



BARANGAY JUSTICE SYSTEM IN BARANGAY MATATALAIB, TARLAC CITY: AN EVALUATION

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Abstract

The Barangay Justice System or KatarungangPambarangay is a system for the amicable settlement of disputes at the barangay level. It aims to promote speedy administration of justice and to relieve the courts of conciliable criminal and civil cases. The Barangay Justice System is neither a court of justice nor a judicial tribunal where cases are heard and decided before a judge or a jury. It is an administrative body at the barangay level where community members may reconcile their differences without resorting to judicial process, thus avoiding protracted and expensive settlement of disputes before the court. This study focused on the Barangay Justice System of Matatalaib which included 989 filed cases. The respondents of the study included the punong barangay (village captain), barangay secretary and twenty (20) members of the lupongtagapamayapa (community conciliators). Documentary analysis and interview were the primary sources of the data. Based on the gathered data, majority of the filed cases were resolved with the help of the barangay justice system. Robbery/theft and trespassing were the cases which were commonly not resolved due to the lack of: evidence and the identities of who committed the offenses.

Keywords: *Barangay Justice System, Good Governance*

Presidential Decree No. 1508 is a decree issued by former President Ferdinand E. Marcos which is geared towards the establishment of a system of amicably settling disputes at the barangay level. PD 1508 has four objectives which are the promotion of speedy administration of justice, minimization of indiscriminate filing of cases in courts, minimization of congestion of court dockets to enhance the quality of justice dispensed by the courts and perpetuation and recognition of time-honoured tradition of amicably settling disputes at the community level. This legislation paved the way for the creation of the Barangay Justice System or KatarungangPambarangay in the Philippines.^[1]

According to Republic Act No. 7160 otherwise known as the Local Government Code of 1991 Section 384, "Barangay is the basic political unit in the Philippine government which serves as a primary planning and implementing unit of government policies, plans, programs, projects and activities in the community. It also serves as a forum for the expression, crystallization and consideration of the views of the people and the amicable settlement of disputes among its residents." Being the smallest political unit in the country, it is then in the most strategic position to facilitate the resolution or mediation of community disputes.

The Barangay Justice System or KatarungangPambarangay is a system for the amicable settlement of disputes at the barangay level. It aims to promote speedy administration of justice and to relieve the courts of conciliable criminal offenses and civil cases. The Barangay Justice System is neither a court of justice nor a judicial tribunal where cases are heard and decided before a judge or a jury. It is an administrative body at the barangay level where community members may reconcile their differences without resorting to judicial process, thus avoiding protracted and expensive settlement of disputes before the court. Almost all civil disputes and every criminal offense punishable by imprisonment not exceeding one year or a fine not exceeding five thousand pesos (PhP 5,000) are subject to amicable settlement under the Barangay

Justice System when the parties involved are individuals who are residing in the same city or municipality.^[2]

The existing law governing the Barangay Justice System is Republic Act No. 7160. Pertinent provisions on BJS are Sections 399 – 422 under Chapter 7, Title one, Book III; Section 17 (b) (iv); Section 389 (b) (10); 391 (a) (15); and Section 515. Section 1117 (b) (iv) of the Code mandates the barangay to maintain the BJS as one of the basic services. Also, Section 389 (b) (10) directs the punong barangay to administer the operation of the BJS. Section 391 (a) (15) grants benefits to lupon members and Section 515 prescribes sanctions to parties who will fully refuse to appear during the scheduled hearing.^[3]

The lupongtagapamayapa or lupon is a body organized in every barangay composed of the punong barangay as the chairperson and not less than ten and more than twenty members. They are in-charge of conflict resolution in the community.

This study was undertaken to evaluate the barangay justice system of barangay Matatalaib, Tarlac City. Specifically, it attempted to answer the following questions: How are the cases described in terms of types? What is the status of the filed cases? What are the problems encountered in the administration of justice in the barangay? What strategies are proposed to improve the Barangay Justice System of Matatalaib, Tarlac City?

Methods and Materials

The study focused on the Barangay Justice System of Matatalaib which included 989 cases filed for the year. The respondents of the study included the punong barangay, barangay secretary and twenty (20) members of the lupongtagapamayapa.

The study was conducted in barangay Matatalaib which is located on the eastern portion of the city proper. Barangay Matatalaib is considered to be one of the biggest and oldest in the city of Tarlac with a land area of 7.4 square kilometres. It comprises eighteen sitios namely: Suba, Tanpoco, H-Cruz,



Buno, Mangga IA, Mangga IB, Mangga Dos, Sto. Niño, Santos, Silangan, Tarikan, Urquico, Robertsville, St. Mary, Villa Perpetua, Villa Leticia and Micalugud.

As of 2010 NSO Survey, barangay Matatalaib is considered as one of the most populous in the city with a total population of 21,117 inhabitants.

Documentary analysis and interview were the primary sources of the research data.

Results and Discussions

Descriptions of the Case Types: The types of cases were classified into criminal, civil and miscellaneous ones. Table 1 presents the number of criminal cases filed at the barangay. Based on the gathered data, there were 568 recorded criminal cases in Brgy. Matatalaib.

The recorded physical injuries were often the result of group or gang war among young boys of the different sitios in the barangay. Confrontation often happened at night when rival groups crossed path. Other cases of physical injuries were due to the beating of a person without any reason by a drunken individual. Bruises, impairment of body parts and other physical injuries usually resulted from these cases.

Table 1 - Criminal Cases Filed in Barangay Matatalaib

Types	Frequency	Percentage
Physical injuries	243	42.78
Robbery/Theft	104	18.31
Threats	62	10.92
Slander/Oral defamation	61	10.74
Damage to property	54	9.51
Coercion/Unjust vexation	24	4.23
Trespassing	14	2.46
Estafa	6	1.06
TOTAL	568	100.00

Other criminal cases filed at the barangay were robbery/theft, threats, slander/oral defamation, damage to property, coercion/unjust vexation, trespassing, and estafa.

The number of civil cases filed in barangay Matatalaib is presented in Table 2.

There were 355 reported civil cases in Matatalaib. The following were the civil cases filed based on record: collection of debts or rental, family/marital relations, demand for specific performance of obligation arising from breach of contracts, damages, and ejection.

Table 2 - Civil Cases Filed in Barangay Matatalaib

Types	Frequency	Percentage
Collection of debts or rental	245	69.01
Family/Marital relations	78	21.97
Demand for specific performance of obligation arising from breach of contracts	26	7.32
Damages	3	0.85
Ejection	3	0.85
TOTAL	355	100.00

The collection of debt or rental is the primary civil case filed in the barangay. This case often occurred when a person who borrowed money from a neighbor or from a friend would not be able to pay the amount within the agreed time. The record in the barangay showed that the amount being collected by the complainants ranged from hundreds to thousands of pesos. There were some instances when tenants

or boarders failed to pay their rents or balances which resulted in the filing of cases.

The number of miscellaneous cases filed at barangay Matatalaib is presented in Table 3. The miscellaneous cases filed in the barangay involved violation of local ordinances, labor cases, boundary disputes, and agrarian cases. There was a total of 66 miscellaneous cases filed at the barangay.

Table 3 - Miscellaneous Cases Filed at Barangay Matatalaib

Types	Frequency	Percentage
Violation of local ordinances	51	77.27
Labor cases	7	10.61
Boundary disputes	6	9.09
Agrarian cases	2	3.03
TOTAL	66	100.00

Violation of local ordinances filed at barangay Matatalaib usually involved the use of illegal drugs or violation of the curfew set by barangay officials which started at 10:00 PM and ended at 4:00 AM. These ordinances are widely known in the barangay, still some of the residents violated them. Teenage boys usually violated the curfew ordinance because of late-night sessions on alcohol drinking.

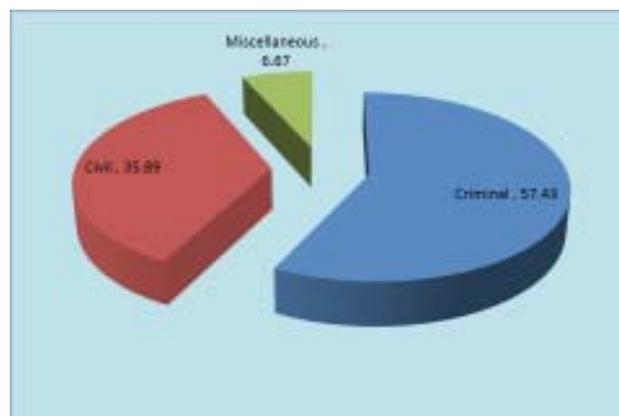


Fig. 1: Summary of Filed Cases

In Figure 1, a summary of the cases filed in barangay Matatalaib is presented. Based on the gathered data, the criminal cases filed at the barangay had the highest percentage at 57.43 percent or equivalent to 568 cases. This is followed by civil cases and then by miscellaneous cases with 35.89 percent and 6.67 percent respectively.

Status of Filed Cases: The status of the filed cases is categorized as resolved, unresolved, and elevated. Unresolved cases are defined as cases which are still in-progress during the conduct of the study or cases which cannot progress due to the unknown identity of the respondent. Elevated cases are those which are filed in court.

In Figure 2, a summary of the status of filed cases is presented. Based on gathered data, majority of the filed cases were resolved with the help of the barangay justice system. Robbery/theft and trespassing were the cases commonly not resolved due to lack of evidence and unknown identities of those who committed the cases.

Regarding the elevated cases, there were 12 cases which were filed in court. The elevated cases were as follows: seven (7)

criminal cases, three (3) civil cases, and two (2) miscellaneous cases. The elevated criminal cases were physical injuries, threats, and robbery/theft. Regarding the civil cases, all three (3) involved family/marital relations. The violation of local ordinance concerning the use of illegal drugs was the elevated case under miscellaneous cases.

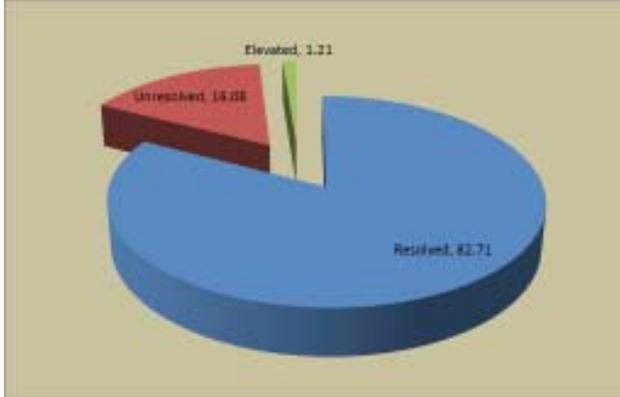


Figure 2. Summary of the Status of Filed Cases

Problems Encountered: The problems encountered by the “lupongtagapamayapa” in the administration of the barangay justice system are presented in Table 4.

Table 4 - Problems Encountered at Matatalaib on the Administration of the Barangay Justice System

Problems Encountered	Frequency	Rank
Insufficient trainings or seminars	17	1
Non-compliance of the respondent regarding the summon	12	2
Failure to track or contact the respondent	11	3
Non-compliance with the agreement made	7	4.5
Giving false statements by the complainant or respondent	7	4.5
Disorganized records system	6	6
Inadequate fund support and other forms of assistance for the lupongtagapamayapa from the barangay and other forms of assistance	5	7.5
Failure to reach an agreement between the complainant and the respondent	5	7.5
Unidentified respondent	2	9
Inadequate manpower in Barangay Justice System	1	10

Based on gathered data, insufficient trainings or seminars related to the administration of the barangay justice system was the primary concern of the respondents. This was followed by non-compliance of the respondents regarding the given summons. Next problem was the failure to track or contact the respondent.

Non-compliance with the agreement, giving false statement by the complainant or respondent, disorganizes records, inadequate fund support and other forms of assistance for the lupongtagapamayapa from the barangay, failure to reach an agreement between the complainant and the respondent, unidentified respondent and inadequate manpower in barangay justice system were the other identified problems at the barangay Matatalaib.

Proposed Strategies to Improve the Barangay Justice System: The proposed strategies which can be adopted by the barangay justice system of Matatalaib related to their encountered problems are presented in Table 5.

Table 5 - Strategies on how to Improve the Barangay Justice System of Matatalaib

Strategy	Brief Description
1. Conduct training and development work on the Lupon	The punong barangay may coordinate with the Department of Interior and Local Government or with the Tarlac State University for the possible trainings for the lupon.
2. Work in close coordination with the barangay council for funding and other services.	The lupon, through the kagawad in-charge of peace and order, may request for additional support from the barangay for the implementation of the barangay justice system.
3. Conduct Barangay Justice System information dissemination during the barangay assembly	The punong barangay or a lupon member may disseminate important information regarding the barangay justice system during the barangay assembly.
4. Use preemptive measures to limit unwanted acts	Monitor the peace and order situation in the barangay with the help of the barangay police.

The barangay justice system may adopt the following strategies: conducting training and development of the lupon; working in close coordination with the barangay council for funding and other services; and having barangay justice system information dissemination during the barangay assembly.

In the study of Blue, Devanadero and Leylo (2002) entitled “Assessment of the Centers of Local Governance: Implementation of the Barangay Justice Service System (BJSS) Project in Mindanao, Philippines,” they concluded that training is considered effective if this training is focused on listening, consulting, mediating and conciliation skills rather than on formal knowledge of law. The lupongtagapamayapa members need considerable support to keep them motivated including continuous training, motivational meetings and some form of money honorarium.

Conclusions

Based on the findings of this study, the following conclusions are reached. The most common case is physical injury; civil case is collection of debts or rental; miscellaneous case is violation of local ordinance.; Criminal cases have the most number covering of 57.43 percent of the total number of filed cases.; More than 80 percent of the filed cases in the barangay are resolved through the barangay justice system.; Robbery/theft and trespassing cases are commonly not resolved due to lack of evidence and unknown identities of the offenders.; Less than two (2) percent of the filed cases are elevated in courts.; Insufficient training or seminar related to the administration of the barangay justice system is the primary problem of the respondents.

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