BARANGAY JUSTICE SERVICE SYSTEM IMPLEMENTATION IN THE PROVINCE OF MAGUINDANAO

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Abstract

This study evaluated the effectiveness and adoption of the Barangay Justice Service System (BJSS) in the Province of Maguindanao, particularly in the municipalities of Upi and Datu Piang. It examined the socio-demographic profile of the respondents, the effectiveness and adoption of the five BJSS components—Katarungang Pambarangay, mediation, counseling, paralegal, and Shariah—the problems encountered during implementation, and the policy implications of the findings. The study employed a descriptive-evaluative research design. Data were gathered from 149 respondents, including program facilitators, disputants, Municipal Barangay Justice Advocates, barangay officials, council of elders, and Bleh Kitab, through questionnaires, personal interviews, and document analysis. Quantitative data were analyzed using descriptive statistics, while qualitative responses were examined thematically. The findings revealed that the BJSS was perceived as very effective in several aspects of community dispute resolution, particularly mediation, counseling, its role as a dispute resolution mechanism, and the dissemination of peace and justice at the barangay level. The program was also highly adopted in preventing conflict, mediating disputes, providing counseling, and facilitating dispute resolution. However, the Shariah component received the lowest assessments in both effectiveness and adoption. The major problems identified included the absence of allowances for Barangay Justice Advocates, the lack of concrete programs for them, insufficient support from local government units, duplication of functions, and difficulties in understanding the paralegal module. The study concluded that BJSS served as an effective supplementary mechanism for resolving community disputes, improving access to justice, and helping reduce the number of cases elevated to formal courts. It complemented rather than replaced traditional dispute settlement practices. The study recommended strengthening local government support, providing continuing programs and incentives for Barangay Justice Advocates, improving coordination among implementing agencies, and enhancing the Shariah component to make it more responsive to local cultural and religious practices. These measures could strengthen the sustainability, effectiveness, and wider adoption of BJSS in culturally diverse communities.

Keywords: Barangay Justice Service System, Katarungang Pambarangay, Province of Maguindanao

INTRODUCTION

One of the Global concerns at present is the mainstreaming of peace in the socio-political system, particularly in countries that have been continuously ridden by conflict which includes the Philippines. The United States Agency for International Development (USAID) has been supportive to programs that promote technical and capacity building skills of the Local Government Units in facilitating conflict resolution at their own capacity level. In 2002, the Gerry Roxas Foundation through the funding support of USAID, launched the implementation of Barangay Justice Service Program in the Autonomous Region in Muslim Mindanao (ARMM). GRF took inspiration from its previous success in implementing similar project in the Visayas regions.

The Gerry Roxas Foundation (GRF) supported the Barangay Justice Service System (BJSS) implementation in Maguindanao in partnership with Maguindanao Foundation for Good Governance and Development, Incorporated (MFGGDI). The program is a package of social development-related interventions aimed at promoting family and community peace at the grassroots. It complemented the Government's peace and development efforts by providing awareness and easy access to justice at the barangay level. It made justice accessible and inexpensive to poor individuals in the barangay without necessarily changing the established traditional approach and method to dispute settlement.

BJSS as a training program consists of five modular subject components such as Katarungang Pambarangay, Mediation and Counseling, Paralegal and Sarah

Katarungang Pambarangay Law is enshrined into law under P.D. 1508 and R.A 7160 or the Local Government Code of 1991. KP therefore is not new because every barangay has organized KP officers - the *Lupon ng Tagapamayapa*. The organizing of Lupon is under the local government unit but it is also being supervised by the Department of the Interior and the Local Government.

Katarungang Pambarangay as enshrined in P.D. 1508 was introduced as a mechanism of handling disputes resolution in the barangay. Katarungang Pambarangay provides, encourages and supports any dispute resolution when the dispute involves members of the same indigenous cultural community. Dispute resolution shall be settled in accordance with the customs and traditions of that particular cultural community, or where one or more of the parties to the aforesaid dispute belong to the minority and the parties mutually agreed to submit their dispute to the indigenous system of amicable settlement, and there has been no settlement as certified by the datu or tribal leader or elder to the Punong Barangay of place of settlement. (Secs. 1,4 & 5, Rule IX, Katarungang Pambarangay Rules).

The training component programs of the BJSS use culture-sensitive and culture-based modes of alternative dispute resolution, which enriched more the KP by adding other subjects on mediation, counseling and paralegal. It is a speedy and inexpensive means of dispute resolution, thus making justice accessible to poor individuals in the barangay. It is therefore the objective of BJSS to improve awareness and technical know-how of the individuals handling disputes and cases so that they will become more effective in their works. Further, BJSS aims for immediate

action of cases in the barangay so that it will not be elevated to the municipal level and clogging of court dockets are avoided.

MFGGDI has implemented the BJSS training program in thirteen (13) municipalities comprising one hundred forty three barangays (143) in Maguindanao. The BJSS program is on its 6th year of implementation since its inception in 2004. Success stories of the BJSS program have been told in the Visayas region and in Mindanao among BJAs that were trained five years ago since the program started in 2004. So far, there is no empirical study to show as proof to the claims for success. Whether BJSS is adopted and effective in the province of Maguindanao remains a question until proofs are established through research. Hence this research was proposed by the researcher.

METHOD

The research is of descriptive-evaluative type. Descriptive-evaluative described the perceptions of the respondents on the effectiveness and adoption of the BJSS implementation in the province of Maguindanao. Quantitative and qualitative methods were used in conjunctions to reinforce each other in strength of gathering data. Survey questionnaire was used in gathering quantitative data on a face-to-face interview with the respondents while qualitative method used interviews of key informants to elicit information. Secondary data taken out of literature reviewed are supplied as supplemental data.

There were two sampling used in the study namely: 1) Purposive and 2) Simple random sampling. The purposive sampling was used in the selection of municipalities as respondents of the study. Two out of the thirteen municipalities covered by BJSS program in Maguindanao were selected for reason of accessibility to data and information. A total of 149 trained BJAs were selected respondents to the study.

Meanwhile, simple random sampling was used specifically the selection of the respondents from the two municipalities. The list of names of individuals or group of individuals (facilitator, traditional leaders, Bleh Kitab, council of elders, MBJAOs, ABC presidents and disputants) that could provide the appropriate information were randomly selected in the list for individual interview.

The study was conducted in the two municipalities of Maguindanao namely – Upi in the first district and Datu Piang in the second district. The two municipalities were selected based on accessibility of the respondents. Mayors of the said municipalities have consistently shown interest and cooperation in the implementation of BJSS since the beginning, hence they were easy to approach to get their supports to the research. In addition, trained BJAs in the said municipalities were known active in the promotion of BJSS in their respective barangays.

RESULTS AND DISCUSSION

I. Socio Demographic Profile of the Respondents

Socio-economic profile of the respondents included their age, sex, civil status, position in the barangay, remuneration and status as a Barangay Justice Advocate. They are discussed in separate heading subsequently.

On Age at Present

Table 1 shows the age ranges from the youngest at 21 while the oldest is 65 years old., although the nature of functions of the respondents are not actually covered by the Civil Service Commission's laws, policies and procedures. Those with age from 46 years and above comprised about 36.9 percent of the respondents. Followed by age 26 years and above with 25.3 percent. Age ranges from 21 years and above got the lowest rating with 4.7 percent.

This implies the current trend of Maguindanaon culture and practices that traditional leaders in the province of Maguindanao have significant influence not only in the field of politics but in dispute resolution. In short, the role of traditional leaders in the province of Maguindanao is still inevitable particularly in dispute settlement. This particular finding supports the ideas of former barangay chairman, Kabili S. Ayunan of barangay Fugutan, Talayan, Maguindanao that traditional leaders are more effective than that of the young generation in terms of facilitation in dispute resolution. He stressed further that it is also rare to see a young individual or Barangay Justice Advocate in the barangay that facilitates a dispute using any of the

dispute mechanisms like Katarungang Pambarangay and traditional dispute resolution.

Table 1

Distribution of the Respondents by Age

Age	Frequency	Percent
21-25	7	4.7
26-35	37	25.3
36-45	32	21.5
46-55	55	36.9
56-65	18	12.1
Total	149	100

On Sex

The distribution of the respondents by sex is shown in Table 2. Great majority (137 or 92.0%) of the respondents is male. This implies the adherence to tradition among Maguindanaons where leadership, decision making and skills development in conflict resolution are relegated mostly to men's responsibility. Maguindanaon women do other functions related to home making improvements. It must be noted however, in the past, most women do not actively participate in many social obligations particularly dispute settlement. However, the present study found out that there is an emerging trend in women's participation in the community affairs especially in dispute settlement. Data in table 2 below also showed 12 or 8.0% of the

respondents are females. This may be because of the growing concerns for gender equality, women empowerment program and the likes.

Table 2

Distribution of the Respondents by Sex

Sex	Frequency	Percent
Male	137	92.0
Female	12	8.0
Total	149	100

Civil status

Table 3 shows the distribution of respondents according to civil status. Majority (99 or 66.7 %) of the respondents are married. While 43 or 28.9 percent described themselves as single. “Divorced” received the lowest number of respondents with 2 or 1.3 percent. This means that majority of the BJAs involved in the dispute resolution in the barangay are married. This particular finding was further confirmed by former barangay chairman Kabili (January 2010) that marriage or being married is a big accomplishment to men. It is a picture of being a responsible person.

Table 3

Distribution of the Respondents by Civil Status

Civil Status	Frequency	Percent

Single	43	28.9
Married	98	66.7
Widowed	6	4.0
Divorced	2	1.3
Total	149	100

Position in the Barangay

The respondents are invariably distributed in different positions in their respective barangay as shown in Table 4. However, many of them (44 or 31.7%) are *kagawads*, followed in descending order by *Lupon* (34 or 24.5%), Civilian Volunteer Organization (15 or 10.8%) and Chairman (12 or 8.6%). The rests are distributed in small percentages with council of elders representing the least (4 or 2.9%).

The table 4 also revealed that 5 or 3.6 percent of the respondents or Barangay Justice Advocates are Civilian Armed Forces Geographical Units. This manifest that the BJSS training did not impose a policy for the selection of the participants so long they are recommended by the chairman and can be able to read and write.

Table 4

Distribution of the Respondents by Position in the Barangay

Position	Frequency	Percent
Chairman	12	8.6

Lupon Member	34	24.5
Kagawad	44	31.7
BHW	5	3.6
Barangay Tanod	10	7.2
CVO	15	10.8
CAFGU	5	3.6
Brgy. Secretary	10	7.2
Council of elders	4	2.9
Total	139	100

Present Status in the Group

It had been foreseen by the MFGGDI facilitators and staff that some BJAs will tend to be in active in their position after election because their work as BJA depends on the appointing authority. If the appointing authority is lost in the election, automatically their tenure of service will be cast away. However, majority (112 or 75.2%) of the respondents are still active in the discharge of their duties and functions as BJAs in their respective barangay as shown in Table 5. This means that they continually perform their functions and duties five years after their training as BJAs regardless of whether or not they received compensation. This indicates that salary do not necessarily motivate worker/volunteer. Moreover, this particular finding supports Kieth Davis who state salary is not a motivational factor for work commitment.

Table 5

Frequency Distribution of the Respondents by Present Status in the Group

Present Status	Frequency	Percent
Active	112	75.2
Inactive	37	24.8
Total	149	100

Educational Attainment

Table 6 shows the distribution of the respondents in terms of educational attainment. Many (52 or 34.9%) reached only secondary level followed in descending order by elementary (44 or 29.5%), Arabic (25 or 16.8%) and primary (15 or 10.1%). Few (13 or 8.7%) reached college level of education. The result is consistent with the requirement for an individual of being able to “read and write” during the selection process prior to the conduct of the training.

Table 6

Distribution of the Respondents by Educational Attainment

Education	Frequency	Percent
Primary	15	10.1
Elementary	44	29.5
High School	52	34.9
College	13	8.7
Arabic schooling	25	16.8
Total	149	100

Subsistence Allowance

Table 7 shows that all of the respondents stated their work as BJAs were purely voluntary in nature. They are not given subsistence allowance by the Local Government Unit where they work. Their work requires courage and dedication in order to promote community peace hence they do not expect remuneration from the local government units.

Table 7

Frequency Distribution of the Respondents whether they Receive Subsistence Allowance

Subsistence Allowance	Frequency	Percent
Yes	0	0
No	149	100
Total	149	100

II. Level of effectiveness of the Barangay Justice Service System

The results on level of effectiveness and adoption of the BJSS are presented in the subsequent tables.

Four out of the 7 items used in gauging effectiveness of BJSS were “very effective”, such as “mediation” and “counseling” as used in dispute resolution and BJSS as a way of “dispute resolution mechanisms” and “disseminating peace and justice” in the barangay. Other items were rated “effective’ by the respondents as

shown in Table 9. Consistently, Sharia is viewed as the least “effective” among other components of BJSS program. Overall rating for the BJSS is ‘effective.”

Table 8

Effectiveness of the Barangay Justice Service system

Indicator	Frequency				Mean	Interpretation
	1	2	3	4		
1. The performance of my barangay after the BJSS program.	7	5	57	80	3.4	Effective
2. The BJSS program as a dispute resolution mechanism.	5	5	29	110	3.64	Very Effective
3. The BJSS program in information dissemination on peace and justice in my barangay.	10	10	19	110	3.54	Very Effective
4. The process of Katarungang Pambarangay in dispute Resolution in my barangay.	10	10	59	70	3.27	Effective
5. The process of mediation in dispute resolution in the Barangay.	4	8	12	125	3.73	Very Effective
6. The counseling method in dispute resolution in my Barangay.	7	9	24	109	3.58	Very Effective
7. Shariah complementation in the barangay system in terms of marriage, elopement and divorce in my barangay.	72	37	20	20	1.92	Less Effective
Total					3.3	Effective

Results on effectiveness are substantiated by statements of BJAs interviewed by the researcher. In the Municipality of Datu Piang, 105 disputes were settled using KP law blended with traditional approaches. None of the disputants repudiated the agreement after settling owing to dissatisfaction or discontentment. In most cases,

kanduli - “traditional Maguindanaon way of thanks giving by offering foods,” is done right after the dispute is settled to strengthen the binding of the agreement.

Guiamokan Sulamain, a traditional leader from Salbu, Datu Saudi, a neighboring municipality of Datu Piang, said that BJSS program improved his skills in dispute resolution far from expectations. His knowledge of traditional methods of settling disputes was reinforced by his acquired knowledge on *Katarungang Pambarangay*. The KP law complemented traditional way of dispute resolution.

The case that involved Bapa Gendeng Sulaiman and Bapa Dheng Ibad, who were both interviewed in October 2009 by the researcher, manifests effectiveness of BJSS as they narrated their experiences. The dispute was about an accusation made by Bapa Gendeng that Bapa Dheng had stolen his rooster that led to physical confrontation between the two. Bapa Gendeng accusation was later found wrong because the rooster was in the custody of his neighbor. The accusation caused Bapa Gendeng a penalty of P1,500 (*Malatabat*) pesos, which was used for the medication of Bapa Dheng’s head bruise sustained during the fight with Bapa Gendeng. Both however were satisfied the way their differences were settled using a blend of KP and traditional methods.

Amicable settlement has no limitation in application so long as the disputants are willing to have their differences settled in the barangay. In fact, we have settled a homicide case (Reckless imprudence resulting to homicide) through blood money. We know that it is no longer covered by the KP law but that is the only way to stop impending revenge of the other party. Of course, in this kind of case, the intervention

of the Mayor and Imams as mediators and facilitators are indispensable. These are the statements of Esmail P. Tan, ABC President of Datu Piang, Maguindanao.

Section 142 of the Local Government Code of 1990 provides that civil liability can be compromised but not the legal aspect of the crime. Tahir K. Salipada, a graduate of Bachelor of Laws and facilitator of Paralegal component of the BJSS, stressed that blood money used as payment for the death of an individual is not tantamount to closure of the case because criminal liability is to be resolved in the proper court. However, the court will not act on any crime unless there is a complainant. Thus, the court will not intervene in decision making of the barangay unless the complainant will elevate the case before the court.

In the Municipality of Upi, 293 cases have been settled in the Barangays using KP traditional way of dispute resolution and, so far, none of which has been repudiated. This indicates effectiveness of the BJSS program as mechanism of settling disputes in the barangay. The cases involved mostly family dispute, public disturbance caused by drunkenness, slanders, non- payment of debts and other pity crimes.

Datu Michael Sinsuat III, one of the trained BJAs in Upi in 2007, said that conflict has many root causes, one of which is cultural. Among Tedurays, conflict is settled through their *kefeduwan*, or council of elders. Muslims' tradition is through their *kokoman,* or Muslim council; and through the Katarungang Pambarangay, or barangay court among the Christians. When conflict is between individuals of

different culture or tribe, settlement becomes difficult. The tribal way of settling conflict does not apply. With the advent of the BJSS program, settling a cross culture-conflict is no longer a problem because of the institutionalization of the Municipal Barangay Justice Advocates (MBJAO) in every barangay of Upi. BJAs in every barangay are very active and become an instrument to peace. MBJAO and *Kefeduwan* work hand-in-hand in promoting peace and order in the community and the functions is based on Katarungang Pambarangay Law and traditional way of settling disputes.

Kefeduwan or council of elders has the primary function of amicably settling cases arising among Upi residents and between Upi residents and outside parties. It has established set of rules and procedures for settling cases. To ensure representation of different tribes in the municipality is equal, the council is composed of six representatives, two from each inhabitant group. The representatives are selected based on respects owed to them by their respective communities and through consensus of the residents. Through this process of selection, the decision taken by the council of elders is respected by the people in the community (www.galingpook.org).

The program is designed in such a way that the traditional methods of resolving conflict are still used, including the awarding of damages. If the conflicting parties are both Tedurays, the case is resolved before the kefeduwan, and if both Muslims, before the kokoman. If the case is cross tribal, the Mayor's Council sits *en*

banc. Unresolved cases are endorsed to the police authorities for proper filing. The program incorporates the old customs of sealing a resolution or an agreement, such as cutting of rattan and scrapping of fingernails among Tedurays.

The *Katarungang Pambarangay* in the municipality of Upi was strengthened since the Mayor's Council would not hear or settle cases unless they pass through the barangay court. Barangay officials or the *Lupon Tagapamayapa* hear the cases first. Only unresolved cases are elevated to the Mayor's Council with accompanying written endorsement coming from the *Lupon* of the barangay.

III. Level of adoption of the Barangay Justice Service System

The mean cut of scores used in interpreting the level of effectiveness of BJSS program implementation is applied also in evaluating its adoption. Eight items were used in evaluating the adoption of BJSS in the recipient barangays as depicted in Table 9. BJSS is "very adopted" in four uses such as in "preventing conflict," "dispute mechanisms," "mediating dispute," and "counseling." Other items were "adopted" in lesser degree. It is however use of "Sharia" as referral for disputes covering inheritance and divorce that is "adopted less" by the respondents. Overall, the rating for the BJSS is "adopted."

Table 9

Results of the Evaluation on the Adoption of the BJSS Program

Indicator	Frequency				Mean	Interpretation
	1	2	3	4		

1. The BJSS program as a dispute mechanism in my barangay.	8	8	24	109	3.57	Very Adopted
2. The BJSS program in information dissemination on peace and justice in my barangay	9	10	45	85	3.38	Adopted
3. The BJSS program to prevent conflict in my barangay.	10	5	29	105	3.6	Very adopted
4. The process of KP in dispute settlement in my barangay.	8	13	58	70	3.28	Adopted
5. The process of mediation in dispute settlement in my barangay.	10	6	24	109	3.56	Very Adopted
6. The method of counseling to my family and barangay constituents.	11	4	24	109	3.5	Very Adopted
7. The knowledge on Paralegal whenever it is needed.	6	31	52	60	3.12	Adopted
8. Referral of disputes to Shariah when the case is on inheritance and divorce.	68	36	21	24	2.05	Less Adopted
Total					3.32	Adopted

To substantiate the findings on adoption and usefulness of BJSS, the researcher conducted a face-to-face interviews with individuals that were trained Barangay Justice Advocates during the inception of the BJSS program in 2004.

Pia Akmad, President of the Municipal Barangay Justice Advocates (MBJAO) of Datu Paing, said during the interview on August 2009 that the BJSS program is indeed very useful with specific mentions of the Katarungang Pambarangay and Mediation. According to him, the program taught him to be systematic in handling disputes/cases. Aside from being expert in traditional way of settlement, Mr. Akmad enjoins the process of Katarungang Pambarangay in most of the cases he is handling in the barangay. The process of Katarungang Pambarangay is inevitable like giving summons, subpoenas, documented agreements and above all the

creation of lupon tagapamayapa taken from both traditional leaders and barangay officials. That makes the BJSS program very adopted in my barangay, he added.

He stressed further that prior to the BJSS program; disputes/cases take longer time for me to resolve because of lack of proper techniques and knowledge about the process of Katarungang Pambarangay. Most often disputants were referred to the office of the mayor for settlement. The mayor's time is consumed for arbitration which otherwise should have been devoted to other important concerns in the municipality. Since we are in the government service, we should be expert in our work based on what is mandated to us by the local government code. It is only in the BJSS program where we became more knowledgeable of our work.

The statements of Akmad were reinforced by Hon. Ismael P. Tan, chairman of barangay Poblacion and concurrent ABC president of Datu Piang, who said that BJSS program is adopted in his barangay because it taught them to be systematic in dealings with complaints and giving award to the disputants. KP's objective is settling dispute through amicable means which is very practical way of preserving the good relationship not only the disputants but the people in my barangay. Cases filed and resolved in the barangays are now properly recorded and documented using computer data base.

In Datu Piang alone, 121 cases, mostly of family disputes, were consolidated in the year 2008-2009 covering 10 barangays. One hundred five or 87 percent of the 121 cases were amicably settled through giving warning (*talik),* punishment *(denda)*

and blood money by the offender. Other cases (13%) involving land conflict and family feud are still on process of settlement in the barangay.

Merlyn Rivera, secretary of Barangay Poblacion of the same municipality, handles the encoding of BJSS cases. She said during the interview on December 2009 that her assignment as computer encoder of the BJSS cases provided her additional new learning experience in case documentation. The cases filed in her office covering 10 barangays are enormous but made easy using a computer provided by the Gerry Roxas Foundation. For every case resolved, a computerized copy of the agreement is given to both parties. Other copies are submitted to the Municipal Local Government Officer and office of the Mayor of Datu Piang for their file. She stressed further that BJSS program should also be replicated in other seven remaining barangays which were not served during the program implementation. Those barangays were log behind since they do not have enough knowledge about proper keeping of records and documentation. Al though, the DILG is having similar program but not as comprehensive compare to the BJSS program. In fact, the barangay chairmen of those barangays are lobbying to the municipal official's concern to make a proposal for the re-implementation of the said program.

In the Municipality of Upi, Datu Michael Sinsuat III, the concurrent ABC president and head of the Municipal Barangay Justice Advocates, was interviewed by the researcher in November 2009. He said that BJSS mechanics of settling disputes are "very adopted" in Upi. However, if the disputants are indigenous people, Katarungang Pambarangay is not applicable. The Lupon members used traditional

way of settling disputes that involve the indigenous people, including the Muslims. If the disputes involve ethnic groups other than the previously mentioned, the disputants are referred to the Mayor's council and are asked whether they like to adopt the traditional way or the Katarungang Pambarangay Law in settling their disputes.

Related to this, Mr. Sinsuat said that there are already 341 consolidated cases in his record from year 2008 to 2009 covering 20 barangays which were recipients of the BJSS project in 2007. Of this number, 293 (86.2%) were amicably resolved already using the KP and traditional way of dispute settlement. Most of the cases involved family trouble, elopement, physical injuries caused by drunkenness and other forms of pity crimes. Other 13.8% involving land dispute are elevated to the court for litigation.

Sections 1, 4 & 5 of the Katarungang Pambarangay law provides that when dispute involves individuals that belong to cultural community of the same group, dispute resolution shall proceed in accordance with the customs and traditions of that particular cultural community. Further, when one or more of the parties to the aforesaid dispute belongs to the minority and the parties mutually agreed to submit their dispute to the indigenous system of amicable settlement, and there has been no settlement done prior to as certified by the datu or tribal leader and the Punong barangay, the traditional method will apply in settling the disputes.

IV. Problems

The problems encountered during and after the training of the BJSS program are presented in Table 10 with order from highest to lowest ranked already, such as (1) Insufficient funds to support the program, (2) Lack of support from the LGU, (3) No allowance for the BJAs, (4) Lack of concrete programs for the BJAs, (5) Tardiness among the participants (6) 3 days training for 4 modules is too short (6) Trainees are not properly identified (7) Lack of coordination and information dissemination (8) Paralegal course is hard to understand (9) Duplication of job, and (10) Only few barangay chairmen attended the program

Table 10

Problems Encountered in the Implementation of the Program

Problems	f	%	Rank
1. No allowance for the BJAs	87	21.75	1
2. Lack of concrete programs for the BJAs		77	19.25
2			
3. Lack of support from the LGU	56	14	3
4. Duplication of job	46	11.5	4
5. Paralegal course is hard to understand	28	7	5
6. Lack of coordination and information dissemination	23	5.75	6
7. Only few barangay chairmen attended the program	23	5.75	6
8. Insufficient funds to support the program	22	5.5	7
9. Shariah module is irrelevant	15	3.75	8
10. 3 days training for 4 modules is too short	12	3	9
11. Trainees are not properly identified	11	2.75	10

V. Policy Implications

The BJSS could be adopted as an alternative method of dispute resolution across different tribal and cultural groups in the province of Maguindanao. It is possible that BJSS could be more effective if blended with the traditional practices of

dispute resolutions among the Maguindanaons, indigenous people and other tribes in the province of Maguindanao.

Further, BJSS did not replace the traditional practices; rather it enhanced it by reinforcing its methodology with systematic approaches of dealing and documenting cases. However, other component, specifically the Sharia, could be improved to make its application more relevant to local setting of the community. Hence, the Gerry Roxas Foundation and the Department of the Interior and the Local Government (DILG) should work together in enriching more the BJSS contents and methodology for greater effectiveness and adoption.

Summary of Findings

Major findings are recapitulated as hereby presented.

1. Demographic Profile

Majority (92%) of the respondents was male. By age, from 46 years and above comprised about 36.9 percent of the respondents. By position, 31.7% of the respondents are *Kagawads* in the barangay. Majority (75.2%) is still active as BJAs in their respective barangays. By educational attainment, 29.5% of the respondents reached only elementary level.

2. Effectiveness

BJSS were “very effective”, in four aspects such as “mediation” and “counseling” as used in dispute resolution and BJSS as a way of “dispute resolution mechanisms” and “disseminating peace and justice” in the barangay. Shariah is viewed as the least “effective” among other components of BJSS program.

3. Adoption

Consistently, BJSS is “very adopted” in four uses such as in “preventing conflict,” “dispute mechanisms,” “mediating dispute,” and “counseling.” Shariah is least adopted by the respondents.

4. Problems

Eleven problems were identified by the respondents, the 5 top most of which are, as follows: (1) No allowance for the BJAs (2) Lack of concrete programs for the BJAs (3) Lack of support from the LGU (4) Duplication of job (5) Paralegal course is hard to understand.

5. Policy Implications

Policy implication of the study’s results could be related to the adaptability of BJSS as an adjunct dispute resolution mechanism to existing traditional practices among residents of Maguindanao cutting across different tribal and cultural settings. BJSS enriched the exiting traditional practices by making it more systematic in dealing with cases and in documentation as well. However, BJSS could be improved further, specifically on the Shariah component, to make it more relevant to local traditions of the people in the community. To overcome confusion and duplication with the mandates of the DILG and Office of the Muslim Affairs which also do training on the same subjects, GRF should work hand-in-hand with the mentioned offices to clear out the issue as pointed by some Local Government Units.

Conclusions

The implementation of the BJSS in the province of Maguindanao was an effective tool in community dispute resolution manifested by the adoption of the said program constituents of the local government units.

The program has provided additional mechanism to dispute resolution in the barangays and achieved the objective of declogging the court docket and facilitates easy access to justice among the disputants.

Recommendations

The following recommendations are forwarded to improve further the adoption and effectiveness of BJSS in the barangays.

1. The Gerry Roxas Foundation, Supreme Court and house of Congress should collaboratively work together for the enactment of law providing honorarium or living allowance to BJAs.

2. The DILG and local government units should recognize the Municipal Barangay Justice Advocates by institutionalizing their partnerships in promoting justice and peace.

3. Modules of the training should be simplified especially the Paralegal subject so that participants will understand easily the topic.

4. Training days should be extended in number of days to let the participants digest the methodologies that they could put into application after training.

5. Replicate the project to other barangays not covered by previous program implementation.

6. Study of same nature should be conducted in other provinces of the ARMM to find out whether BJSS is adopted and effective in similar manner as the finding of this research.

7. The Gerry Roxas Foundation and the Department of the Interior and the Local Government (DILG) should work together in enriching more the BJSS contents and methodology for greater effectiveness and adoption.

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