

Legitimacy and Implementation Challenges of the Katarungang Pambarangay: Basis for Strengthening the Functions of the Lupong Tagapamayapa in Borongan City

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ABSTRACT

This study explored the effectiveness of the Katarungang Pambarangay (KP) process and the challenges encountered based on the perceptions of the Lupong Tagapamayapa in Borongan City. As mandated by Republic Act No. 7160, Katarungang Pambarangay is an approach to resolving disputes in a friendly manner in order to reduce the burden of the judicial courts and promote social harmony in the community. A qualitative case study research design guided the research in gathering data through the use of semi-structured interviews with key informants such as the Punong Barangay, Barangay Secretary, and Lupon member. Thematic analysis was used to analyze the gathered information. Results showed that while Lupon members are familiar with KP procedures, they are not completely knowledgeable about the process due to insufficient training opportunities. Katarungang Pambarangay helps avoid unnecessary litigation expenses, speeds up the process, and bring peace in the community. Nevertheless, the difficulty in resolving emotionally charged cases, the lack of motivation and inadequate training are significant constraints for the process.

Keywords: barangay justice system, dispute resolution, katarungang pambarangay, lupong tagapamayapa

INTRODUCTION

The Katarungang Pambarangay (KP) serves as a community-based justice system aimed at promoting accessible, speedy, and non-adversarial dispute resolution. It was institutionalized through Presidential Decree No. 1508 in 1978 and later strengthened by Republic Act No. 7160, otherwise known as the Local Government Code of 1991. This decentralized justice mechanism empowers barangays, the smallest political units in the Philippines, to mediate and conciliate disputes within their communities. The system reflects a long-standing Filipino tradition of amicable settlement of conflicts, which dates back to the pre-colonial period when community elders resolved disputes efficiently.

The Katarungang Pambarangay was designed to address issues of court congestion and unequal access to justice, particularly for marginalized sectors, as informal and community-based justice systems play a crucial role in improving access to justice in developing contexts (Golub, 2003; Wojkowska, 2006). According to Manuel and Vigo (2004), it functions as a community-based dispute settlement mechanism that involves the Punong Barangay and members of the Lupong Tagapamayapa as mediators, conciliators, and arbitrators. Its objectives include improving access to justice, reducing litigation costs, and strengthening social cohesion within communities. Records from the Department of the Interior and Local Government (2009) indicate that a significant percentage of disputes are resolved at the barangay level, thereby reducing the burden on formal courts.

The legal framework of the KP system is grounded in the Local Government Code of 1991, particularly Sections 399 to 422, which outline the structure, functions, and procedures of the Lupong Tagapamayapa. The law mandates mediation by the Punong Barangay followed by conciliation through the Pangkat ng Tagapagkasundo if initial efforts fail. Legal provisions also emphasize that barangay conciliation is a prerequisite before cases

may be filed in court, except for specific exemptions (Administrative Circular No. 14-93; DOJ Opinion No. 111, s. 1982).

Despite its institutional importance, the effectiveness of the Katarungang Pambarangay depends largely on the competence and capacity of its implementers. Studies have shown that while the system contributes significantly to dispute resolution, challenges remain in its implementation, particularly in fostering community participation and legitimacy (Golub, 2003; Wojkowska, 2006). However, gaps in training, limited resources, and varying levels of legal knowledge among Lupon members continue to affect its performance.

This study aimed to examine the legitimacy of the Katarungang Pambarangay as perceived by members of the Lupon Tagapamayapa and to identify the challenges they encounter in its implementation. Specifically, it focused on their level of knowledge, availability of training, perceived benefits of the system, and the difficulties experienced in resolving disputes at the barangay level.

This study is anchored on the theory of legal pluralism, which recognizes the coexistence of formal and informal justice systems within a society (Griffiths, 1986; Tamanaha, 2008). The Katarungang Pambarangay operates as a community-based alternative to formal courts, emphasizing mediation, cultural norms, and restorative justice. Additionally, the concept of access to justice underscores the importance of decentralized mechanisms that provide affordable, timely, and culturally relevant dispute resolution (Cappelletti & Garth, 1978). These theoretical perspectives support the examination of legitimacy and effectiveness of the KP system at the grassroots level.

METHODS

This study employed a qualitative case study design to explore the experiences and perceptions of Lupon Tagapamayapa members regarding the implementation of the Katarungang Pambarangay Law. A qualitative approach was deemed appropriate as the study aimed to capture in-depth insights, contextual realities, and lived experiences of local actors within the barangay justice system. Qualitative research is particularly suited for understanding complex social phenomena within their natural settings, allowing for rich and detailed descriptions of participants' perspectives (Creswell, 2014). While quantitative approaches provide measurable generalizations, qualitative methods enable a deeper exploration of meanings, interactions, and context-specific dynamics.

Data were collected through semi-structured interviews, which enabled participants to elaborate on their experiences and perspectives. The study was conducted in selected barangays of Borongan City, namely Maypangdan, Tabunan, and San Saturnino. Purposive sampling was utilized to select key informants who were directly involved in the KP process, including Punong Barangays, Barangay Secretaries, and Lupon members.

A total of twelve participants were initially identified; however, due to COVID-19 restrictions, only eight participants were interviewed. Prior to data collection, permission was secured from barangay officials, and informed consent was obtained from all participants. Interviews were conducted in settings comfortable for the participants and were audio-recorded for accuracy.

The collected data were transcribed and analyzed using thematic analysis, as suggested by Hycner (1995) and Balkissoon (2018). This method involved identifying recurring themes and patterns in the responses, which were then categorized and interpreted to address the research objectives. Data saturation was achieved when no new information emerged from subsequent interviews (Grady, 1998).

RESULTS AND DISCUSSIONS

The findings of the study revealed several themes related to the legitimacy and challenges of the Katarungang Pambarangay system.

In terms of legitimacy, the results showed that members of the Lupon Tagapamayapa possess basic knowledge of the Katarungang Pambarangay Law, particularly in identifying "luponable" cases and following standard

mediation procedures. However, their understanding is generally limited to fundamental concepts, and many participants admitted that they are not fully well-versed in the law's comprehensive provisions. This finding supports previous observations that community mediators often rely on practical experience rather than formal legal training (Tabucanon, Wall, & Yan, 2008).

Regular meetings, as mandated under Section 402 of the Local Government Code, were conducted by most Lupon members, allowing them to exchange ideas and improve their dispute resolution practices. However, the availability of training and seminars remains limited. Participants reported that most training sessions are conducted only once or infrequently, often focusing on basic procedures. This lack of continuous capacity-building programs reflects institutional gaps in supporting the KP system. As noted by the Department of the Interior and Local Government (2009), strengthening training mechanisms is essential for improving the effectiveness of barangay justice systems.

The perceived benefits of the Katarungang Pambarangay system were strongly emphasized by participants. The system was recognized as an effective means of reducing court congestion, minimizing litigation costs, and promoting faster resolution of disputes. These findings are consistent with studies indicating that alternative dispute resolution mechanisms contribute significantly to decongesting court dockets and improving access to justice (Sander & Goldberg, 1994; Maru, 2006). Furthermore, the system promotes social harmony by encouraging amicable settlements, aligning with its goal of preserving Filipino cultural practices. This further highlights the relevance of community-based dispute resolution systems in strengthening local governance and promoting equitable access to justice (Golub, 2003; Wojkowska, 2006).

Despite these advantages, several challenges were identified. One major issue is the difficulty in resolving disputes, particularly when parties are emotionally involved or unwilling to compromise. Cases such as family land conflicts, financial disputes, and interpersonal issues like slander and gossip were reported as particularly challenging. Emotional tensions during hearings often hinder mediation efforts and delay settlement.

Another significant challenge is the lack of incentives for Lupon members. Many participants expressed decreased motivation due to minimal or irregular honoraria, which affects their attendance and participation in mediation proceedings. This issue highlights the need for stronger institutional support and recognition of the role played by Lupon members in community justice.

Additionally, the limited knowledge of legal provisions among some Lupon members poses challenges in interpreting and applying the law effectively. As noted in DOJ Opinion No. 111, s. 1982, barangay conciliation serves as a screening process to determine which cases should proceed to court. However, inadequate understanding of this function may lead to inconsistencies in implementation.

Moreover, external factors such as political influence, administrative support, and resource availability may also affect the implementation of the Katarungang Pambarangay system. Variations in local governance practices, leadership priorities, and budget allocation can influence the consistency and effectiveness of mediation processes (Brinkerhoff & Goldsmith, 2005).

Overall, the findings suggest that while the Katarungang Pambarangay system remains a vital mechanism for local dispute resolution, its effectiveness is shaped not only by the competence and motivation of Lupon members but also by institutional support and contextual factors. Despite limitations in scope and methodology, the study provides meaningful insights into the operational realities of barangay justice systems. Strengthening training programs, improving incentives, and enhancing policy support are essential to sustaining its legitimacy and effectiveness.

Limitations of the Study

This study is limited by its narrow geographic scope, as it focuses only on selected barangays in Borongan City. As such, the findings may not be fully generalizable to other municipalities or regions with different socio-political contexts. Additionally, the study relied on a small number of key informants, which may limit the diversity of perspectives, particularly from disputants or community members who directly experienced the Katarungang Pambarangay process.

Furthermore, the study employed a purely qualitative approach without quantitative validation. While this allowed for an in-depth exploration of participant experiences, the absence of statistical data limits the ability to generalize findings or measure the extent of identified issues. Future research may benefit from adopting mixed-method approaches to strengthen empirical support.

Lastly, the study provided limited discussion of broader external factors such as political influence, institutional constraints, and resource limitations, which may significantly influence the implementation of the Katarungang Pambarangay system.

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