; Robbery; Theft; Drug Abuse; Damage to property; Estafa; Trespassing; Coercion; and Unjust vexation. B. Civil cases: Ejectment; Family or marital problems; Collections of Debts or Rentals; Breach of contract; Damages; Demand for specific performance of obligation arising from contracts (Austral, 2012).

To answer these concerns, the researchers spurred to undertake this study to form the basis of coming up with recommendations and proposing an action plan.

Based on the presented theories, the researchers aimed to determine the level of implementation of Katarungang Pambarangay Process: Basis for an In-Service Training in top ten (10) barangays based on highest crime index, calendar year 2021 in the city of Borongan.

The Problem

Statement of the Problem

The main purpose of this study is to determine the level of implementation of the Katarungang Pambarangay in the City of Borongan: Basis for an In-Service Training. Specially, this study will answer the following questions:

1. What is the profile of the Barangay Captains and the members of the Lupong Tagapamayapa in terms of:
 - 1.1 age,
 - 1.2 gender,
 - 1.3 educational attainment, and
 - 1.4 years in service.
2. What is the level of implementation of the Katarungang Pambarangay as perceived by:
 - 2.1 Barangay Captains;
 - 2.2 Lupong Tagapamayapa
3. Is there a significant difference on the level of implementation as perceived by the two groups of respondents?
4. Based on the findings of the study, what in-service training program may be proposed?

Scope and Delimitation of the Study

This study will investigate the demographic profile of the respondents, level of implementation and the significant difference in the implementation of Katarungang Pambarangay as perceived by the Barangay Captains and Lupong Tagapamayapa in terms of implementation of the power and duties of the Barangay Captain as chairman of the group of arbitrary panel, mediation and arbitration function of pacifying committee/arbitrary panel, constitution of conciliation panel, function of the Chairman of the arbitrary/conciliation

panel; and function of the secretary of the arbitration /conciliation panel in the of the City of Borongan calendar year 2019.

Significance of the Study

The researcher considers this study to be of value because this falls within the field of the researchers being criminology instructor. This will likewise benefit the following sectors;

National Government. The result of this study will provide vital information as to the problems in the compliance of the provisions of the Katarungang Pambarangay Law. Recommendation of the study if adopted could guide legislators the possible future amendments of the act.

Barangay Captains. This study could give insights on how to efficiently comply with the Katarungang Pambarangay Law. They could also be provided specific directions as to what course of action may be taken to improve its implementation.

Arbitrary Panel. Results of this study could give information to the Lupong Tagapamayapa regarding the procedure in settling disputes as provided by Sections 339 to 442, of RA 7160, otherwise known as Local Government Code of the Philippines.

Criminology Students. Results of this study could serve as useful reference for students especially those who would like to become Barangay Captains or become members of the Lupong Tagapayapa in their respective barangays. This could also be their guiding rules when involved.

Future Researchers. For those in the field of research. This study could be a valuable reference for their research endeavors.

Local Government Unit. This research will increase the knowledge and awareness of the issue in the hope that it can be a sound empirical basis for policy and program interventions in the improvement of the barangay justice system.

Department of Interior and Local Government. The results of this study could be useful material as a guidelines for the DILG officials and staff in conducting orientation and seminar of barangay officials and members of the Lupong Tagapamayapa regarding the implementation of the Katarungang Pambarangay Process.

Definition of Terms

For easier reading and understanding of the technical terms used in the study, the following operational definitions are hereby given.

Level of Implementation. Refers to performance of the fire fighters as perceived by the respondents based on the instrument in which the duties & responsibilities are herein enumerated.

Katarungang Pambarangay. Is a system of dispute resolution instituted in all barangays in the Philippines that seeks to promote, among others, the speedy administration of justice, by providing all avenues to an amicable settlement, thereby considerably reducing the dockets in our courts of justice.

Lupong Tagapamayapa Are composed of the punong barangay as the chairman and not less than ten (10) nor more than twenty (20) members selected every three (3) years from among the barangay residents or persons working in the barangay not otherwise disqualified by law.

Review of Related Literature

The first abstract conception of the Katarungang Pambarangay Law started in 1976 when Supreme Court Justice Fred Ruiz Castro proposed the innovative idea of settling disputes through “neighborhood paralegal committee.” The abstract conception of the law first saw a ray of hope for a possible passage of a law when Presidential Decree No. 1293 was promulgated on January 27, 1978. It created a presidential commission tasked with a duty of studying the feasibility of instituting a system of settling disputes among the members in the barangay without going to courts.

Presidential Decree No. 1508 in 1978 was the first Katarungang Pambarangay Law that institutionalized. It was promulgated by then President Ferdinand Marcos with the passage of Presidential Decree No. 1508 in 1978. The law took effect on December 30, 1978 and this was the law that organized, established and institutionalized a formal system of amicable settlement of disputes at the barangay level.

Although PD No. 1508 was the first law to organize, establish and institutionalize the Katarungang Pambarangay, its real intent was to give full recognition to the historical fact that peaceful settlement of disputes among the family and barangay members without going to the courts is a time-honored tradition in the Philippines and is at the root of a Filipino culture. Fourteen years later, PD No. 1508 was repealed by RA No. 7160, otherwise known as the Local Government Code of 1991. In the repealing law, the KP Law was incorporated as part of the codified laws on local government. Sec. 99 - 422, Chapter VII of R.A. 7160 are the relevant sections on Katarungang Pambarangay (Austral, 2012).

A study assessed the implementation of the Katarungang Pambarangay in Zamboanga City. Its aims include the determination of the effectiveness of the legally mandated barangay conciliation process in terms of rates of conciliation and compliance with the Katarungang Pambarangay rules. It likewise sought to validate the basic assumptions of the barangay conciliation law and to gather information on the perceptions and attitudes of the barangay officials and parties to cases regarding the process (Sanson, 2004).

For many decades, the system of government in the Philippines had undergone many changes. Together with the change in the structure of government is the change in the system of justice. In the doctrine of inherent powers of state, where the three branches namely executive, legislative, and judicial, suggests that all be equal with each other. In this study, we will be dealing more of the judiciary. The judicial system in the Philippines includes a hierarchy of courts where only competent and proper judicial body can hear a case depending on its nature. Usually, pending cases takes months and/or years before it can be solved despite the fact that certain provision of the constitution states that there be speedy disposition of cases. Thus, during the Ferdinand Marcos administration, a law on compulsory conciliation was created under Presidential Decree 1508, in order that Filipinos, regardless of status or position, may avail justice without the burden of waiting for a long period of time. This special law created is also referred to as Katarungang Pambarangay (KP) or Barangay Justice System by which, the barangay being the smallest political subdivision in the Philippines can be an alternative, community-based mechanism for amicable settlement of disputes among and between members of the same community. The scheme is a formalized Filipino tradition. It is the same old concept of our Filipino ancestors in seeking the help and advice of community elders or tribe leaders in resolving disputes between members of the same community. Even at those times that “balangay” is still the term for little communities *datus* and *maharlikas* uses this mode of amicable settlement. This mode of settling conflicts is still practiced in Sha’ria Tradition on Muslim communities in the south and among Igorots and Itnegs of the north, where our indigenous, rich and peculiar customs, culture, dialects and traditions abound. The judicial power extended to the Punong Barangay is mainly to promote a speedy disposition of cases; however, this power is also extended to the members of the Lupon Tagapamayapa for the observance of more judicious decisions. This system may improve the quality of justice in the country; it will decrease the number of indiscriminate filing of cases in courts and decongest the courts from numerous cases filed thereto. On January 1, 1992, the Revised Katarungang Pambarangay Law under Republic Act 7160, otherwise known as the Local Government Code of 1991 took effect repealing the former and introduced significant changes from authority granted to the Lupon up to the procedures to be observed in the settlement of disputes in the local barangays. Following the rules specifically provided in sec. 399 to sec. 422 of Republic Act 7160 also known as The Local Government Code Of 1991(accessfacility.org), there be no less than ten and not more than twenty members of the Lupon Tagapamayapa, possessing the qualifications and none of the disqualifications in order that he/she becomes a member. The term of the members is coterminous to that of the Punong Barangay, and subject for dismissal when he/she can no

longer perform his duties and responsibilities as a member. The conciliation process includes not merely the settlement by reconciliation between parties; it starts with the mediation stage, where parties are assisted by the Punong Barangay, as the Lupon Chairman, to settle the dispute brought before him in the very first attempt being a mediator. If the mediation effort of the Punong Barangay has failed, the dispute will now be subjected to conciliation before the Pangkat Tagapagkasundo, which includes any three members of the Lupon Tagapamayapa acting as the conciliation panel thereby chosen by the parties, for further discourse towards arriving at an amicable settlement of their dispute. Disagreements may however also be settled through arbitration, it is when parties seek the assistance of a third party as an arbitrator where the two conflicting parties agree that whatever the decision of the arbitrator shall be strictly abided by them. The barangay justice system is a created for the possible enforcement of justice to every individual who seek relief from conflicts without the burden of costly application of cases in courts and securing the services of a lawyer. In the process of conciliation, the law prohibits International Journal of Advanced Research in ISSN: 2278-6236 Management and Social Sciences Impact Factor: 6.943 Vol. 7 | No. 2 | February 2018 www.garph.co.uk IJARMSS | 182 the participation of lawyers except in cases where he may be one of the parties. Because, even if justice is the primary subject matter of this system, the barangay justice cannot be considered as a court of justice nor a body or a part of the judicial branch of the government. It is formed for the purpose to provide friendly, low-cost, and fast medium for the settlement of disputes by agreement of the parties to abide with some terms and conditions arranged by and with them without resorting to the courts. This system of amicable settlement includes all cases unless otherwise provided in the law. To undergo conciliation proceedings must be deliberate, confidential, and personal; it is interest-based process. Having this procedure is a condition precedent in some cases which means courts will not entertain the suit filed if it yet not been undertaken with the Barangay Conciliation proceeding. Filipinos are known to be fervent with history and culture. That even in this advance world we still carry these basic principles of ours from the customs we inherited from the past. Thus, customs and traditions are the most prevalent laws in the land. The phrase "barangay conciliation" already exists in the country even before the colonizers came unto the Philippine shores. In 1979, the then president Ferdinand Marcos signed Presidential Decree 1508, also known as the Katarungang Pambarangay Law intended to guide the barangays in constituting a barangay justice system for amicable settlement of disputes. While it is not to introduce in the Philippines the practice of amicable settlement, we are amenable that this kind of system had long been used in the history and had always been part of the Filipino tradition (Pe, 1979). Prof. Cecilio Pe affirmed further that the barangay conciliation system has the vision to strengthen family relations, promote speedy trial, and quality enhancement of justice in the Philippines. Thus, a peace-making council was created with the brand: Lupon

Tagapamayapa composed of the Barangay Captain as the Lupon Chairperson and not less than ten nor more than twenty members. Though considered as conciliation body, they cannot be reflected as a judicial tribunal or a court of justice because of the primary purpose it was created. It is only for the amicable settlement of disputes, it is that they are given authority to bring parties together, who are natural persons, residing in the same city or municipality. The Lupon shall not act as a whole body in the conciliation proceeding but only through a pangkat or a panel with three members from the Lupon. In the operation of the International Journal of Advanced Research in ISSN: 2278-6236 Management and Social Sciences Impact Factor: 6.943 Vol. 7 | No. 2 | February 2018 www.garph.co.uk IJARMSS | 183 Lupon, they may accept donations as funds and it will be unto their discretion if they will or will not collect fees in relation to the rendering of their service.

Gamboa (1980), had explained that a significant number of disputes are settled by making tacit accommodations required by the customs and traditions. Historians have noted the time-honored customs of bringing disputes to the barangay of tribal chief, of before some respected elder foe amicable settlement of differences. Today, that custom of seeking mediation of conflicts, survives not only among the remote rural population but also in the small communities of the urban region. The official comment of the Technical Committee on PD 1508 (1979), states that in contrast of the concept of judicial neutrality and impartiality is not of such importance to the conciliation process. For unlike the judicial process, the hope for outcome of conciliation is not a judgment or decision imposed upon the parties but a settlement freely agreed upon by them.

As always discussed by Prof. Pe, it is conciliation, not adjudication. The Lupon is not a judicial tribunal, rather, a conciliation body. The authority is to bring parties together for peaceful and friendly settlement not to render judgment. With the initiation of oral or written complaint, the proceedings for conciliation may be immediately pursued. Complaint must free, personal, and voluntary. With prior notice to the complainant and summon to the respondent or respondents of the date, time, and place for the meeting of the parties, the parties shall meet in thereby specified details for the settlement of their conflict. If minors, or persons under the age of twenty one, and incompetents, which includes those that has illness, diseases, unable, and people with unsound mind, there being involved in some cases and occasions, they may be assisted by their next of kin who are not lawyers. If the parties agreed to certain terms and conditions and abide with the result of the settlement, then it would be deemed successful; but if there be repudiation due to vitiated consent by fraud, violence, or intimidation, parties may go to the courts for relief instead. Now, by virtue of Republic Act 7160, also known as The Local Government Code of 1991, Katarungang Pambarangay had been more effective in almost all of the Barangays due to the wider and better

knowledge, but there are somehow people who still don't know these processes.

Conceptual Framework

This research work evolved in terms of implementation of the power and duties of the arbitrary panel, mediation and arbitration function of pacifying committee/arbitrary panel and constitution of conciliation panel.

Statement of Null Hypothesis

At 0.05 level of significance, the null hypothesis will be tested:

Ho: There is no significant difference in the perception of the implementation of katarungang pambarangay by the Barangay Chairman and Lupon Tagapamayapa.

Methodology

This chapter will presents the discussion of the research methodology which includes the research design, locale of the study, respondents of the study, the research instrument, data gathering procedure, and data analysis.

Research Design

The method of research the researchers employ in the study is associational method as this study describe the level of implementation of katarungang Pambarangay in the city of Borongan.

Locale of the Study

This particular study will focused on the top ten (10) barangays in the City of Borongan, Eastern Samar based on the most number of reported non index crime calendar year 2020. (See Fig. 2) Borongan is the only city in the province which is composed of sixty-one (61) barangays. These barangays are; Balud, Campesao, Songco, Taboc, Locsoon, Sabang South, Purok B, Cagbonga, Tabunan, and San Saturnino.

Figure 2. Shows the map of Borongan City, Eastern Samar where the study will be conducted.



Respondents of the Study

The respondents of the study were Barangay Captains and members of the Lupong Tagapamayapa.

Sampling Technique

This study will use total enumeration for Barangay Chairman and random sampling for members of Lupong Tagapamayapa within the top 10 barangays having a highest index and non-index crime.

Research Instrument

A questionnaire adapted from a study of Damuag, 2004. The researchers make some revisions to the questionnaire and added rating scheme. The survey questionnaire has two (2) parts, first part determined the profile of the respondents and the second part elicited the level of implementation of the Katarungang Pambarangay as perceived by Barangay Chairman and Lupong Tagapamayapa.

Table 1. Distribution of Respondents in selected Barangays in Borongan City

Name of Barangay	No. of Barangay Captain	No. of Lupong Tagapamayapa
Balud	1	10
Campesao	1	10
Songco	1	10
Taboc	1	10
Locso-on	1	10
Sabang South	1	10
Purok B	1	10
Cagbonga	1	10
Tabunan	1	10
San Saturnino	1	10

Data Gathering Procedure

First and foremost, letter request is sent to the city police station to furnish data of the top 10 barangay of highest crime incident. Permission to administer the instrument will be secured from the barangay captain and the Lupong Tagapamayapa members and to the city legal advisers. As permission granted, the researchers will personally administer the instrument.

To ensure privacy and confidentiality, all information that will be provided by the respondents in this study will be kept confidential. The researchers will not use any information gathered for any purpose outside of this research project. No reference will be made in oral or written reports that could link respondents to the study.

Statistical Treatment of Data

Weighted Mean will be used to summarize, analyze and interpret the perception of Barangay Captains and Lupong Tagapamayapa members in the level of implementation of Katarungang Pambarangay.

Scale	Mean Range	Interpretation
3	2.50-3.0	High (H)
2	1.75-2.49	Moderate (M)
1	1.00-1.74	Low (L)

T-test will be used to test the significant difference in the level of implementation of the Katarungang Pambarangay as perceived by Barangay Captains and the Lupong Tagapamayapa members.

Results And Discussions

Ages of Respondents

Table 2, presents the ages of the respondents. This table shows age ranges in intervals of nine (9) starting with 21-30 up to 71-80 frequencies corresponding to the ages of barangay captains and members of the arbitrary panel are presented in terms of percentage.

Table 2. Ages of Respondents

Ages	Barangay Captains		Lupong Tagapamayapa	
	f	%	f	%
21-30	0	0.0	6	6.0
31-40	2	20.0	15	15.0
41-50	3	30.0	27	27.0
51-60	4	40.0	28	28.0
61-70	0	0.0	23	23.0
71-80	1	10.0	1	1.0

Total	10	100.0	100	100.0
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The data also show that of the ten (10) Barangay Captains, two (2) or 20% had ages ranging from 31-40, three (3) or 30% are within the age bracket of 41-50, four (4) or 40% of the group are within the age range of 51-60 years old and one (1) or 10% falls within the bracket of 71-80.

Table 3. Gender of the Respondents

Gender	Barangay Captains		Lupong Tagapamayapa		Total	
	f	%	f	%	f	%
Male	9	90	82	82	82	91
Female	1	10	18	18	18	19
Total	10	100.0	100	100.0	100	110

The ratio of female barangay captains to males is one (1) is to nine (9) while that of Lupong Tagapamayapa is approximately eighteen (18) is to eighty-two (82) or two (2) is to nine (9). Data show that both groups are dominated by men.

Educational Attainment

The next table presents the educational attainment of the respondents. Table 4 shows that there are more bachelor's degree holders (67.27%) than non-bachelor's degree holders (32.73%)

Table 4. Educational Attainment of the Respondents

Educational Attainment	Barangay Captains		Lupong Tagapamayapa		Total	
	f	%	f	%	f	%
Bachelor's Degree Holders	6	60.0	68	68.0	74	67.3
Non- Bachelor's Degree Holders	4	40.0	32	32.0	36	32.7
Total	10	100.0	100	100.0	110	100.0

The data show that in terms of educational attainment of the Barangay Captains four (4) or 40% are without bachelor's degrees, while six (6) or 60% are holders of bachelor's degrees. Findings clearly show that most of the barangay captains in the selected barangays of Borongan City had finished baccalaureate degrees. The Provision on Barangay Justice System does not require that member of the arbitrary panel must be a graduate of bachelor's degree, provided that the appointee is a natural born Filipino citizen with legal age, with good moral character, and is willing to serve as member of the panel. He must also be a resident of the same barangay.

Years in Service

Table 5 presents the experience in years of service by the barangay captains. Seven (7) or 36% are relatively young considering that their experience is from 1 to 10 years. The same number of years was

attributed to fifty-four (54) arbitrary panel members which accounts for 49.09%.

Table 5. Experiences of the Barangay Captains and Members of the Arbitrary Panel

Years of Experience	Barangay Captains		Lupong Tagapamayapa		Total	
	f	%	f	%	f	%
1 to 5	2	20.0	30	30.0	32	29.09
6 to 10	5	50.0	24	24.0	29	26.36
11 to 15	0	0.0	24	24.0	24	21.82
16 to 20	0	0.0	2	2.0	2	1.82
21 to 25	3	30.0	15	15.0	18	16.36
26 to 30	0	0.0	5	5.0	5	4.55
Total	10	100.0	100	100.0	110	100.00

The data show that among the Barangay Captains, two (2) or 20% had one to five years of experience. Five (5) or 50% of them had 6 to 10 years of experience. Three (3) or 30% of the members were there for 21 to 25 years. Data show that generally three (3) of the barangay captains served for more than 20 years. Hence the R.A. 7160, prescribed the term of office of the Barangay Captain, but some of them were already elected prior to the effectivity of the said law. On the other hand, of the one hundred (100) members of the arbitrary panel, thirty (30) or 30% had from one to five years of experience. Twenty-four (24) or 24% of them had experiences from six to ten years. Almost one fourth or 24% had 10 to 15 years. Twelve (2) or 2% of the group had experienced 16 to 20 years in service. Fifteen (15) or 15% had ages from 21 to 25 years and another five (5) or 5 % of the group served from 26 to 30 years. To recall, the Provisions of the Barangay Justice System do not limit the term of office of the members of the arbitrary panel, provided that one is of legal age, willing to serve the constituents and actually residing in the same barangay. The member of the panel could be appointed by virtue of the appointing authority of the Barangay Captain.

LEVEL OF IMPLEMENTATION OF THE BARANGAY JUSTICE SYSTEM BY THE ARBITRARY PANEL AS PERCEIVED BY THE TWO GROUPS

Perceptions on the level of implementation by the arbitrary panel were determined by two groups of respondents. The results are as follows.

On the Powers and Duties of the Barangay Captain

Table 6 shows the results of the evaluations done by the two groups of respondents. Generally, the members of the arbitrary panel are saying that the implementation is high with an aggregate mean of 2.86.

Table 6. The Implementation of the Powers and Duties of the Barangay Captain as Chairman of the Arbitrary Panel

Power and Duties	Barangay Captain (10)		Lupong Tagpamayapa (100)	
	Mean	Interpretation	Mean	Interpretation
1. Constituting of the actual number of the pacifying committee/arbitrary panel based on the population and volume of disputes 15 days after the term of office.	2.50	High	2.35	High
2. Preparing of notices to constitute a group of pacifying committee/arbitrary who are residing or working in the barangay.	2.60	High	2.30	Moderate
3. Posting of notices to constitute a group of pacifiers/arbitrary panel at least in 3 conspicuous places within the barangay.	3.00	High	2.45	High
4. Appointing of not less than 10 or more than 20 suitable persons as members of pacifying committee/arbitrary panel within 10 days from last day of posting.	3.00	High	2.65	High
5. Setting the date, and place of, and presiding over the regular monthly meeting the group of pacifiers.	3.00	High	2.65	High
6. Preparing the agenda for each meeting.	3.00	High	2.50	High
7. Seeing to it that the group of pacifiers exercises administrative supervision over the various conciliation panels and the performance of such powers, duties, functions as prescribed by law.	2.70	High	2.30	Moderate
8. Where by arbitration and mediation was made by him, attesting to the certification by the secretary pacifying committee.	2.90	High	2.70	High
9. Enforcing by execution, on behalf of the pacifying committee, the amicable settlement and arbitration award in accordance with law.	3.00	High	2.60	High
Overall Mean	2.86	High	2.50	High

It was perceived that constituting the actual number of the members of the panel posting of notices, appointment of members, setting of date and place of meetings, presiding over regular meetings, preparations of agenda, and others were rated high.

Only one (1) item was rated moderate by the panel members. This was the preparations of notices to constitute a group of pacifying committee who are residing or working in the barangay.

The barangay captains rated all the items high. This includes what was rated as moderate by the arbitrary panel members.

The small standard deviations (0.20 and 0.16) attributed to the two groups mean that they had homogenous numerical evaluations.

On the Implementation of Mediation and Arbitration Functions of the Members of the Arbitrary Panel

Table 7 shows the results of evaluations done by the two groups of respondents. Most of the barangay captains are saying that the implementation is high with an aggregate mean of 2.67.

Table 7. The Mediation and Arbitration Functions of the members of the Lupong Tagapamayapa

Functions	Barangay Captain (10)		Lupong Tagapamayapa (100)	
	Mean	Interpretation	Mean	Interpretation
1. Receiving all written complaints and putting into writing all verbal complaints made by individuals against other individuals.	2.80	High	2.70	High
2. Refusing to receive complaints against of corporations, partnerships and other judicial entities which are beyond jurisdiction.	2.70	High	2.44	High
3. Immediately upon receipt, notifying complainants of the date of initial hearing.	2.50	High	2.78	High
4. Issuing summons to the respondent(s) to appear before them not later than 5 days for mediation of their conflicting interest.	2.50	High	2.89	High
5. Administering oaths in connection with any matter relating to all proceedings in the implementation of the barangay justice.	2.70	High	2.28	High
6. Resolving of all objections raised during the mediation proceedings before them and certification of the resolution that no objection was made.	2.90	High	2.41	High
7. Mediating all disputes within jurisdiction.	2.60	High	2.63	High
8. Putting into writing in a language directly known to the parties.	2.80	High	2.58	High
9. Requiring the parties to sign the same and attest it's due to execution.	2.60	High	2.48	High
10. Arbitrating dispute upon written agreement of the parties to abide by arbitration award of the chairman of the arbitrary panel.	2.50	High	2.61	High

11. Conducting hearings and evaluation of evidence presented by parties, 10 days after the date of agreement.	2.50	High	2.61	High
12. Rendering awards through writing in a language or dialect known to the parties not earlier than 6 days following the date of agreement to arbitrate.	2.90	High	2.56	High
Overall Mean	2.67	High	2.59	High

It was perceived that receiving all written complaints and putting into writing are verbal complaints made by individuals against each other, refusing to receive complaints against corporations, immediately upon receipt, notifying complainants of the date of initial hearing, issuing summons to the respondent(s) to appear before them, not later than five (5) days for mediation of their conflicting interest, resolving of all objections raised during the mediation proceedings before them and certification the resolution of or that no objections was made, mediating all dispute's within jurisdictions, putting into writing in a language directly known to the parties, requiring the parties to sign the same and attest its due to execution, arbitrating dispute upon written agreement of the parties to abide by arbitration award of the chairman of the arbitrary panel, conducting hearing and evaluation of evidence presented by the parties, 10 days after the date of agreement, and others were rated as high.

The members of the arbitrary panel rated most of the items high, except administering oaths in connection with any matters relating to all proceedings in the implementation of barangay justice was rated as moderate.

The small standard deviation attributed to the two groups means that they had homogenous numerical evaluations.

On the Implementation of the Functions of the Chairman of Lupong Tagapamayapa

Table 8 shows the results of the evaluations done by the two groups of respondents. Generally, the barangay captains are saying that the implementation is high with the aggregate mean of 2.85.

Table 8. The Implementation of the Functions of the Chairman of the Lupong Tagapamayapa

Functions	Barangay Captain (10)		Lupong Tagapamayapa (100)	
	Mean	Interpretation	Mean	Interpretation
1. Facilitating the election by a majority vote from among the 3 members of that conciliatory panel.	2.90	High	2.56	High

2. Seeing to it that there is sufficiency of majority of 2 votes in electing conciliatory chairman.	2.70	High	2.69	High
3. Presiding all hearing conducted by the arbitrary panel and administer oaths in connection with matters related to all proceedings.	3.0	High	2.55	High
4. Issuing summons for the personal appearance of parties and witnesses before the panel.	2.70	High	2.66	High
5. Attesting to the authenticity and due execution of the settlement reached by the parties before the panel.	2.80	High	2.56	High
6. Presiding over the arbitration hearing when the parties agree in writing to the arbitrary panel their dispute	3.0	High	2.79	High
Overall Mean	2.85	High	2.64	High

It was perceived that facilitating the election by a majority vote from among the three (3) members of that conciliatory panel seeing to it that there is sufficiency of majority of two (2) votes in electing conciliatory chairman, presiding all hearings conducted by the arbitrary panel and administering oaths in connection with matters related to all proceedings: issuing summons for the personal appearance of parties and witness before the panel, and others were rated high.

The members of the arbitrary panel rated all the items high. The standard deviations attributed to the two groups mean that they had homogenous numerical evaluations.

On the Functions of the Secretary of the Arbitrary Panel

Table 9 shows the results of the evaluations done by the two groups of respondents. All barangay captains are saying that the implementation is high with aggregate mean of 2.84.

Table 9. Functions of the Secretary of the Arbitrary Panel

Functions	Barangay Captain (10)		Lupong Tagpamayapa (100)	
	Mean	Interpretation	Mean	Interpretation
1. Preparing the minutes of the arbitration proceedings	3.00	High	2.70	Moderate
2. Submitting a copy of the minutes of the arbitrary proceedings, attested by the chairman, to the secretary of pacifiers' committee and to the proper city or municipality.	2.90	High	2.22	High

3. Issuing notices of hearing before the conciliation panel and causing them to be served.	2.80	High	2.68	High
4. Keeping minutes of the proceedings for arbitration panel and having them attested by the panel chairman.	2.70	High	2.54	High
5. Noting the minutes of the willful failure or refusal of the party to comply with the summons issued by the panel chairman.	2.80	High	2.58	High
6. Issuing certification required for filing of an action or proceeding in court or any government office.	2.70	High	2.35	High
7. Issuing a certification for barring the complainant from the filing a case, or the respondent from filing a counterclaim in court in case of willful failure of the complainant.	3.0	High	2.45	High
Overall Mean	2.84	High	2.50	High

It was perceived that preparing the minutes of the arbitration proceeding, submitting a copy of the minutes of the arbitration proceedings, attested by the chairman to the secretary of the pacifier's committee and the city proper or municipality, issuing notices of the hearing before the conciliation panel and causing them to be served upon the parties and their witnesses, keeping minutes of the proceedings for arbitration panel and having them attested by the panel chairman, noting the minutes of the willful failure or refusal of the party to comply with the summons issued by the panel chairman, and others were rated as high.

The members of the arbitrary panel rated most of the items high, except submitting a copy of the minutes of the arbitration proceedings, attested by the chairman to the secretary of the pacifier's committee and the city proper or municipality.

The small standard deviations attributed to the two groups imply that they had homogenous numerical evaluations.

TEST OF HYPOTHESIS

The following null hypothesis was tested in this study:

Ho: There is no significant difference between the perceptions of the two groups of respondents regarding their level of implementation of the barangay Justice System.

The t-test results of tables had shown that the two groups did not differ on their perceptions regarding the level of implementation of the mediation of the arbitrary panel. Their perceptions differ on the levels of the implementation of the following:

1. Power and Duties of the Barangay Captains as Chairman of the Arbitrary Panel.
2. Functions of the Chair of the Arbitrary Panel.
3. Functions of the Secretary.

Their computed values were greater than the critical values at 0.05 level of significance.

The tabulated data shown in earlier tables may have presented similar interpretations but their numerical data have been yielded significant differences. Significant differences shown on Table 10 are values less than 0.40 which ranged from 0.21 to 0.36. The only insignificant difference is 0.08 on the groups' perceptions of the level of implementation of the mediation function of the arbitrary panel. This means that the barangay captains and the arbitrary panel have identical perceptions about the implementation of mediation function of the panel.

Table 10. Result of the t-test on the Difference in the Mean Perceptions of the Two Groups of Respondents regarding the Implementation of R.A. 7160 in Four Areas

Difference in the Mean Perception on the Implementation of the	Barangay Captain		Lupong Tagapamayapa		Difference	Computed	Cv at 0.05	Significance
1. Power and Duties of the Barangay Captains as Chairman of Lupong Tagapamayapa	2.86	0.20	2.50	0.16	0.36	4.217	1.746	Significant
2. Mediation of Lupong Tagapamayapa	2.67	0.16	2.59	0.17	0.08	1.028	1.746	Not Significant
3. Functions of the Lupong Tagapamayapa	2.85	0.14	2.64	0.10	0.21	3.662	1.746	Significant
4. Functions of the Secretary	2.84	0.13	2.50	0.18	0.34	4.594	1.746	1.746

Tabulated data shown in earlier tables may have presented similar interpretations but their numerical data have yielded significant differences. Significant differences shown in Table 9 are values less than 0.40 which ranged from 0.21 to 0.36. The only insignificant difference is 0.08 on the groups' perceptions of the level of implementation of the mediation function of the Lupong Tagapamayapa have identical perception about the implementation of mediation function of the panel.

Summary, Findings, Conclusions And Recommendations

This chapter presents the summary, findings, conclusions and recommendations of the study.

The main purpose of the study was to determine the level of implementation of the Katarungang Pambarangay by the Barangay Captains and the members of Lupong Tagapamayapa in the Borongan City Calendar Year 2021.

Specifically, this study answered the following questions:

1. What is the profile of the Barangay Captains and the members of the Lupong Tagapamayapa in terms of:

- 1.1 age,
- 1.2 gender,
- 1.3 educational attainment, and
- 1.4 years in service.

2. What is the level of implementation of the Katarungang Pambarangay as perceived by:

- 2.1 Barangay Captains;
- 2.2 Lupong Tagapamayapa

3. Is there a significant difference on the level of implementation as perceived by the two groups of respondents?

4. Based on the findings of the study, what in-service training program may be proposed?

Hypothesis

The following null hypothesis was tested in this study:

There is no significant difference between the perceptions of two groups of respondents regarding the level of implementation of Katarungang Pambarangay.

Findings

A. Profile of the Barangay Captains and Members of the Lupong Tagapayapa Panel as respondents.

- 1. Age. Frequency revealed that (5) of the Barangay Captains are more than 50 years old. The youngest respondent is 33 years old and the oldest respondents are 73 years old who is still considered qualified to run another term of office. On the ages of the members of the Lupong Tagapayapa, the youngest among them is 30 years old.
- 2. Gender. Data show that out of ten (10) Barangay Captains in the City of Borongan, nine (9) are males and only one (1) is female.

The members of the Lupong Tagapayapa shows that eighty-two (82) are males and eighteen (18) are females.

3. Educational Attainment. Findings show that most of the Barangay Captains in selected barangay in Borongan City had finished baccalaureate degrees and beyond. The provision of Katarungang Pambarangay Law does not require that the Barangay Captains and Members of the Lupong Tagapayapa must be graduates of bachelor's degree. The basic qualifications is that he or she must be a person of legal age, able to read and write, a resident of the same barangay and a person with good moral character.
 4. Years in Service. Data show that three (3) barangay captains served for more than 20 years. Hence R.A. 7160 prescribed the terms of office of the Barangay Officials, but some of them were selected and appointed prior to the effectivity of this Law. While for the members of the Lupong Tagapamayapa. The Provisions of the Katarungang Pambarangay Law does not prescribe the limits, provided that the member is of legal age and willing to serve the constituents and with residence of the same barangay, by the virtue of the appointing authority of the Barangay Captain.
- B. Level of Implementation of the Katarungang Pambarangay by Two Groups
1. On the Level of Implementation of Katarungang Pambarangay by two groups, the findings are as follows:
 - 1.1 There was a high level of implantation as perceived by the barangay captains. The lupong tagapamayapa however said that there were moderate implementation on:
 - 1.1.1 The preparation of notices to constitute a group of pacifying committee who are residing or working in barangay.
 - 1.1.2 Seeing to it that the group of pacifiers exercises administrative supervisions over the various conciliation panels and in the performance of such powers, duties and functions as prescribed by law.
 2. On the Implementation of Mediation and Arbitration Functions of the Panel
 - 2.1 The barangay captain once more rated all the functions as highly implemented, while the Lupong Tagapamayapa rated as moderate in the administration of oaths in connection with any matter relating to all proceedings in the implementation. The t-test however failed to notice this difference of the means which is 0.08.
 3. On the implementation of the Functions of the Panel.

The two (2) groups rated the implementation of the functions as highly implemented. Hence, the numerical difference in the perceptions differ by 0.21 the difference in their perception was significant.

4. Implementation of the Function of the Secretary of the Panel.

- 4.1 Again, the implementations of the secretary's functions were rated high by both groups but the differences of 0.34 in their numerical perceptions were significant at 0.05 level.

Conclusion

The level of implementation of the Katarungang Pambarangay was rated high by the Barangay Captains themselves in knowing the functions in their performance of duty particularly their supervisory authority to the Members of the Lupong Tagapayapa.

Barangay Captains perceived high level of implementation of the three (3) categories of Provisions; the primary functions of the Chairman of the Conciliation Panel and the functions of the Secretary of the Lupong Tagapamayapa for violations thereof.

Members of the Arbitrary Panel perceived moderately in the level of the implementation of the provisions of R.A. 7160.

The findings in the test of hypothesis showed that the groups did not differ only on their perceptions regarding the level of implementation of the mediation of the Lupong Tagapamayapa. Their perceptions differ in the powers and duties of the barangay captains as chairman of the Lupong Tagapamayapa, in the functions of the chair of the panel and in the functions of the secretary.

Recommendations

The following recommendations are:

1. A training Program must be given to the Barangay Captains and Members of the Lupong Tagapamayapa for the full implantation of the Provisions particularly on three (3) items which were rated moderate by respondents. First, the preparation of notices to constitute a group of pacifying committee who are residing or working in same barangay. Second, seeing to it that the group of pacifiers exercises administrative supervisions over the various conciliation panels and in the performance of such powers, duties and functions as prescribed by law. Third, the administration of oaths in connection with any matter relating to all proceedings in the implementation.

The training Program should be modularized and it should include group dynamics and other strategies like role-playing.

2. Those members of the panel who have not fully implemented the Provisions must undergo training.

3. Representatives from the Department of Local Government and the Personnel from the Department of Justice are responsible to conduct seminar in order to fully implement the Provisions of the Law.

IN-SERVICE TRAINING PROGRAM FOR BARANGAY CAPTAINS AND MEMBERS OF THE LUPONG TAGAPAMAYAPA

Rationale

The Barangay Captains and the Members of the Lupong Tagapamayapa must develop appropriate knowledge and skills with regard to the Provisions of R.A. 7160 otherwise known as Katarungang Pambarangay Law. The result of the study showed that most of the Barangay Captains are aware about the Provisions, but some of the members of the Lupong Tagapamayapa were rated moderately. Since the members of Lupong Tagapamayapa are appointed by the Barangay Captains, it is presumed that there is a contributory factor on the part of the Barangay Captains regarding the effective performance of the members. While it is true that the implementation of R.A. 7160 is a legal obligation yet it is primordial duty of the Barangay Captains through the office of Department of Interior and Local Government (DILG) to obtain information in any manner possible with the extent of this professional training in order to fully implement the R.A. 7160.

General Objectives

The following are the general objectives of the training program

1. To develop the career consciousness in every Barangay Captain and members of the Arbitrary Panel by stressing duties and responsibilities in the implementation of the Provisions of Katarungang Pambarangay.
2. To increase the skills and knowledge of the Barangay Captains and Members of the Arbitrary Panel regarding the implementation of Katarungang Pambarangay.
3. To instill awareness of some serious lapses in the implementation of the Provisions of R.A. 7160 or Katarungang Pambarangay.

FUNCTION AREA	GOALS	KEY RESULTS	TIME FRAME	IMPLEMENTING OFFICES
To develop the career consciousness in every Barangay Captain and members of the Arbitrary Panel by stressing duties and responsibilities in the	Citizen involvement seminars and workshops	Prepared citizen with high regard of involvement in the implementation of Katarungang Pambarangay	Second week of November, 2021. Follow- up workshop in the 1st week of January, 2021 and 2nd week of August, 2022.	DILG DOJ City Government CCJE

implementation of the Provisions of Katarungang Pambarangay				
To increase the skills and knowledge of the Barangay Captains and Members of the Arbitrary Panel regarding the implementation of Katarungang Pambarangay	Community awareness campaign seminar	Produced community with thorough understanding of their duties and responsibilities in the implementation of Katarungang Pambarangay	First week of March, 2022. And first week of September, 2022.	DILG DOJ City Government CCJE
To instill awareness of some serious lapses in the implementation of the Provisions of R.A. 7160 or Katarungang Pambarangay	Motivational Seminar Workshop	Create community that recognize their capabilities and with higher level of self-confidence and cooperation.	Third week of June, 2022 and fourth week of October, 2022.	DILG DOJ City Government CCJE

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