

Notes on P.D. 1508: The Barangay Justice System

Manuel J. Teehankee

26 ATENEO L.J. 68 (1981)

Tag(s): Political Law, Administrative Law, Barangay Justice System

Considered as a basic tenet of constitutional law, the right to a speedy administration of justice is given prime importance. Also, it has been the policy of the State to remove, as swiftly as possible, the numerous cases that clog the dockets of the courts. It is in response to this that numerous laws have been passed, one of which is P.D. 1508. Such a law establishes a procedure as regards amicably settling disputes at the barangay level.

As an examination of the aforementioned law, this Note provides a general overview of the system established in setting such disputes. First, the Author enumerates the new bodies that have been created by said law, which includes the Lupong Tagapayapa and the Pangkat ng Tagapagkasundo, each having distinct roles to play. Moreover, the jurisdiction of the bodies tasked to settle such disputes in the barangay level are discussed. Here, the Author presents a substantial discussion as to the limitations of such a jurisdiction, including the limitations on residency, real property, boundary situations, scope of criminal jurisdiction and on agrarian disputes, among others.

Subsequently, the Author lays out the procedure concerning the amicable settlement, highlighting the requirement necessitating the parties' mutual consent.

The Author concludes that as with any other law, the viability of P.D. 1508 would always be tested after the passage of time. It is nonetheless commendable at the outset for conjuring a novel and concrete approach to the problem of clogged court dockets.