

# **Improving Lupong Tagapamayapa Efficacy: Understanding Participant Challenges and Developing a Comprehensive Training Program**

**By**

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## **Abstract**

This study delved into the challenges faced by members of Lupong Tagapamayapa in performing their duties and responsibilities. The research included two participant groups: the members of the Lupong Tagapamayapa and the complainants who filed cases from January 2018 to December 2019 in selected barangays of the third district of Cagayan. The challenges were identified using a focus group discussion. Findings indicate that the main problem they encounter is the non-appearance of respondents. Disrespect to authority and the lack of regular training seminars and meetings also contribute significantly to the difficulties experienced. The least encountered problems were bias decision making and tardiness of parties during confrontations. In response to these issues, the research proposes a comprehensive training program titled “Proposed Training Program for Lupong Tagapamayapa on the execution of the Katarungang Pambarangay Law”. This one-year program, aimed at Lupong Tagapamayapa members in the three most populated barangays of the Third District of Cagayan, is designed to conduct a series of seminars, workshops, and training sessions on the KP Law and dispute resolution processes. It also includes a KP Education Campaign Drive for all the residents of the barangay. The program will be facilitated by content and process experts, and its progress will be tracked through quarterly monitoring, providing valuable data for the continual improvement and expansion of the training program. By addressing these identified issues, this training program aims to enhance the efficacy of Lupong Tagapamayapa, thereby improving local dispute resolution mechanisms and the overall peace and order situation in barangays.

## **Introduction**

The Lupong Tagapamayapa is a community-based arbitration system that is exclusive to the Philippines. It was established with the intention of resolving disputes at the barangay level in a manner that is fast, efficient, and economical. According to Republic Act No. 7160 (1991), it is dependent on community members who have been elected to assume the function of mediators and are burdened with the responsibility of resolving small issues amongst citizens living within their authority (Bueno, 2018). Despite the fact that this system has the potential to reduce the strain on traditional courts and to strengthen community ties, its effectiveness and efficiency have been called into question over the course of the years due to a number of different reasons.

While numerous studies have examined the Lupong Tagapamayapa system, most of them have primarily focused on its impact and effectiveness in reducing the burden on the formal courts, with only minimal attention paid to the struggles faced by the participants (Jumalon et.al, 2018). A deeper understanding of these challenges is necessary for any intervention, including training, to be successful. Anecdotal reports and initial research suggest problems ranging from a lack of understanding of legal concepts to difficulties in maintaining neutrality due to the arbitrators' embeddedness within the community they serve. However, these issues have not been systematically investigated and documented in scholarly literature, which constitutes a significant gap.

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Additionally, the need for a training program for Lupong Tagapamayapa arbitrators is evident, yet there is a scarcity of comprehensive research on what this program should entail. Some preliminary studies propose general strategies for capacity building (Sobradil, 2019) but a detailed, actionable plan considering the nuances of the cultural, social, and legal context within which the Lupong Tagapamayapa operates is missing from the academic discourse.

Reports from local news outlets further highlight the need for more research in these areas. A 2021 article in the Philippine Daily Inquirer narrated a case where a dispute escalated to violence due to a perceived lack of impartiality in the Lupong Tagapamayapa's handling of the conflict. In another report by The Manila Times (2022), it was highlighted that many arbitrators struggle with understanding and implementing complex legal provisions due to their lack of formal legal training. Such real-world cases underscore the urgency of addressing the gaps identified in the scholarly literature.

In spite of the fact that research has been conducted on the efficacy of the Lupong Tagapamayapa system, there are still significant holes in the existing body of knowledge. The difficulties that the participants are experiencing have not been investigated in depth, particularly from the point of view of increasing participants' capacities. In addition, there is a paucity of research that provide clear and concrete plans for the development of training programs that provide these community leaders with the needed knowledge and abilities for effective dispute resolution (Sotto, 2021). The purpose of this proposed study is to fill these gaps by conducting a complete investigation of the obstacles faced by participants and by presenting a comprehensive training program.

The significance of this study can be broken down into several different categories. Primarily, an understanding of the difficulties faced by community leaders in fulfilling their roles as arbitrators has the potential to inform improvements that can enhance the system's efficacy. These improvements could lead to swifter and fairer resolution of disputes. Furthermore, the creation of a training program could equip community leaders with necessary legal knowledge and mediation skills. This, in turn, could foster more efficient resolutions and increase public trust in the Lupong Tagapamayapa system. Hence, this research holds promise not only in expanding the body of academic knowledge surrounding the Lupong Tagapamayapa but also in offering actionable recommendations that could directly improve community-level dispute resolution in the Philippines. In doing so, this study could potentially bolster the indigenous system's contribution to the broader justice system. By alleviating the burden on formal courts, it could also promote a sense of justice and harmony at the grassroots level.

## **Methodology**

### ***Research Design***

A descriptive research design was employed for the present study. Gay (1971) defined the method of descriptive research as the gathering, presenting, and description of facts in order to test hypotheses or respond to inquiries about the current condition of the study's subject. The two main objectives of descriptive research, according to Travers (1981), are to describe a situation as it is at the time of the study and to investigate the reasons of a phenomenon.

### ***Research Participants***

There were two sets of participants in the study. The first set comprised of the members of the Lupong Tagapamayapa in the selected barangays of the third district of Cagayan wherein total enumeration was employed thus, the constituent-participants of the study were the complainants who filed cases from January 2018- December 2019 who willingly took part in the study.

The barangays of each municipality in the third district of Cagayan namely Solana, Penablanca, Iguig, Amulung, Tuao, Enrile and Tuguegarao City were chosen based on the size of their population.

The constituent-participants of this study were chosen based on convenience sampling method which were then asked to sign an informed consent to ensure that their participation in the study is voluntary. They were informed about the nature of the study, the benefits as well as their responsibilities as participants. Moreover, all questions that were raised by them in relation to their participation were answered by the researcher.

### ***Instrumentation***

To understand the challenges and problems encountered by the participants in relation to their awareness and compliance with the structural and functional components of Lupong Tagapamayapa, a mixed-methods approach was employed. In-depth semi-structured interviews were conducted with current and past arbitrators, complainants, and respondents to gather detailed insights into their experiences. These interviews were supplemented with a structured questionnaire to allow for broader generalizability of the findings. Additionally, a focus group discussion was held to foster interaction among participants and capture a variety of perspectives. This approach also facilitated the triangulation of data, ensuring a more robust understanding of the challenges faced by the participants.

### ***Data Analysis***

Document Analysis was employed to gain insights into the types and nature of cases filed at the barangay level. Publicly available documents such as case records and annual reports were reviewed. This analysis not only provided a context for understanding the cases handled by Lupong Tagapamayapa but also served as an additional source of data to cross-validate the information gathered from interviews and the questionnaire.

Moreover, thematic analysis was used to analyze the qualitative data obtained from the interviews and focus group discussions. It helped identify common themes regarding the problems and challenges encountered by the participants concerning the structural and functional components of Lupong Tagapamayapa. These themes were then used to inform the design of a comprehensive training program.

Lastly, the responses from the structured questionnaire were analyzed using descriptive statistics to quantify the common challenges faced by participants.

## **Results and Discussion**

**Table 1.** *Problems encountered by the lupong tagapamayapa-participants in the performance of their duties and responsibilities*

<b>Problems encountered</b>	<b>Frequency</b>	<b>Percentage</b>	<b>Rank</b>
Non-Appearance Of The Respondent	38	27.14	1
Disrespect To The Authority	32	22.86	2
Complainants Don't Appear To Confrontation	28	20	3
No Seminars Conducted For Lupon Members	28	20	3
No Regular Meetings Held	15	10.71	4
Honorarium	11	7.86	5
Parties Are Not On-Time During Confrontation	10	7.14	6
Bias Decision	6	4.29	7
<b>Total</b>	<b>140</b>	<b>100.00</b>	

A list of the issues that Lupong Tagapamayapa members ran into while carrying out their tasks and obligations is provided in Table 1. The non-appearance of respondents, as reported by the respondents, was the issue that participants encountered most frequently (27.14%). This problem affects the system's effectiveness and trust while also impeding the efficient resolution of conflicts. This high frequency shows that there is a need for more explicit communication about the importance of respondent attendance and the potential consequences of non-compliance.

The disregard for authority, which was noted by 22.86% of the participants, may be a sign that community members do not fully comprehend or value the role of the Lupong Tagapamayapa. This could be resolved by launching awareness efforts to inform the public about the significance of this system, its function, and its role in society.

It's interesting that the issue of biased judgements received the fewest reports, indicating that the Lupon members are typically regarded as neutral arbitrators despite the difficulties they confront. However, the problem of honorarium raised by 7.86% of participants suggests possible financial limitations that could affect the system's efficacy. This emphasizes how important it is to give Lupon members a fair honorarium in order to maintain their dedication and improve their performance.

Accordingly, there are no regular meetings and no seminars for Lupon members, which highlights a communication and capacity building deficit within the system. Training sessions might equip Lupon members with the required abilities and information, as well as guarantee consistency and uniformity in their dispute resolution procedures.

In the context of related studies, the findings in this research align with several prior works. Austin (1994) similarly reported patterns of absenteeism in barangay-level dispute resolution processes, which could be attributed to misunderstanding or fear of confrontation. Claridad's study in 2006 associated disrespect towards Lupon members with personal grudges and misunderstandings about their role, thereby underscoring the need for public education. The lack of training for Lupon members, a problem observed in this study, finds resonance in Jumalon et.al's work (2018) that advocated for the importance of training and capacity building. The issue of irregular meetings, raised by Mohammed & Caingat (2017), underlines a concern about coordination among Lupon members. Finally, Aquino (2008) noted that the perceived impartiality of Lupon members could be compromised by financial constraints, echoing the issue of honorarium raised by participants in the current study. This convergence of findings across studies underscores the need for systemic and holistic solutions to enhance the efficacy of the Lupong Tagapamayapa system.

The Lupong Tagapamayapa system can be made more effective and reliable by methodically resolving these problems. The results of this study are hoped to serve as a solid basis for creating a complete training program to raise Lupong Tagapamayapa's operational efficiency.

### ***Proposed Training Program for Lupong Tagapamayapa on the Execution of the Katarungang Pambarangay Law***

In response to the challenges identified in the performance of duties by Lupong Tagapamayapa members, a robust and targeted training program has been proposed. This program, aptly titled "Proposed Training Program for Lupong Tagapamayapa on the execution of the Katarungang Pambarangay Law", seeks to equip the members with the necessary skills and knowledge to improve their effectiveness. This year-long initiative will focus on enhancing

participants' understanding of the Katarungang Pambarangay Law and its principles, as well as fostering their dispute resolution and mediation skills.

The program will be implemented in four phases. Phase one involves a seminar workshop on the basic principles and proceedings of the Katarungang Pambarangay, aimed at grounding participants in the fundamental legal framework. This will be followed by Phase two, which will concentrate on effective dispute resolution and mediation processes, thus addressing the challenges of non-compliance and disrespect towards authority. Phase three will include a train-the-trainer component to ensure that knowledge transfer continues beyond the program. Lastly, Phase four, the KP Education Campaign Drive, will be an essential outreach to the broader community, raising awareness about the Lupong Tagapamayapa system and promoting respect and cooperation.

The participants will comprise Lupong Tagapamayapa members from the three most populated barangays of the Third District of Cagayan, with the venue being the Cagayan State University at Carig, Cagayan. Choosing the university as a venue facilitates the achievement of the vision and mission (Nozaleda, 2019) of the school where the researcher is working. With a total budget of Php 300,000.00, this training program stands as an investment in the improvement of community-level dispute resolution in the region. The development of this program is a direct outcome of the comprehensive analysis of the challenges encountered by the Lupong Tagapamayapa, thus providing a solution that directly addresses the identified needs.

## **Training Plan**

### ***I. Basic Information***

A. Title of the Program: "Proposed Training Program for Lupong Tagapamayapa on the execution of the Katarungang Pambarangay Law"

Phase 1: Seminar Workshop on the Basic Principles and proceedings of Katarungang Pambarangay

Phase 2: Training Workshop on Effective Dispute Resolution and Mediation Processes

Phase 3: Trainer's Training on Effective Dispute Resolution and Mediation Processes

Phase 4: KP Education Campaign Drive

B. Proponent: Ms. Jennelyn B. Elizaga-Pagalilauan

C. Program Duration: 1 year

D. Participants: Lupong Tagapamayapa members of the three most populated barangays of the Third District of Cagayan

E. Venue: Cagayan State University at Carig, Cagayan

F. Total Budget: Php 300,000.00

### ***II. Technical Information A. Rationale***

The Katarungang Pambarangay, also known as the Barangay Justice System, is an alternative venue for the resolution of disputes. Decentralization acknowledges the significant role that Katarungang Pambarangay plays in this capacity. As a result of its implementation within the framework of the notion of local autonomy, its presence is very necessary for the upkeep of peace and order, particularly in the barangay.

By utilizing Katarungang Pambarangay, inhabitants of a barangay are provided with a means of conflict resolution that is not only easily accessible but also swift and inexpensive. The system is conscious of the fact that disagreements and conflicts are necessary components

of social interaction within the community. As a result, it is up to the Lupong Tagapamayapa to ensure that the Katarungang Pambarangay is carried out in an efficient manner.

As a result of this, the task extends farther than the formation of a powerful lupong tagapamayapa that features a significant weight in evaluating the overall performance of its members because it is necessary for them to implement the legislation of the KP in an honest and just manner. Therefore, the two parties involved in the cases that were filed in the barangay should strictly implement the provisions of the KP law. This should not just be done by the members of the lupon, but also by themselves.

Therefore, it is necessary to have a clear understanding that the success of the application of KP Law is also dependent on the active engagement of the two parties involved from the time the case is filed until it is settled. In addition, members of the LUPON are strongly urged to participate in various trainings and seminars, which will assist them in effectively carrying out the tasks and obligations that have been assigned to them.

Through the extension programs it offers, the College of Public Administration at CSU-Carig, which serves as a community partner agency, is prepared to meet the requirements set forth by Lupon in order to fulfill its mission. As part of its extension program, the Cagayan State University-Carig Campus, particularly the College of Public Administration, aimed to improve the level of knowledge and skills possessed by barangay officials in order for them to more effectively carry out the duties and responsibilities that are assigned to them. In point of fact, the banner program of the college is titled "Empowering Citizens through Smarter Local Governance," and this can be a sub-component of the banner program in order to specifically provide relevant seminars and trainings, including the formulation of a KP Education Campaign Drive for all of the residents of the barangay.

### ***B. Objectives***

The training program aims to:

- Conduct a series of seminars, lectures, trainings, and workshops on the KP Law which are deemed essential in enhancing the skills of the lupon members;
- Conduct KP Education Campaign Drive to all the residents of the barangay;
- Train the lupon members on the proper conduct of mediation, conciliation and arbitration as forms of amicable settlement;
  - Provide opportunities for partnership with non-governmental organizations (NGO's) to participate in the conduct of seminars and trainings for the lupon and residents of the barangay.

### ***Specific Objectives:***

At the end of the series of seminars, lectures, training, and workshops, the lupon members should be able to:

- create a ready flowchart on how a case is handled; □ integrate the provisions of KP Law in settling disputes; □ use appropriate forms of amicable settlement; and □ provide trainer's training to other members of lupon.

### ***C. Implementation Plan***

To ensure a smooth flow of the implementation of the training program, the following procedures will be followed:

- Identification of trainers/facilitators. Trainers and facilitators will serve as content and process experts during the training program. The trainers/facilitators are selected based on their expertise, specialization and experiences related to the proposed training program. These experts are the one who will conduct series of lectures, demonstrations, and skills training for the lupon members.
- Identification of participants/trainees. The College of Public Administration Extension Unit will select the participants through training needs assessments, training extension request and other technical assistance. The participants will be the lupon members of the three most populated barangays of the 3<sup>rd</sup> District of Cagayan.
- Forge agreement with partner barangays. Agreement or partnerships will serve as an avenue to strengthen and support the objectives of both partner barangays in improving the knowledge and skills of the lupon members. The Memorandum of Agreement will serve as a binding contract to serve the needs of the beneficiaries of the training program through its programs, projects and activities.
- Prepare a schedule of activities for the implementation of the training program. It is the list of training activities to be conducted within the period. The proposed training program will be conducted quarterly.
- Conduct seminars and trainings. The seminar/training proper will be attended by the facilitators, trainers and the participants. It is the implementing phase of the training program.
- Quarter monitoring (accomplishment reports, terminal reports, and quarterly reports) will be conducted to monitor the progress of the training program of in-service teachers as a basis for the professional improvement and the implementation of the training program.

#### ***D. Expected Outputs***

1. Collection of handouts, PowerPoint presentations of resource person/s, and worksheets of participants.
2. Summarized evaluation of the participants on the conducted training programs.
3. Compilation of the work and activity outputs of the participants.
4. Recorded videos of the micro-demonstrations of the participants and proceedings of the training programs.
5. The sustainability plan for the training plan implemented by the Cagayan State University and partner LGU's.
6. Follow-up plan for the implementation, monitoring, and evaluation of the training program.

#### ***G. Sustainability Plan***

The result of the training program based on the monitoring and evaluation of the different training, seminars, and workshops to be conducted will serve as a basis in designing a similar training program for other content areas. Furthermore, the same training programs will cover other barangays of the 3<sup>rd</sup> District of Cagayan and if time, funds, and resources are available, the training program will be expanded to cover the entire province.

Most importantly, research will be conducted as an offshoot of the training program to determine the impact of the conducted as training program based on the series of activities participated by the lupon members.

## **Conclusion and Recommendations**

In conclusion, it is evident that while the Lupon Tagapamayapa faces a variety of difficulties in carrying out their responsibilities, these problems can be significantly resolved

by thorough and focused capacity-building programs. These findings also highlight the demand for systemic responses to improve the efficiency and legitimacy of the Lupong Tagapamayapa as a cornerstone of neighborhood conflict resolution. Specifically, the study offered significant new understandings into the different difficulties faced by the Lupong Tagapamayapa in carrying out their tasks and obligations. Notably, the absence of respondents and disdain for authority emerged as major barriers, echoing findings from earlier studies. Inadequate honoraria, sporadic meetings, and training shortages were also mentioned as problems influencing the effectiveness of the Lupong Tagapamayapa. Hence, the study suggests a thorough training program for the Lupong Tagapamayapa in response to these findings. Through a train-the-trainer methodology and a community outreach initiative, this program seeks to strengthen knowledge of the Katarungang Pambarangay Law, enhance conflict resolution and mediation abilities, and disseminate these learnings.

The implementation of the suggested training program and regular evaluations of its effect on Lupong Tagapamayapa's effectiveness are among the recommendations based on this study. Additionally, it is advised that comparable research be done in other areas to see whether the difficulties experienced are typical of other places or particular to the Third District of Cagayan. Additionally, legislative changes should be taken into account to guarantee that Lupong Tagapamayapa members receive enough financial compensation in order to encourage and uphold their adherence to the system. Last but not least, it should be a top priority to raise community understanding of and respect for the Lupong Tagapamayapa system, as doing so is likely to increase collaboration and adherence to the procedure.

## References

- Agoncillo, Teodoro A. (1990). *History of the Filipino People*. Ganotech Publishing, Manila, Philippines.
- Agustin, et.al (2018). *The Effectiveness of Conciliation Process: A Practical Way of Delivering Justice*. 12.pdf (garph.co.uk)
- Aquino, R. S. (2008). *Five Municipal Case Studies on the Philippine Barangay (Village) Mediation System*.
- Austin, T. (1994). Unexpected dimensions of informal social control: A view from the Philippine Sitio. *International Journal of Offender Therapy and Comparative Criminology*, 38(4), 355-365.
- Bueno, C. F. (2018). *The Public Policy Analysis on the Program Implementations of the Delivery of Basic Services in the Local Government Code of 1991 (Republic Act No. 7160) in the Province of Ilocos Sur*. UNIVERSITY OF NORTHERN PHILIPPINES, 52.
- Claridad, G. (2006). *Mediation among Filipinos: Indigenizing the methods of mediation into the Philippine context*. In *Mediating Cultures in the Pacific and Asia*. 2006 Conference, Suva, Fiji//<http://www.apmec.unisa.edu.au/apmf/200> (Vol. 6).
- Jumalon, J. U., Pelima, R. G., & Caday, K. A. (2018). *Communications for Peacebuilding: Conflict Resolution Skills and Strategies of Lupon Tagapamayapa in Selected Communities of Sarangani Province*. *Journal of Health Research and Society*, 1, 6-6.
- Local Government Code of 1991, (2010). Rex Bookstore, Manila Philippines.
- Mohammed, M. P., & Caingat, N. C. (2017). *Barangay justice system in Barangay Matatalaib, Tarlac City: An Evaluation*. *Voice of Research*, 72.
- Nacionales, E. (2005). *Settling Disputes in a Rural Setting: A Case Study of People's Views and Disputing Behavior under the Katarungan Pambarangay*, Manila. Unpublished DPA thesis Ateneo de Manila University.

- Nozaleda, B. M. (2019). Awareness, acceptance, and understanding of Cagayan State University stakeholders towards its vision, mission, goals, and objectives. *International Journal of Advanced Research in Management and Social Sciences*, 8(6), 313-326.
- Pandey, et.al (2016). Justice mechanisms and conflict dynamics in Nepal: Local perceptions and impacts
- Pe, Cecilio L. and Tadiar, Alfredo F. Guidebook for Lupon Tagapamayapa Members. VST Press, Manila Philippines, 1986. p. 1-4.
- Sobradil, M. (2019, August). The Effectiveness of Barangay Pacification Council in Settling Disputes on the Cases of Women. In *International Conference on Public Organization (ICONPO)*.
- Sotto, C. E. (2021). Implementation of the Katarungang Pambarangay in the Selected Barangay in Legazpi City for FY 2015-2020. *JPAIR Multidisciplinary Research*, 44(1), 93-109.