

## Implementation of Katarungang Pambarangay Law in the Municipality of Mambusao, Capiz

BY

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### Abstract

This study aimed to analyze the level of implementation of Katarungang Pambarangay Law in the Municipality of Mambusao, Capiz. One hundred fifteen respondents were identified using stratified random sampling and were surveyed using an adapted questionnaire. A descriptive-inferential research method was utilized and results were interpreted at 0.05 level of significance. Results showed that the respondents were dominantly farmers, middle-aged adults, male, college level, and with 0-4 training/s attended. Furthermore, the level of implementation of KP Law was “high level”. The level of implementation of KP law was differed significantly in terms of the respondents’ age and highest educational attainment. This implies that experience manifested by age and higher educational attainment are factors for better implementation of KP Law.

**Keywords:** *Implementation of KP Law, Municipality of Mambusao, Capiz*

## INTRODUCTION

The success of any policy is measured not on how well it was crafted but mainly on the capabilities of the people who will implement it. Katarungang Pambarangay (KP) law of the Barangay Justice System aims for friendly, peaceful, and amicable settlement of disputes among member of the barangays/communities or villages without the need to go to court and spend for litigation of disputes which are common and recurring within the barangays such as theft, land problem, alarms, and scandal, less serious physical injuries, etc., and to restore and maintain good relationship among the inhabitants of the community (World Bank, 2000; Sinnar, S., 2001). Section 399-422 of the Republic Act 7160 or the Local Government Code of 1991 outlines the process of KP starting with the appointment of Lupon Members, their roles and functions, the stages/processes of disputes resolution, and the timeliness to be observed in the implementation thereof.

In the implementation of barangay Judicial Service System (BJSS) in the community, every citizen has the right to avail

himself/herself of the services of the Lupon and with the support of Barangay Captain to resolve the issues or conflict among the complainants (Gerry Roxas Foundation, 1999).

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This study looks into the level of implementation of KP law by the Lupon members in carrying out their duties and responsibilities and functions as mediators in the conflict of their corresponding barangay. The findings of the study will give significant details to Local Government Unit and Department of the Interior and Local Government (DILG) and will give them information on how effective and efficient lupong tagapamayapa is in the barangay. Moreover, this study also significantly contributes to the College of Management as our baseline in creating our extension program to

be conducted in the Municipality of Mambusao specifically for the Lupong Tagapamaya Members.

**Statement of the Problem**

This study sought to determine the implementation of Katarungang Pambarangay Law. Specifically, this aims to answer the following questions:

1. What is the profile of the Lupon Members in terms of age, sex, highest educational attainment, length of service, and occupation?
2. What is the level of implementation of KP law in terms of conciliation efforts to reconcile parties, issuance of certificate to file action, enforcement of rules, and proper application of the legal procedures?
3. Are there significant differences in the level of implementation of KP Law when group according to respondents' profile?

**Theoretical Framework**

The research was anchored on Republic Act (R.A.) No. 7160 also known as the Local Government Code of 1991, in which Article 387(b) of the Law specifies that a Lupong Tagapamayapa shall be established in every barangay. The lupong consists of the punong barangay president and 10 to 20 members. A lupong member must be a citizen or barangay employee who is not otherwise specifically excluded by law and has integrity, impartiality, independence of mind, a sense of fairness, and a reputation for integrity. Lupong tagapamayapa is an alternative dispute resolution in a barangay, they settle conflicts and misunderstandings without the costly application of cases in higher courts.

**Research Method Used**

This study utilized the descriptive-inferential research design. This method is the most appropriate to describe the current conditions, practices, and disposition of the Lupong Tagapamayapa (conciliation committee) in settling cases. The approaches include quantitative analysis and interpretation of data generated from the Lupon Members in the implementation of Katarungang Pambarangay (KP) in the Municipality of Mambusao during January – June 2022.

**Research Locale**

The respondents of the study were the 115 Lupon Tagapamayapa Members in the 26 barangays in the Municipality of Mambusao, Province of Capiz.

**Research Instruments**

The researchers used standardized questionnaires from the study Effectiveness of Conciliation Process: A Practical Way of Delivering Justice by Agustin et al. (2018). The instrument consists of two parts, the first part is the personal information and the second part is the level of implementation of KP Law scale with 22 items and 4 subscales, which are the conciliation efforts to reconcile parties, issuance of certificate to file action, enforcement of rules and proper application of the Legal Procedures.

**Data Gathering Procedure**

Before the research instrument was administered a communication was prepared addressed to the Municipal Mayor in the Municipality of Mambusao for data extraction of respondents who were Lupon Tagapamaya Members.

As soon as permission was obtained and prior to data collection, an informed consent was secured from them, assuring them that there is no wrong answer and that their identity and information will be handled with utmost confidentiality and maintained in strict compliance to the provision of Republic Act 10173 commonly known as the Data Privacy Act of 2012. The respondents were likewise oriented on the Data Collection Tool and the manner how it will be administered.

**Results and Discussion**

**Profile of the Respondents**

Figure 1 reflects the profile of the respondents that includes age, sex, number of years as Lupon, educational attainment, number of relevant training attended, and occupation. A majority (57.4%) of the respondents were middle-aged with ages from 30 to 48 years old; 25.2 percent, Old, 67 – 84 years; 17.4 percent and young aged (20 - 48 years old) category. Moreover, more than three-fourths (78.3%) of the respondents were males and the rest (21.7%) were females. In terms of length of service, most (93.9%) of the respondents were neophyte (between 1 – 10 years); 6.1 percent, had been in the service between 11 – 20 years as Lupon members. College level were the most common (27.0%) educational attainment among the respondents, 20.9 percent were high school graduate, 15.7 percent were high school level, 13.9 percent were elementary graduate, 12.2 percent were elementary level, 8.7 percent were college graduate while both 0.9 percent earned masteral and doctoral degree holders. Most (98.3%) of the respondents had less training attended (between 0 – 4 trainings), both 0.9 percent, 5 – 7 training attended and 8 – 10 trainings attended.

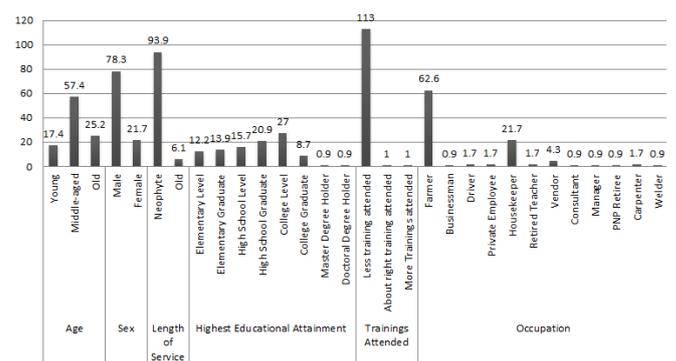


Figure 1. Profile of the respondents.

**Level of Implementation of KP Law**

As indicated in Table 1, gathered data revealed that the overall level of implementation of KP Law based on the overall conciliation efforts to reconcile parties, issuance of certificate to file action, enforcement of rules, and proper application of the legal procedures as perceived by the respondents is “high level of implementation” having a total mean of ( $\bar{x} = 4.10$ ).

Understanding this data according to Agusin, et.al., (2018) “that the Lupon exercises a deeper evaluation and investigation of the cases brought before them to harmoniously settle conflicts”. The authors added that Lupon Tagapamayapa is effective to a great extent in acting judiciously in their duty to amicably settle disputes.

Another study of Villamor, J. F. M., & Dagohoy, R. G. (2021) cited in their study that the level of effectiveness of conciliation process of lupon tagapamayapa is very high, it had shown a deeper understanding of the conciliation process and performed well in conciliating and resolving the dispute of two parties.

In the implementation of the KPJSS in terms of the actions taken on the cases in Barangka Ilaya and Old

Zaniga from 2015 to 2016. As could be seen on all the actions taken on the cases in Barangka Ilaya, all the interpretations were not effective. As could be seen on all the actions taken on the cases in Old

Zaniga, all the interpretations were slightly effective.

Further, the result of the study negates with the findings of Pila, R. (2021), which states that the implementation of the Katarungang Pambarangay Judicial Service System were not effective and slightly effective in Barangka Ilaya and Old Zaniga, respectively in Mandaluyong City. Futher, the researcher observations were the following: overlapping of hearing sessions; no designated room for Lupon Hearings for both barangays; lack of orientation among the complainant/local residence in filing complaints that caused several pending cases.

**Table 1. Level of Implementation of KP Law as a whole.**

Category	N	Mean	SD	Verbal Interpretation
Conciliation Efforts to Reconcile Parties	115	4.12	0.08	High level
Issuance of Certificate to File Action	115	4.09	0.09	High level
Enforcement of Rules	115	4.05	0.08	High level
Proper Application of the Legal Procedures	115	4.14	0.08	High level
<b>Overall Effectiveness</b>	<b>115</b>	<b>4.1</b>	<b>0.08</b>	<b>High level</b>

Note: Interpretation is based on the scale:

- 1.00-1.80 No level of implementation
- 1.81 – 2.60 Low level of implementation
- 2.61 – 3.40 Moderately level of implementation
- 3.41 – 4.20 High level of implementation

4.21 – 5.00 Very high level of implementation

**Differences in the Level of Implementation of KP Law When Grouped According to Respondents' Profile**

Table 2 shows the analysis of the differences in the level implementation of KP Law when grouped according to respondents' profile such as age, sex, length of service, trainings attended, educational attainment, and occupation.

Findings revealed that there were no significant differences in the level of Implementation of KP Law when the respondents were grouped according to sex, length of service, trainings attended, and occupation.

This implies that the respondents' level of Implementation of KP Law were not affected by their sex, length of service, trainings attended, and occupation. However, there were significant differences in the level of Implementation of KP Law when the respondents were grouped according to age and educational attainment. The results conform with the study Pila, R. (2021) of which educational attainment was given preference by the barangay captain in the selection and appointment of Lupon members.

**Table 2. Test of differences in the level of implementation of KP Law and respondents' profile.**

Variable	Sig.	Interpretation
Age	0.048	Significant at 5% level
Sex	0.845	Not significant
Length of Service	0.937	Not significant
Trainings Attended	0.554	Not significant
Educational Attainment	0.010	Significant at 1% level
Occupation	0.175	Not significant

**Conclusions**

Based on the foregoing findings, the following conclusions were drawn.

1. Respondents were dominantly farmers, middle-aged adults, male, college level, and with 0-4 training/s attended.
2. The level of implementation of KP Law was “high level”. This implies that the Lupon Members are able to apply the mandated roles, functions, and responsibilities and make every conciliation proceedings effective.
3. The level of implementation of KP law was the same regardless of sex, length of service, trainings attended, and occupation; but differed significantly in terms of the respondents' age and highest educational attainment. This implies that experience manifested by age and higher education attainment are factors for better implementation of KP law.

## Recommendations

1. The Local Government Unit (LGU) of Mambusao and the Department of Interior and Local Government (DILG) may provide trainings/workshops/seminars on basics of the law on dispute settlements among Lupon Tagapamayapa Members to be more effective and efficient in delivering speedier and quality service in handling disputes in the Municipality of Mambusao.
2. LGU and DILG may establish an open communication with the clientele for feedbacking to further improve the implementation of the KP Law.
3. A study on effectiveness of Lupon Tagapamayapa Members in the implementation of Katarungang Pambarangay Law.

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