

Compliance of the Lupong Tagapamayapa in the Municipality of Balayan, Batangas

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Asia Pacific Journal of
Education, Arts and Sciences
Vol. 7 No.3, 14-20
July 2020
P-ISSN 2362-8022
E-ISSN 2362-8030
www.apjeas.apjmr.com
ASEAN Citation Index

Date Received: November 17, 2019; Date Revised: June 15, 2020

Abstract –The study aimed to assess the implementation of the Lupong tagapamayapa in Balayan, Batanga with regards to composition, process of selection and functions, identify problems encountered in the compliance. Descriptive type of research was utilized in the study. Findings revealed that Lupong Tagapamayapa in the Municipality of Balayan with regards to composition, functions and procedures is highly complied with, scheduling of both parties is the problem encountered in the implementation of Lupong Tagapamayapa, there is a significant difference in the implementation of Lupong Tagapamayapa when respondents were grouped according to category. Difference of responses on the level of implementation when grouped according to barangay is not significant. On the other hand, there is a significant difference in the problems encountered when grouped according to Barangay and category.

Keywords –compliance, lupong tagapamayapa, composition

INTRODUCTION

The Local Government Code of 1991 (RA 7160) took effect on January 1, 1992 [1]. It included provisions for the “Katarungang Pambarangay”. The Katarungang Pambarangay or the Barangay Justice System (BJS) is an extra governmental mechanism aimed at perpetuating the time honored tradition of amicably setting interpersonal disputes in a community without recourse to the formal legal system of confrontational social behavior. The central feature system is the Lupong tagapamayapa, a community based conflict resolution effort that is highly supportive of the notions of social ordering and human development. While the speedy administration of justice is the immediate concern of the Katarungang Pambarangay, of equal importance is leadership building and community empowerment as the effects of institutionalizing the system. The BJS was institutionalized through presidential decree 1508,

promulgated in 1978, and making the justice system more responsive to the needs of the communities [2].

The revisions of the “Katarungang Pambarangay” Law expanded the jurisdiction of the Katarungang Pambarangay in a wide range of cases and made some minor procedural changes to the law. The Katarungang Pambarangay was devolved to the local government units (LGUs). Every city/municipality is now mandated by law to provide the necessary budgetary outlay for the efficient administration and implementation of the Kararungang Pambarangay.

Katarungang Pambarangay was introduced in 1978 for resolution of local level disputes to free the courts with cases, and provide justice to the poor. Its aim is not to judge but to assist. Meanwhile the Filipino phrase “Lupong tagapamayapa” simply means “ Group of Pacifiers” or “ Pacifying Committee” in English. As its nomenclature clearly indicates, the purpose of the lupong tagapamayapa or “Lupon” is peacekeeping in nature, or douse cold water to whatever trouble may be brewing within the barangay. It is the barangay court, but is not a court of justice. The perpetuation and official recognition of the time honored tradition of amicably setting the disputes among family and barangay level without judicial recourse would promote the speedy administration of justice and implement the constitutional, mandate to preserve and develop Filipino culture and to strengthen the family as a basic social institution [3].

The Lupong tagapamayapa is an administrative body created by law to operationalize the barangay justice system which is better known as the Katarungang Pambarangay. It is not in legal contemplation, a court (DOJ Opinions No. 95, s. 1981 and No. 43, s,1982). The Lupon or its chairman and the pangkat do not try cases and decide cases which are the essence of the jurisdiction vested upon on court of law [4].

Through the efforts of the barangay dispute mediator councils or Lupong tagapamayapa all over the country, the government saved an estimated 23 billion

in adjudication cost. Adjudication is the legal process by which a judge reviews the evidence and arguments presented by opposing parties. For each legal cases, the adjudication cost is Php 9,500.00. Panadero, Department of Interior and Local Government Undersecretary said that in 2010, lupons have saved the government Php 2,356,286.000.00 by settling 2,49,030 disputes that would have otherwise been directly filed in the courts had the councils not intervened.

Balayan is a 1st class municipality in the 1st District of Batangas Province cradling both flourishing agricultural and industrial communities. The town is constituted of 48 barangays with a population of 81,805, according to the 2010 census. It was the cradle of Christianity and seat of civilization in the region during the early centuries. Although Parada ng Lechon is its most celebrated event, Bagoong is Balayan's recognized main product. The intense political situation in the Municipality of Balayan could lead to heated arguments and conflict. Assessment in the implementation of Lupong tagapamayapa is in order to address whatever conflict and situation that may possibly arise.

This study investigated the implementation of Lupong tagapamayapa in the municipality of Balayan to improve the conciliation process and propose an ordinance that will enhance the implementation of Lupong tagapamayapa.

OBJECTIVES OF THE STUDY

The study aimed to assess the implementation of the Lupong tagapamayapa in Balayan, Batangas. Specifically, it sought to determine the level of compliance of the Lupong Tagapamaya with regard to composition, process of selection and functions, identify problems encountered in the compliance, test the difference in the implementation and problems encountered when respondents were grouped according to category and barangay.

METHODS

Research Design

The study utilized the descriptive method of research to assess the compliance of Lupong tagapamayapa in Balayan, Batangas. Descriptive research is concerned with the description of data and characteristics about a population. The goal is the acquisition of factual, accurate and systematic data that can be used in averages, frequencies and similar statistical calculations.

Participants of the Study

Participants of the study were the residents of the three(3) largest barangays in Balayan, Batangas and the members of the Lupon ng Tagapamayapa in the selected barangays. The residents were selected by using 1% margin of error and 99% confidence level.

Research Instrument

The study made use of a self-made questionnaire patterned from similar studies. Part I of the questionnaire discussed the profile of the respondents, part II tackled the compliance of Lupong tagapamayapa as regards to composition function and procedures while part III talked about the problems encountered in the implementation of Lupong tagapamayapa.

Procedure

The research started at the time the researchers formulated a title together with its objectives and rationale. The internet and the SHL Media Center were utilized for the initial data gathering. After that, the researcher continued the study by adopting the literature of every objective and its corresponding references.

To know the quantity of the total respondents needed, the researcher requested the Planning Department of Balayan Municipal Hall for the furnished copies of the population of the three largest barangay total populations were presented to the statistician for the computation of the total respondents and the statistical tools to be used in the analysis of data.

Data Analysis

The data gathered were tabulated, tallied and interpreted using descriptive statistics. Weighted mean was used to assess the level of implementation of Lupong tagapamayapa and the problems encountered in the implementation while ANOVA with Post Hoc Test was used to determine the significant difference on the level of implementation between the residents and officials of the selected barangays. All data was computed using PASW version to further analyze the results.

The given scale was used to interpret the level of compliance of the Lupong tagapamayapa: Legend: 3.50 – 4.00 = Highly Complied (HC); 2.50 – 3.49 = Complied (C); 1.50 – 2.49 = Less Complies (LC); 1.00 – 1.49 = Not Complied (NC); for the problems encountered, the given scale was used: 3.50 – 4.00 = Strongly Agree (SA); 2.50 – 3.49 = Agree (A); 1.50 – 2.49 = Disagree (D); 1.00 – 1.49 = Strongly Disagree (SD)

Table 1. Level of Compliance of the Lupong tagapamayapa with Regards to Composition

	Lupon Member			Community Member			Over-all		
	WM	VI	R	WM	VI	R	WM	VI	R
1. The punong barangay will act as a Chairman	3.84	HC	4	3.99	HC	4	3.91	HC	4
2. The Lupong tagapamayapa is composed of 10-20 members	3.80	HC	5	3.99	HC	4	3.90	HC	5
3. The Lupong tagapamayapa has Lupong Secretary	3.92	HC	2.5	3.99	HC	4	3.96	HC	2.5
4. There are three (3) members of the pangkatngtagapagkasundo chosen by the parties in case disputes were not resolved by lupon.	3.92	HC	2.5	4.00	HC	1.5	3.96	HC	2.5
5. There are Chairman and Secretary of PangkatngTagapagkasundo	4.00	HC	1	4.00	HC	1.5	4.00	HC	1
Composite Mean	3.90	HC		3.99	HC		3.95	HC	

RESULTS AND DISCUSSION

Table 1 shows that there is high level of compliance of the Lupong tagapamayapa with regards to composition with a composite mean of 3.95. Both group of respondents assessed as highly complied that there are chairman and secretary of Pangkat ng Tagapagkasundo and having three (3) members of the Pangkat Tagapagkasundo chosen by parties in disputes is also highly complied.

Chapter 7, Section 399 of the Local Government Code of 1991 stipulated that, it is hereby created in each barangay a Lupong tagapamayapa, which is composed of a chairman and secretary of Pangkat ng LupongTagapagkasundo. The Lupon shall be constituted every three (3) years in the manners provided by law. It is pursuant to the said provision to have a concrete number of lupon members as well as mandating itself to have a lupon secretary. The results indicate that both group of respondents are aware of the said provision, reason why it is highly complied in the Barangays.

However, item on “Punong Barangay will act as chairman and Lupong tagapamayapa is composed of 10-20 members got the lowest mean score of 3.97 and rated the least, though assessed positively. The result is similar to the study conducted [5], which indicates the busy schedule of the Barangay Chairman that is why he is not able to perform his function as Chairman of the Lupon. With regards to the composition of the Lupon, number of members vary depending on the number of population in the Barangay. Barangays with bigger population has 10 members, while those with smaller population has 6.

Table 2 presents the level of compliance of the Lupong tagapamayapa with regards to functions. The

table shows that the over-all level of assessment was highly complied obtaining a composite mean of 3.82. Both group of respondents ranked first the item “to enable various conciliation panel members to share with one another their observations and experiences in effecting speedy resolution of disputes and exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance” (3.92 and 3.88) followed by “Exercise administrative supervision over the conciliation panels (3.88 and 3.82). The lowest mean was obtained by item on “Meet regularly once a month to provide a forum for exchange of ideas among its members and the public on matters relevant to the amicable settlement of disputes”.

Functions of the Lupon are incorporated in Republic Act 7160. According to study [4], it is indispensable for officers of every organization to have knowledge of their functions so as to discharge and effectuate the true intentions for which they came into existence. From the table, the over-all assessment of the respondents was highly implemented. Result indicates that members of the lupon are aware of their duties and functions as stipulated in the law. It further cited a study funded by USAID, where 38,008 barangays of the total 39,721 barangays at the time have a Lupong Tagapamayapa in place. “The intrinsic worth on the other hand measures the success of KP in terms of behavioral changes in the community, and the access of vulnerable groups and form of security, dispute resolution and justice apart from its role in de-clogging court dockets. It may be observed that while the total number of cases filed before the Lupon surged and dropped over time, the number of settled cases significantly shadowed the trend.

Table 2. Level of Compliance of the LupongTagapamaya with Regards to Functions

	Lupon Member			Community Member			Over-all		
	WM	VI	R	WM	VI	R	WM	VI	R
1. Exercise administrative supervision over the conciliation panels.	3.88	HC	2	3.86	HC	1	3.87	HC	2
2. Meet regularly once a month to provide a forum for exchange of ideas among its members and the public on matters relevant to the amicable settlement of disputes.	3.84	HC	3	3.58	HC	3	3.71	HC	3
3. To enable various conciliation panel members to share with one another their observations and experiences in effecting speedy resolution of disputes and exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.	3.92	HC	1	3.84	HC	2	3.88	HC	1
Composite Mean	3.88	HC		3.76	HC		3.82	HC	

Table 3. Level of Compliance of the LupongTagapamaya with Regards to Procedures

	Lupon Member			Community Member			Over-all		
	WM	VI	R	WM	VI	R	WM	VI	R
1. Any cases falling within the jurisdiction of the lupon is filed by any individual who has a cause of action against another individual.	3.88	HC	4.5	3.60	HC	8	3.74	HC	8
2. The Lupon Chairman (punong barangay) conducts mediation proceeding.	3.92	HC	2.5	3.83	HC	3	3.88	HC	2
3. The Lupon Chairman upon the receipt of complaint, within the next working day, summon the respondent(s) with notice to the complainant(s) for them and their witnesses.	3.96	HC	1	3.92	HC	1	3.94	HC	1
4. If his mediation effort fails, he immediately set a date for the formation of the pangkat.	3.88	HC	4.5	3.72	HC	7	3.80	HC	6
5. The pangkat convenes not later than three days from its constitution.	3.92	HC	2.5	3.82	HC	4	3.87	HC	3
6. The pangkat hears both parties and their witnesses, simplify issues and explore all possibilities for amicable settlement.	3.84	HC	6.5	3.81	HC	5	3.82	HC	5
7. The pangkat issues summon for the personal appearance of parties and witness before it.	3.76	HC	8	3.79	HC	6	3.78	HC	7
8. The pangkat decides the disputes in fifteen days subject to extension for meritorious grounds.	3.84	HC	6.5	3.87	HC	2	3.86	HC	4
Composite Mean	3.88	HC		3.80	HC		3.84	HC	

The number of settled cases has been significantly higher than those which have ended up in court (i.e. certified cases). It was further added that the “KatarunganPambarangay” can claim success in meeting its purpose of reducing the courts’ dockets.

It can be gleaned from the result of Table 3 that the Compliance of Lupong tagapamayapa with regards to procedures is highly implemented. It obtained a composite mean score of 3.84. Both group of respondents ranked first the item “The Lupon Chairman upon the receipt of complaint, within the next working

day, summon the respondent(s) with notice to the complainant(s) for them and their witnesses (3.96 and 3.92). The Lupon members ranked second “the Lupon Chairman conducts mediation proceeding” and “the pangkat convenes not later than three (3) days after its constitution” both obtaining a weighted mean score of 3.92.

On the other hand, community members ranked second and third the items “Thepangkat decides the disputes in fifteen days subject to extension for meritorious grounds” and “The Lupon Chairman

(punong barangay) conducts mediation proceeding” with a weighted mean score of 3.87 and 3.83, respectively.

The lowest mean score from the members of the Lupon was obtained by the items “The pangkat issues summon for the personal appearance of parties and witness before it (3.76), followed by “Thepangkat hears both parties and their witnesses, simplify issues and explore all possibilities for amicable settlement” and “Thepangkat decides the disputes in fifteen days subject to extension for meritorious grounds” both obtaining a weighted mean score of 3.84. Meanwhile, community members gave the lowest mean score to the item “Any cases falling within the jurisdiction of the Lupon is filed by any individual who has a cause of action against another individual” (3.60) and “If his mediation effort fails, he immediately set a date for the formation of the pangkat” (3.72). In study stated that the community people are very aware and well informed of their rights as a citizen in case of misconduct and misbehavior of another person against him and his property as well. Community recognized the role of the Barangay as a powerful institution in authority to settle their disputes against their neighbors. He further stated that according to Rule 8 on pre-conditioned for forward adjudication, no individual may go directly to court or to any other government office falling with the authority of the Punong Barangay. Results indicate that residents of the Municipality of Balayan respect the law on Barangay Justice System and believes in the compliance of Lupong tagapamayapa [6].

Scheduling of both parties ranked first in the problems encountered in the compliance of Lupong tagapamayapa as presented in Table 4. It obtained a weighted mean score of 3.54 and interpreted as Strongly Agree by the respondents. This was followed by poor coordination of both parties (229). According to study

[6], meeting with the barangay and persons involved needs a lot of patience. As experienced by Lupon members, there should be a schedule of meeting. Both parties usually have different free hours and consequently postponed the same.

This findings is supported by the study that the number one problem in the compliance of Lupong tagapamayapa in KumintangIbaba, Batangas City is the scheduling of both parties. It was claimed by the Luponmembers that they are assuming their functions to exercise administrative supervision over personal matters [5], [7].

This findings further supports the studies conducted that non-appearance of respondents during hearings insufficient knowledge and skills among Lupon members on the KP Law and on mediation and conciliation is an issue and problems in UP Campus [7].

On the other hand, compadre system was the least among the rank which implies that it causes very minimal problem. This findings is similar to the study conducted of Macalalad [5] that compadre system is seldom a problem in KumintangIbaba as community members recognize the equality and impartiality among individuals to preserve the dignity fairness and justice.

As seen from Table 5, all computed p-values of 0.000, 0.026 and 0.002 were all less than 0.05 level of significance, thus the null hypothesis of no significant difference on the level of compliance of Lupong tagapamayapa when grouped according to category is rejected. This means that the level of implementation of Lupon Member and Community member varies as to composition, functions and procedures. The reason for this could be the number of Lupon member varies according to the number of total population. Also the Lupon has more knowledge with regards to the real composition of the Lupon.

Table 4. Problems Encountered in the Compliance of Lupong tagapamayapa

	Lupon Member			Community Member			Over-all		
	WM	VI	R	WM	VI	R	WM	VI	R
1. Scheduling of both parties	3.24	A	1	3.84	SA	1	3.54	SA	1
2. Poor coordination of parties	3.04	A	2	1.53	D	2	2.29	D	2
3. Compadre system	2.76	A	3.5	1.22	D	3	1.99	D	3
4. Lack of information of some members about the lupontagapamayapa	2.76	A	3.5	1.14	D	4.5	1.95	D	4
5. The rules and regulations are not known by the members of lupon and the community	2.44	D	5	1.14	D	4.5	1.79	D	5
6. Lack of cooperation between the parties	2.36	D	6	1.13	D	6	1.74	D	6
7. Political influence	1.64	D	7	1.12	D	7	1.38	SD	7
Composite Mean	2.61	A		1.59	D		2.10	D	

Table 5. Difference of Responses on the Level of Compliance of the LupongTagapamaya when Grouped According to Category

	Category	N	Mean	t-value	p-value	Interpretation
Composition	Lupon Member	25	3.90	27.892	0.000	Highly Significant
	Community Member	154	3.99			
Functions	Lupon Member	25	3.88	5.027	0.026	Significant
	Community Member	154	3.76			
Procedures	Lupon Member	25	4.00	10.305	0.002	Significant
	Community Member	154	3.80			

Legend: Significant at p-value < 0.05

Table 6. Difference of Responses Level of Compliance of the LupongTagapamaya when Grouped According to Barangay

	Barangay	N	Mean	F-value	p-value	Interpretation
Composition	Baclaran	41	3.94	6.459	0.002	Significant
	San Piro	69	3.99			
	Navotas	69	4.00			
Functions	Baclaran	41	3.72	1.488	0.229	Not Significant
	San Piro	69	3.79			
	Navotas	69	3.80			
Procedures	Baclaran	41	3.86	0.501	0.607	Not Significant
	San Piro	69	3.86			
	Navotas	69	3.80			

Legend: Significant at p-value < 0.05

They know who among the members of the Lupon perform their functions and who do not attend meetings and proceeding. They are more aware of the rules and procedures as they have attended trainings and workshops in relation to their duties as Lupon members.

It can be observed from the table, that although both group of respondents assessed the implementation of the LupongTagapamaya in the Municipality of Balayan in terms of composition, functions and procedures as highly implemented, there is a difference in the weighted mean score obtained.

It can be gleaned from Table 6 that only composition shows significant difference when grouped according to barangay. This was observed since the obtained p-value of 0.002 is less than 0.05 level of significance, thus the hypothesis is rejected between the treated variables. This only indicates that the level of implementation of barangay Baclaran differs with San

Piro and Navotas. The result was supported using Post Hoc Analysis with Scheffe method. The reason for this could be the difference in the composition of Lupon in different barangay.

Result of Table 7 shows that only composition has significant difference when grouped according to barangay. This was observed since the obtained p-value of 0.002 is less than 0.05 level of significance, thus the hypothesis is rejected between the treated variables. This only indicates that the level of implementation of barangay Baclaran differs with San Piro and Navotas. The result was supported using Post Hoc Analysis with Scheffe method.

Therefore, the null hypotheses that there is no significant difference in the compliance and problems encountered when respondents were grouped according to profile variables is rejected.

Table 7. Difference of Responses on the Problems Encountered in the Compliance of Lupong tagapamayapa When Grouped According to Barangay and Category

Profile Variables		N	Mean	Computed value	p-value	Interpretation
Category	Lupon Member	25	2.61	160.236	0.000	Highly Significant
	Community Member	154	1.59			
Barangay	Baclaran	41	1.77	0.212	0.810	Not Significant
	San Piro	69	1.73			
	Navotas	69	1.70			

Legend: Significant at p-value < 0.05

CONCLUSION AND RECOMMENDATION

Lupong tagapamayapa in the Municipality of Balayan with regards to composition, functions and procedures is highly complied with. Scheduling of both parties is the problem encountered in the implementation of Lupong tagapamayapa. There is a significant difference in the implementation of Lupong tagapamayapa when respondents were grouped according to category. Difference of responses on the level of implementation when grouped according to barangay is not significant. On the other hand, there is a significant difference in the problems encountered when grouped according to Barangay and category

It is recommended that the Lupong tagapamayapa may visit the house of the complainant/s or respondent/s who failed to attend the schedule hearing to expedite the resolution of disputes. The Graduate School through its Master and Doctor in Public Administration Programs may conduct awareness seminars/lectures on the composition, functions and procedures of the Lupong tagapamayapa to both community andLupon members. Future researches maybe conducted on the compliance of LupongTagapamaya in other areas using other variables.

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