



RESEARCH ARTICLE

Revitalizing Indigenous Alternative Dispute Resolution: The Case of Tingiting in Eastern Mountain Province

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ABSTRACT

This study explored the “Tingiting Practice,” an indigenous conflict resolution method among the Balangao tribe. Using a qualitative narrative inquiry and thematic analysis within a case study framework, it examines the practice’s role in settling disputes and fostering societal cohesion without external influence. Led by tribal elders, the “Tingiting Practice” functions as a purification and mediation process, embraced by indigenous and non-indigenous residents alike, especially those intermarried within the community. Despite recent modifications, it remains a respected Indigenous Alternative Dispute Resolution (IADR) method, vital for maintaining cultural heritage and unity. Political leaders and tribal elders have reinforced its value, advocating for its preservation as a key element of communal peace. Recommendations include documenting the “Tingiting Practice” as an essential IADR tool, offering dispute resolution training, and promoting community workshops and public outreach to educate and uphold the tradition among the Balangao tribe.

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1. INTRODUCTION

In way of associating the non-Indigenous solutions, conflict co-occurs less frequently with indigenous conflict management techniques. From an applied standpoint, the most common co-occurrence of Indigenous conflict management solutions is with socio-cultural sorts of disputes, which fall into four discrete categories: political, legal/judicial, interpersonal, and sociocultural. The findings of the study of Lundy, et al (2021) implies that although indigenous techniques are typically used to resolve interpersonal and sociocultural disputes, then they are generally more successful in “indigenous situations.” They also added that the locally generated solutions can effectively manage, resolve, and transform localized disputes. Yideg (2013) claimed in his study that conflict leads to the political, social, and economic annihilation of humankind if it is not appropriately managed. The kind of conflict resolution method that people employed to resolve their differences determines how much conflict costs. Money and time were saved by the household respondents who employed an indigenous conflict resolution strategy. They have been reconciling, welcoming their dispute party, and supporting one another as a result of employing this indigenous conflict resolution method. Likewise, conferring from the paper of Bezabh (2019), Ethiopia is one of the nations with a diverse population of indigenous peoples and ethnic groupings, the majority of whom have ingrained methods of resolving conflicts and maintaining peace. These Indigenous Dispute Resolution Mechanisms (often referred to as IDRMs) have been used as amicable methods of resolving conflicts. In reality, the communities have been using IDRMs to resolve criminal problems, including significant ethnic clashes, even though they are not recognized by law. Ethiopia's current substantive and

procedural criminal laws are ineffective in establishing guidelines that might help the criminal justice system better integrate and utilize IDRM.

This research aimed to regenerate and increase the awareness of the "Tingiting Practice" of the "Balangao" tribe for its importance in the purification process and its role in resolving conflicts among disputants in the area. The conflict mechanism practice of Tingiting's peace and order effect will benefit the tribe, residents and all inhabitants from this study. For future researchers and students this learning culture will act as a guide for future research endeavors that incorporate broader study scopes.

This study focuses on the revitalization of "Tingiting Practice" as a form of Indigenous Alternative Dispute Resolution (IADR) which is mainly relevant in criminal cases involving physical harm, particularly when there has been purposeful or unintentional spillage of blood. It is merely a crucial step in the overall settlement process and is not meant to be used as a tool for financial retaliation or as the only means of ending the dispute. Restitution for more serious crimes, like those that cause a great deal of harm, may include giving money, large cattle, land, or "Silyasi" (big pot) as recompense. "Tingiting" is not done until every detail of the settlement has been worked out. The people in the area support "Tingiting" because of its ability to resolve conflicts and cleansing.

THEORETICAL AND CONCEPTUAL FRAMEWORK

The conceptual framework of this study centers on understanding conflict and its resolution within the context of limited resources, drawing insights from Conflict Theory, Restorative Justice Theory, and the dynamics of tribalism. Conflict Theory, rooted in Marx's ideas, posits that social conflicts arise from struggles over resources and are perpetuated by power imbalances, emphasizing class divides and economic mechanisms that fuel disparities. In contrast, Restorative Justice Theory emphasizes healing and accountability, aiming to resolve conflicts by engaging victims, offenders, and the community to achieve restitution and reintegration.

Furthermore, tribalism plays a critical role in conflict dynamics, where strong allegiance to one's group can create ideological biases, leading to division and animosity. Stets (2018) highlights how tribal identities can deepen conflicts by reinforcing stereotypes and limiting cross-group understanding. Through Adomi and Halperin's (2020) exploration of peace theories, the framework also acknowledges the diversity of peace perceptions influenced by individual conflict experiences, emphasizing the need for context-specific approaches to conflict resolution. Finally, Bo and Clark (2020) suggest that the ingrained tribal psychology within intergroup relations can perpetuate conflict by distorting perceptions, underscoring the importance of inclusive, culturally relevant dispute resolution, such as the Indigenous "Tingiting Practice."

Statement of the problem

This study examines the unwritten practice of "Tingiting" in Eastern Mountain Province to highlight its significance as an indigenous alternative dispute resolution (ADR) method. Specifically, it seeks to understand how the principles and values underlying "Tingiting" align with or differ from mainstream legal and justice systems, and what implications these distinctions may hold for policy development. The study also explores how "Tingiting" has evolved over time, particularly in response to external influences and changes in the local context. Furthermore, it investigates how the Balangao tribe in Mountain Province utilizes "Tingiting" to resolve disputes, administer justice, and maintain peace within their community. An additional focus is the extent to which "Tingiting" is accepted by the local populace as an indigenous form of ADR. Finally, the study examines the socio-political factors that have historically shaped and continue to influence this unwritten practice. Through these inquiries, the study aims to invigorate the portrayal of indigenous dispute resolution in the locale, providing insight into its role in fostering cultural heritage and communal harmony.

MATERIALS AND METHODS

The study employs a case study design, an approach described as "an empirical inquiry that investigates a contemporary phenomenon (the 'case') in depth and within its real-world context" (Yin, 2014). This method integrates design logic, data collection techniques, and data analysis methodologies, making it suitable for exploring the "Tingiting" practice as an Indigenous Alternative

Dispute Resolution (IADR) among the Balangao tribe in Eastern Mountain Province. Key participants include tribal elders, legal professionals, political and religious leaders, youth representatives, and members of the GAD/LGBTQ sector. Discussions and interviews cover topics such as the principles of "Tingiting," its alignment with mainstream legal systems, and its role in maintaining peace within the community.

The study's population comprises twelve individuals, selected through purposive sampling, representing diverse roles within the community to ensure comprehensive perspectives on "Tingiting." Participation was voluntary, with each participant consenting without coercion.

Data was collected via focus group discussions (FGDs) and in-depth interviews (IDIs), guided by questions derived from the research objectives. The interviews included direct engagement, video recordings, and field notes to accurately capture participant insights. The FGDs and IDIs allowed for flexible conversation flow, enabling participants to expand on responses as necessary for a nuanced understanding of "Tingiting."

After receiving approval for the research proposal, the researcher secured a Work Order and Ethical Review from the National Commission on Indigenous Peoples (NCIP) to fulfill legal requirements, ensuring ethical adherence in research conduct. Subsequently, consent was obtained from the Balangao tribe and other stakeholders, and a memorandum of agreement was signed to formalize the research objectives. An interview guide facilitated the FGDs and IDIs, while additional information was gathered through literature reviews and consultation with colleagues.

Ethical considerations focused on informed consent, confidentiality, cultural sensitivity, and participant safety. No coercion was applied, and participants could withdraw freely from the study. Data confidentiality was strictly maintained, and debriefing sessions were provided to ensure participant well-being. Tokens of appreciation, rather than monetary rewards, were offered to participants.

Data treatment followed the case study approach, using qualitative methods to analyze and compare various aspects of "Tingiting." Case studies are widely used in social and educational research and were particularly suited to capturing the complex nature of this indigenous practice (McCombes, 2023).

RESULT AND DISCUSSION

This section presents, analyzes, and interprets the findings of the study on revitalizing the "Tingiting Practice" as an Indigenous Alternative Dispute Resolution (IADR) in Eastern Mountain Province. Based on insights from community elders, leaders, and a legal professional, the results reveal the effectiveness of "Tingiting" in conflict resolution through cultural beliefs and ceremonies. The findings highlight its evolution from reconciling injuries to addressing broader community disputes.

1. The principles and values underlying "tingiting practice"

a. Essential to "Tingiting Practice" are humility and empathy, which are consistent with the tenets of "Katarungang Pambarangay"

In the research area, participants including an Elder, Female Tribal Leader, Prosecutor, Political Leader, Policeman, and Youth Leader agreed that respected elders lead the "Tingiting" practice, similar to barangay captains in barangay justice. Elders guide the dispute resolution process, ensuring resolutions align with law, morals, customs, and public policy. Revered for their age and contributions to peace, they use indigenous methods to resolve conflicts.

Other participants, such as lawyers and a religious leader, noted that crimes involving bodily harm are common disputes handled through "Tingiting," while rape is considered taboo and excluded from this practice. The "Tingiting" system, like Katarungang Pambarangay, promotes community peace and progress, resolves disputes affordably, and alleviates court backlogs.

The practice fosters humility and amicable resolutions, uniting people in the Eastern Mountain Province. Participants highlighted that "Tingiting," as an indigenous alternative dispute resolution (IADR) method, resembles the Katarungang Pambarangay, with elders, political leaders, and relatives mediating conflicts, aiming for social harmony.

The process focuses on impartial mediation, problem-solving, and restoring relationships rather than assigning blame. "Tingiting" is respected for its voluntary agreement and mutual control, similar to Katarungang Pambarangay, but operates within the context of local traditions and indigenous beliefs.

Participants unanimously agreed that after a dispute is resolved, both parties share a meal often from a butchered chicken or pig—as a symbol of restored harmony. Unlike Katarungang Pambarangay, this meal is an essential part of "Tingiting," with its significance rooted in the belief that insincerity during the process could lead to illness. Initially, only chickens were butchered, but now pigs are included as part of a cleansing ritual to promote community unity and prosperity.

b. "Tingiting Practice" extrapolation on mainstream legal, justice system and implication for policy growth

Though disagreements can also spur constructive change, maintaining peace is essential for society's development. Persistent disputes, however, have the potential to upset peace and cause instability. The revered Participants, who included (Elders 1 and 2, the Female Tribal Leader, the Non-Indigenous Elder, the Lawyer, the Political Leader, the Religious Leader, a representative of the LGBTQ Sector, and a policeman), stressed how the Eastern Mountain Province's indigenous tribes value the "Tingiting Practice" because it is an economical method that focuses on mending relationships rather than escalating hostilities. They pointed out that "Tingiting Practice" had similar goals to the mainstream legal system in terms of settling conflicts, much like the "Katarungang Pambarangay." Barangay proceedings legally include arbitration and peaceful settlements. The barangay captain mediates amicable disputes and may also use panel conciliation. In "Tingiting Practice" the tribal elders were recognized to oversee the process." In similar engagement, both the tribal elders and barangay facilitators need to use discretion and wisdom in the actual solving of disputes. This "Tingiting Practice" as customary law highly suggests policy advancement for societal congruence.

Nonetheless, the "Katarungang Pambarangay" procedures were established by Presidential Decree No. 1508 on June 11, 1978, but were repealed by R.A. 7160.

(https://lawphil.net/statutes/presdecs/pd1978/pd_1508_1978.html)

c. A procedural comparison between "Tingiting Practice" and "Katarungang Pambarangay" as Mainstream Legal and Justice System in terms of prescriptive periods for filing complaints

Under the Katarungang Pambarangay, the prescriptive periods for offenses and causes of action are paused when a complaint is filed with the Punong Barangay. In contrast, the "Tingiting Practice" lacks formal guidelines or set prescriptions, as noted by respected participants including two Elders, a Female Tribal Leader, a Prosecutor, a Lawyer, a Political Leader, and a Policeman. Unlike the structured legal framework of Pambarangay Law, "Tingiting" operates more informally, without strict adherence to legal boundaries.

In the Barangay system, the prescriptive periods resume once the complainant receives the complaint, certification of repudiation, or a certification to file action from the Lupon or Pangkat secretary. However, participants such as Elders 1 and 2, and a religious leader, explained that the "Tingiting Practice" continues without fixed timelines. Elders actively encourage the victim to engage in the dispute resolution process, emphasizing humility and a commitment to reconciliation, similar to the role of the Lupon Tagapamayapa and Pangkat Tagapangkasundo in the Pambarangay system.

The interruption of prescriptive periods under Katarungang Pambarangay lasts no more than sixty days from the filing of the complaint. In contrast, participants including Elders 1 and 2, along with a religious leader, emphasized that the "Tingiting Practice" has no set time limit for interruptions. The process depends on the efforts of tribal elders to continuously persuade the victim to participate in the customary dispute resolution, without being constrained by formal time limitations.

According to Akpabio, H. E. (2022), traditional African institutions, once highly respected for preserving cultural values and resolving conflicts impartially, were disrupted by Nigeria's 1976 Local Government Reform. This reform undermined these traditional systems, which had effectively used alternative dispute resolution methods. Despite this, mediation remains a valuable tool for conflict resolution among traditional rulers in Etinan. In the scholarly research of, Mandyl et al. (2023)

explore the historical role of Indigenous knowledge (IK) in fostering peace and social cohesion, noting how colonialism disrupted these traditional conflict resolution systems. Their qualitative document analysis reveals that IK has historically promoted solidarity and peace within South African communities. The study highlights that peace is central to the social fabric of indigenous communities, emphasizing communal values and shared humanity. It identifies core principles of IK, traditionally passed down orally, that support communalism and unity. The research concludes by affirming the continued importance of oral transmission of IK, advocating for its recognition and application in fostering community peace and solidarity.

The practice of Tingiting

a. The advent of “Tingiting Practice” in the research Area

In an interview with the honored Participants regarding the beginning of the Tingiting Practice: the participant 3, (a female tribal leader), explained that in the past, “Tingiting” was identical with amicable settlement. The process involved butchering a chicken, which everyone presents had to share. The complainant and accused would eat from the same plate to signify resolution. The Balangao tribe would always try to settle problems amicably through “Tingiting” and most often than not, problems, misunderstandings and disputes are settled in this manner. Meanwhile, in the part of the Participant 8, (a religious leader), he described “Tingiting Practice” as a simple conflict resolution method where both parties handle the matter themselves. The offender, accompanied by one person, visits the offended party’s home to perform Tingiting. This typically occurs in cases of injury or bloodshed, whether intentional or not. During the process, the offender brings a chicken and an elderly relative to the aggrieved person's home. The elder explains the purpose of the visit, and if accepted, they butcher the chicken with help from the offended party's family. While the rice and chicken cook, they express regret and pray for healing and protection. After the meal, they divide the meat and sip the soup from a cup. Once the meal is finished, they thank each other, and the elder and offender return home. The participant also cleared that conferring to him, this customary practice has been respected ever since by the populace for it is legal. Also, from the participant 12, (a business sector representative), stressed-out that “Tingiting” is a customary law practice where elders and community members mediate disputes between parties. After reaching a settlement, the defendant provides Chicken or a pig for a communal feast, typically hosted at their home. This tradition addresses conflicts like boundary disputes, accidents, marital issues, robbery, and other grievances causing harm. The PNP, Municipal Official, Barangay officials, Lawyers, Judges encouraged and respects the peaceful way of solving the case called “Tingiting”. According to Abdul Rahman Maulana, Siregar et al. (2020), Article 18B paragraph (2) of the 1945 Constitution recognizes and respects the rights of indigenous and tribal peoples, provided they align with societal development and Indonesia's Unitary State principles. Their research, a normative study with field data, highlights how customary law can effectively resolve disputes outside of court, fostering harmony and community integration. This approach supports Indonesia's goals of unity and adherence to Pancasila, the 1945 Constitution, and the principle of unity in diversity.

b. “Tingiting Practice” external impacts and changes in the local context

Based on the participants' responses, there was no external influence on the “Tingiting Practice”. However, it is important to note that there have been some recent slight modifications. To elucidate the result of the conducted interviews, the Participant 3, (Female Tribal Leader) has explicated that, “in the earlier days, “Tingiting is synonymous to amicable settlement” which is used in the resolution of a dispute, the defendant butchers’ chicken where everybody present has to partake. The complainant and accused have to eat in one plate to signify that the problem has already been resolved. Through time though this practice has also evolved. Usually instead of just partaking a meal by butchering chicken (defendant), what is being butchered now is one head of pig and in most cases a monetary amount is also paid depending on the kind of offense committed. Good thing is that upon settlement and partaking of the meal which symbolizes that the resolution arrived at is acceptable to both parties, there will no longer be bad blood in between both parties and their families. Participant 4, (Non-Indigenous Elder) has also heightened that, “as years goes by there are also partial changes in the administration of Tingiting”, like in relation to the disposition of IP Laws regarding the “multa” or fines to be imposed to erring individual seemed to be immaterial and unconstitutional particularly

when it is too excessive. Participant 6, (Lawyer) has explained that, “the “Tingiting Practice” has no remarkable changes and not affected by outside influence. He also made clear and pointed out that the only change is the kind of animal offered during the Tingiting. Before a chicken can suffice but now a pig is required. The Tingiting is an accepted practice in the locality. Its influence is surprisingly reaching-out to non-IP members especially if an IP is involved in the conflict. Lastly, the participant 8, (a Religious Leader) also underlined that nowadays, instead of the offender directly approaching the offended party, they send a go-between person to the house of the offended. This intermediary asks the offended party if they accept Tingiting or not. If the “Tingiting” is accepted, a group of people will accompany the offender to the house of the offended, rather than just two individuals as it was before.

In Linda Singer's book (2019), she explores recent advancements in dispute resolution, highlighting innovative methods that complement or replace traditional approaches in various fields, including law, business, and education. The updated edition reflects significant changes in how courts and public agencies address disputes and provides insights into alternative dispute resolution from the perspectives of participants. It offers practical advice for analyzing situations and goals, and recommendations for professionals affected by these new methods. Singer underscores the movement's potential as a cost-effective and impactful alternative to litigation and violence, with broad implications for both professional and personal life.

The Balangao tribe in resolving conflicts

a. The Tingiting process

From the explanation of Participant 1 (Elder 1) The “Tingiting” word is a “Balangao vernacular”, which means "to butcher a chicken or a martafe" it is the source of the verb "Tingiting" or "Tengeting" in order to calm negative feelings between two parties who may have become indifferent as a result of the incident. “Tingiting” is customarily performed in the eastern part of the mountain province. This practice stems from a traditional belief that when someone is hurt, regardless of how minor the injury, and blood spills, “Tingiting” is required. Over time, the “Tingiting practice” has undergone changes and became increasingly complex due to a variety of circumstances, including education and social modernity, religious beliefs, and interfaith marriages. The butchering and offering of a pig, rather than just a chicken, is now part of the changes. The causer/respondent will prepare and cook a pig and be partaken by all attendees when all arrangements are done and a fruitful conversation surrounding the conflict has taken place. As a matter of fact, even grave offenses are now accepted within the established tradition. Therefore, the decision to butcher a pig or chicken may vary based on the victim's injuries and the demeanor of the person who caused them. A chicken will do if the wound is minor and unintentional, as the event may only include a small number of people to conduct the “Tingiting” so long as the practice is carried out. Conversely, if the infliction of injury is intentional and severe, then a pig must be butchered, as numerous attendees are expected to participate to shed light on the problem through Tingiting. This certainly underscores the importance of the customary practice among the inhabitants of the place. These responses were unanimously provided by the honored participants during the Focus Group Discussion (FGD).

The "Tingiting" practice in District 1 of Eastern Mountain Province has two forms: the "Old" and "Contemporary" practices. These forms differ significantly in their tribal criteria for resolving disputes peacefully, as shown in the tables 1 and 2.

Table 1: Old Tingiting practice

Step	Action
Step 1 – Initiation	The process begins when an accidental injury causes bloodshed, regardless of the person responsible. A child’s actions are represented by their parents or guardians.

Step 2 – Visiting the Injured Party	The person responsible visits the injured party’s home with a chicken ("martafe") for the ceremony, often accompanied by a relative or elder.
Step 3 – Declaration of Purpose	Upon arrival, the elder explains the purpose of the visit. If accepted, the chicken is slaughtered by a member of the injured party’s household.
Step 4 – Hearing of Testimonies	As chicken and rice are prepared, both parties engage in conversation, offering apologies and assurances that the incident will not repeat.
Step 5 – Concluding Dialogue	The conversation ends with prayers for God’s protection and the healing of the injured party’s wounds.
Step 6 – Conducting the Tingiting Ceremony	The elder prepares a plate with rice and meat and a cup with broth. Both parties join in prayer, share the food, drink the broth, and shake hands, expressing gratitude. The ceremony concludes with smiles.

Table 2: Contemporary Tingiting practice

Step	Action
Step 1 – Applicability	"Tingiting" applies only to criminal cases involving bodily harm. It does not apply to civil cases. The procedure aims to cleanse spilled blood and resolve the dispute, involving penalties (Chucha/Morta) and reparations. Pigs are commonly sacrificed instead of chickens to accommodate the larger number of attendees.
Step 2 – Visiting the Complainant’s Home	Once the complaint is brought to the elders, a gathering is scheduled at the complainant’s home, where relatives and interested parties meet.
Step 3 – Negotiation Process Leading to Tingiting	Elders listen to both parties’ perspectives, moderating the discussion. They encourage the use of "Tingiting" for peaceful resolution. The complainant presents grievances, followed by the defendant’s perspective. Solutions may involve negotiations, including reparations like cash, land, or valuables, depending on the case.
Step 4 – Finality of Peaceful Settlement	If the complainant agrees to the settlement, the dispute is resolved amicably. If not, the elders persist in convincing the parties to adopt "Tingiting." If the issue remains unresolved, the case may eventually be taken to formal court if the offended party insists.

<p>Step 5 – The Tingiting Ceremony as the Final Stage</p>	<p>The defendant slaughters a pig, and both parties share a meal from the same plate, symbolizing reconciliation and peace. The ceremony acts as a cleansing process, believed to hasten the victim’s recovery. Without this, it is taboo for the conflicting parties and their relatives to eat together, due to the belief in “Mabutot/Mabfotot” (swelling of the stomach), which is considered incurable by modern medicine.</p>
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Tingiting practice” received as an indigenous form of indigenous alternative dispute resolution

a. Perspectives of the participants

The renowned participants in the research area, despite their busy schedules, tolerantly offered their honest responses with the researcher. They also discussed the varied significance of the research on "Tingiting Practice." In their retorts they emphasized that the willingness of both sides to resolve disputes amicably is emphasized in the essential steps of "Tingiting" as an Indigenous Alternative Dispute Resolution". The settlement will not move forward without the consent of both parties. In order to encourage consent for the peaceful settlement of the issue, elders or family members of both parties typically serve as mediators. The aboriginal people hold this method in high regard, viewing it as a sign of dispute resolution or termination with its goal always focused at amicable settlement. "Tingiting practice" builds compassion and enduring harmony. The residents of the Eastern Mountain Province support the Tingiting method of peaceful dispute resolution because they see it as a necessary step in the healing process and an indication that the conflict has ended. This encourages development and preserves community harmony. Therefore, because it promotes harmony in friendships, decreases animosity on both sides of a fight, and encourages cooperation, the Tingiting method of dispute resolution is preferred by the majority of tribes. In addition, the custom discourages criminal activity by wicked people—with the exception of inadvertent or accidental acts that result in injury, in which case "Tingiting" is only necessary for customary purposes. With this, the process helps people learn healthier behavior patterns and make amends for their transgressions. Ultimately, according to the viewpoints of the participants, this tradition is widely embraced by the residents of the research area due to its proven effectiveness and esteemed reputation, despite the fact that the population consists of diverse tribes.

To start with the Participant 1 (Elder1), he accentuated that, "the Balangao Indigenous Peoples' community, the "Tingiting procedure" of settling dispute is well accepted and liked hence it is a part of their tradition. In a Non-Balangao to a Balangao community, it depends on the victim and his family, both parties must agree to an accepted form of settlement that they may undertake, their guiding principle is how to foster peace among them and to the local residents. While from the standpoint of Participant 3, (Female Tribal Leader) she explained that, "the Tingiting practice has always been the norm in dispute resolution in the locality. Even at present, cases are still settled amicably unless parties are not able to agree on the settlement. This practice has always been the first option in resolving problems, issues, and disputes by the indigenous people of the research area in order to foster peace amongst the families involved. The "Tingiting practice" is being respected not only by the natives but to the inhabitants as a whole. The locality especially the Municipality of Paracelis is a concoction of people from different tribes like Ilokano, Bisaya, Tagalog and some other Non-IP residents. Participant 5, (Prosecutor)According to him, this is both culturally and legally accepted hence it helps in the process of preserving calmness among the populace, it is also economical to both parties when compared to legal process. The Participant 6, (Lawyer) based from his views, he elucidated that, "the Tingiting is well-liked and accepted by the local populace because they believed that it is a part of the cleansing process and a sign that the conflict is already settled or terminated. The only problem during the conduct of the "Tingiting" rests on the availability of an elder who knows the ritual but it has been observed that even today, there are still elders who could conduct the traditional prayer. Participant 8, (Religious Leader) bestowing from his understandings, the "Tingiting" is not only a mere tradition because this is bounded with love, peace, and caring, it is

being felt by both parties most especially to the offender. The community is happy because the conflict is resolved peacefully. It is well liked and loved by the people; it is respected hence "Tingiting is pro-poor settlement of cases." It is applicable to all forms of society. According to Participant 10 (LGBTQ Sector), adults who are able to counsel both conflicting parties accept the "Tingiting practice." Depending on the victims' beliefs and the seriousness of the incident, locals typically support Tingiting, particularly in less serious confrontations. The non-indigenous residents also embrace the practice because of their constant exposure to local norms, although disagreements frequently arise during Tingiting, agreements are eventually made. To express their displeasure, some people continue to misuse the procedure by requesting more money for fines and reparations. The existence of "sogsog" instigators during the proceedings is the cause of this problem. Participant 11, (youth Leader), in her view, "iti Tingiting ket napintas nga maaramat iti panang-urnos iti sussik wenno ap-apa iti duwa a maseknan, madayaw daytoy iti umili sipud pay idi punganay, ta agsipod ket haan unay ah nagastos kas ma-iyasping iti ligal nga maaramat iti tungtungan". (English translation) "Tingiting is a valuable way in handling disputes or misunderstandings between two parties, this has been long time respected in the area as it can effectively resolve issues without incurring the costs associated with legal proceedings." While the Participant 12, (Business Sector) has said and emphasized that, "the indigenous people of Balangao prefer the "Tingiting" way of settling conflicts because it prevents grudges from festering between both sides. Instead, cooperation and peaceful friendship are encouraged, and the emphasis on avoiding such conflicts indirectly teaches people to behave better. Other tribe who intermarried with the Balangao people accepted the "Tingiting" because of the positive result of effect that focus on place for a peaceful living. However, challenges inevitably arose during this process, including financial strain, heightened emotions such as anger, and the looming threat of tribal conflict. Pride often escalated tensions to the point of violence, with individuals fiercely defending their affiliations. This cycle underscores the innate human inclination to protect one's sense of belonging.

In the erudite paper of Abebe, D. M. et al (2015), they examine the reasons for Ethiopian locals' preference for customary laws over official courts. Customary laws, they contend, are adaptable, change with the community, and encourage a sense of pride among those who follow them. These rules, which were developed and enforced by the community, are more pertinent to the requirements of individuals. Even while some communities have government courts, the Kembata people still prefer their old-fashioned ways of resolving conflicts.

Similarly, Shamir, Y. (2016) highlights in her scholarly investigation that over recent decades, diverse methods of conflict resolution have gained widespread recognition, becoming both a subject of academic inquiry and practical application, often assuming official or legislative roles in numerous nations. These approaches are increasingly pivotal in international relations, as they are instrumental in containing, managing, and ultimately resolving potential conflict triggers. The article delves into the intricate evolution of this field. Despite the inherent dangers of conflict, it also holds the potential for fostering.

b. Tribal assimilation

From the recounted answers of the esteemed participants, the numerous groups in the research area which include different tribes including the Ilokano, Bisaya, Tagalog and some other Non-IP residents widely practice "Tingiting." Because of intermarriages and cross-cultural interactions, many people in barangays with a large non-indigenous population have adopted the practice. Some non-indigenous people only follow Tingiting when an indigenous party is present, while others, particularly those who have intermarried, genuinely value and respect the custom. Since they consider themselves to be a part of the community, non-indigenous inhabitants have generally accepted the "Tingiting practice" since they understand how beneficial it is for promoting harmonious coexistence amongst various tribes.

To start from the narrated story of Participant 3, (Female Tribal Leader) she made clear that, "the Tingiting practice" is being practiced not only by the natives but by the populace as a whole. Since the research area particularly the municipality of Paracelis is an assortment of people from various tribes. That the practice of Tingiting is indeed active even with the Non- IP inhabitants even to date. Participant 4, (Non-Indigenous Elder) has said that "the Ilokanos and other Non-Indigenous

inhabitants from the research area also accept the “Tingiting practice” due to intermarriages and intercultural. Similarly, Participant 5, (Prosecutor) answered and conveyed from his observations, “that because other people innocently adhere to traditions especially the Non-IP residents that is why some of them follow and accept the established rules of “Tingiting Practice” in order to appease the affected individual and to preserve harmony in the community. The Participant 6, (Lawyer) has emphasized that, “Non-Indigenous People” do not practice the Tingiting unless one party in the controversy belongs to the IP. Participant 7, (Political Leader) has said that, some of the Non-IP’s had accepted the Tingiting Practice especially those who intermarried with the local populace. Equally, the Participant 8, (Religious Leader) has held that, “the Non-IP’s indeed respect and they like the “Tingiting Practice”. also, the Participant 9, (Policeman) as he answered in Filipino language, “ang mga hindi Igorot ay niyakap ang kulturang Tingiting ayon sa kanilang karanasan at narinig at tinanggap nila ito ng mahusay. (In English translation), the Non-IP’s embraced the “Tingiting culture” according to their experiences, and they accepted it well. Participant 10, (LGBTQ Sector) has responded that, “the Non-IP residents accept the “Tingiting practice” as they were cultivated on the practices of our locality. Lastly, Participant 12, (Business Sector) has heightened that, “the other tribes who intermarried with the Balangao people have accepted “Tingiting” because of its positive effects, which contribute to peaceful living in the locality.

Drawing from the academic studies conducted by FOMEG-AS, D.Y. et al. (2017) stressed that the main goal of the study was to ascertain the sociocultural and political importance of ethnocide to Baguio City college students. The process of gradually altering an indigenous peoples' ethnic culture to the point of ethnic identity loss or death as a result of development, assimilation, enculturation, colonial mentality, and geography, among other factors, is known as ethnocide.

c. Cultural and ethnic variations

In the subsequent collective narrated answers of the revered participants they conferred to the researcher the veracities of their shared responses from the research study. According to them, the “Tingiting Practice” can occasionally be impacted by tribal distinctions, particularly when it comes to the complainant's imposition of fines or penalties. Sometimes, disparities in ethnicity might affect “Tingiting procedures,” especially when it comes to complaints that could result in fines or other consequences. The “Tingiting Practice” has changed significantly in modern times, particularly when there is a dispute between parties from different tribes. During the “Tingiting procedure,” it is common to witness disagreements between disputants and attendees, especially those from different tribes. Regrettably, some persons take advantage of the procedure by imposing disproportionate fines or penalties, swayed by witnesses who advocate for the victim's position. Other disputants could take advantage of the Tingiting technique to obtain material comfort from the respondents if they are dissatisfied with the reparations that have been offered. Such disdain and mockery are sometimes directed at same Co-IP members and non-IP’s residents in the region. In the community, non-indigenous residents are a few of the targets of such scorn and ridicule, particularly if they decide not to fight back out of concern for retaliation against their families and clans. The majority of Tribal Elders oppose discrimination throughout the “Tingiting procedure.” Rather, they keep trying to find a solution until all sides, from all tribes, agree on a friendly resolution through the elder messengers' persuasive action.

Participant 1, (Elder 1) has said that, the family of the offender or suspect must know the ethnicity of the family of the victim in order that the former may take appropriate steps or actions in administering a “Tingiting/Tengeting;” if he/she is belonging to “Balangao tribe” then the tradition of Tingiting may take effect indubitably, if the degree of the crime or incident is so heavy, the traditional “Tingiting” may not be enough instead the contemporary “Tingiting will undergo, definitely a penalty (Chuha or Morta) be asked by the family of the victim. Participant 4, (Non-Indigenous Elder) has answered that, “the tribal differences sometimes affect the Tingiting Practice especially in the imposition of multa or fines to the complainant. Participant 5, (Prosecutor) has emphasized that, the ethnicity differences can occasionally have an impact on “Tingiting practices,” particularly when it comes to the complaint being subjected to “multa” or fines. Participant 6, (Lawyer) based from his view, the Non-Indigenous residents do not practice the Tingiting unless one party in the controversy belongs to the IP. Participant 8, (Religious Leader) has explained that, “the

“Tingiting Practice” in its modern application, there were various changes especially if two parties are not coming from the same tribes.

In the conducted study of Meadow, C, M, (2022), he emphasized herein the necessity for specialized mediation strategies in cross-cultural disputes by examining several definitions of culture and its characteristics, including gender, race, and ethnicity. He makes the case against considering culture to be unchanging, emphasizing that many people come from diverse backgrounds. Instead of depending on preconceived notions, effective mediation necessitates cultural competency, humility, and flexibility to the particulars of each case.

The socio-political factors that historically influenced and continue to shape the unwritten practice of Tingiting

a. Elders’ impact

Reflecting from the communal answers of the participants, the tribal elders and old folks are highly esteemed figures in the locality, their personalities exuding dignity and commanding respect. Their revered status is not solely due to their advanced age but also stems from the exemplary actions they have demonstrated within the community, actions deeply ingrained in the hearts and minds of the people. These elders' good deeds serve as their qualifications for leadership within the community, aimed at societal betterment and the maintenance of peace and order. Much like magistrates in regular courts, the voices and wisdom of these tribal elders and old folks hold significant weight, indisputable by anyone else in the community. Consequently, these esteemed individuals take the lead in the “Tingiting Practice”, guiding the resolution of conflicts with their wisdom and experience. Meanwhile, the inhabitants of District 1, Eastern section of Mountain Province, recognized, adored, and respected the tradition of “Tingiting Practice” as the most fitting means of putting an end to feuds and preventing needless deaths and carnage. In order to resolve disputes, the community used direct democracy, in which members participate in the discussion to determine the appropriate admonishment. The locals arrive at and impose this peaceful resolution of disputes.

Participant 1, (Elder 1) has expounded that, “the Balangao” Indigenous People are borne free, no family strata, everyone is equal with each other; thus, families are at par to each other, they are peace loving people. If one commits an accident to his neighbor or fighting among children that a victim was seriously inflected, the concerned families would acknowledge immediately the offense and talk to them in order to mint the relationship, a ritual is done such as “Tingiting/Tengeting” through the initiative and concern of Tribal elders and old folks. Participant 3, (Female Tribal Leader) she has illuminated that “through the socio-political consideration for the continuous practice of “Tingiting” has been an effective means even in the early times to resolve problems amongst residents in the municipality. It has been a practice to engage the participation of elders, common relatives’ political leaders and members of the community to arrive at a cumulative decision. Participant 4, (Non-Indigenous Elder) has emphasized that, “the elders, old folks, reputable political leaders and the successful personalities particularly professionals had a great influence in shaping the indigenous practice. Participant 5, (Prosecutor) has elucidated that, “the tribal leaders conveyed by the reputable old folks of various tribes had indeed historically influenced and continually shaping the “Tingiting Practice of Balangao”, that without them this customary practice may not continue to its reality due to some indigenous practices which are necessary in the conduct of said practice and only them who could perform knotted by the full respect of the populace within the locality. Participant 8, (Religious Leader) has affirmed and explained that, “the socio factors is the main reason why the practice will continue to exist because it is being well-shaped by the tribal leaders and concern members of the old folks in the community. Participant 10, (LGBTQ Sector) has explained and said that, the socio-political factors who have historically influenced and continue shaping the unwritten practice is due to the proper way of handling the “Tingiting” by the elders or old folks which are effective in the solution of conflict among the people.

In the study of Chowdhury, A.A. and Fahim, H.K. (2018), the Article 35(3) of the Constitution of Bangladesh guarantees quick trials by impartial judges, making access to justice a fundamental human right. But problems like political meddling, corruption, and a lack of resources result in a backlog of criminal cases, which erodes public confidence in the legal system. These delays are made worse by sluggish investigations and low conviction rates. Although its relevance in criminal law is

still up for debate, the authors suggest plea bargaining as an Alternative Dispute Resolution (ADR) technique to resolve these issues, especially for personal injury claims.

Based on the scholarly work of Muhammad Umer Bhatti (2019). Pakistani courts can effectively encourage plaintiffs to pursue arbitration, making the process quicker and more affordable. The legal profession must change as alternative dispute resolution (ADR) becomes more significant by enhancing professional competence and mediation abilities. Accessible and effective justice is required by Article 37 of the Pakistani Constitution, and alternative dispute resolution (ADR) provides a workable solution to conflicts while reestablishing public confidence in the judicial system. ADR should be aggressively recommended by the Bench and Bar in order to promote efficient dispute resolution.

In the Philippines, alternative dispute resolution (ADR) is recognized as an effective means of settling suitable situations by Republic Act No. 9285, which was passed on April 2, 2004. While authorizing the Supreme Court to implement different ADR procedures, like as mediation, conciliation, and arbitration, to speed up case resolutions, it also requires state support and active business sector participation in ADR. Supreme Court-approved regulations will control these systems. (Monday, August 19, 2024, Philippine Laws and Jurisprudence Databank.https://lawphil.net/statutes/repacts/ra2004/ra_9285_2004.html)

Similarly, in the work of, Naganag, Edgar M. (2019), he highlighted the existence of various alternative conflict resolution methods within indigenous communities, tailored to address different types of offenses. These traditional practices have been deeply ingrained and valued by indigenous peoples for their significance. It is essential to document these practices for future generations. Furthermore, there is a need to advocate for the recognition of Indigenous Peoples' courts of justice, focusing on their unique conflict resolution systems.

b. Political advocacy

Bestowing the responses of cooperative participants, the politicians in this locale are renowned for their true leadership and dedication to their constituents. They adeptly navigate the boundaries between politics and personal interests, ensuring that their actions serve the community rather than solely promoting their own agenda. Through interviews conducted with various participants for this research, a consensus emerges: the political leaders of the area wholeheartedly endorse the “Tingiting Practice.” They perceive this tradition as an effective means of resolving disputes, rooted in principles of love, respect, and humility. Participants attest that when leaders engage in “Tingiting” to address problems, they do so sincerely, guided by their conscience and genuine concern for the well-being of those involved. The practice of “Tingiting” can potentially prevent disputants from incurring excessive expenses often associated with legal proceedings, such as high lawyer fees and court-related costs. Moreover, the most significant aspect to consider is the restoration of strained relationships among conflicting parties, a result achievable through this custom rather than within the confines of a courtroom. Critically, the leaders undertake “Tingiting” not to manipulate or politicize the populace for electoral gain, but rather to foster harmony and reconciliation. This genuine commitment to the practice distinguishes them as leaders who prioritize the needs of the community over personal ambitions.

Participant 1, (Elder 1) has similarly answered, “yes, the political leaders give support to the realization of the olden practice, the “Tingiting/Tengeting Practice” of the Balangao Indigenous People is very much effective as IADR in the Balangao community, this is manifested by the Council of Elders in the Eastern Municipalities of Mountain Province and duly supported by their respective Local Chief Executives. Participant 2, (Elder 2) has affirmed and said, “Yes, they support well the “Tingiting practice”, hence it is for economy reason in the part of both conflicting parties. Participant 3, (Female Tribal Leader) has illumined and said that, “yes, the Political leaders in the research area have always been very supportive of the “Tingiting practice” as a means to amicably settle disputes/problems in the locality. Participant 4, (Non-Indigenous Elder) has affirmed and said that, “yes, the political leaders support the “Tingiting practice” because they want everlasting peace in the community. Participant 5, (Prosecutor) has emphasized that, “most of the political leaders undoubtedly support the practice because they see it as the best means of maintaining harmony among their constituents. Participant 6, (Lawyer) has illuminated and confirmed that, “our political

leaders support the Tingiting” as the concluding part in the settlement. The main reason why they support it lies on the fact that they do not want the parties to resort to the courts which is expensive. Participant 7, (Political Leader) the political leaders support the “Tingiting Practice”, but he stressed-out that perhaps only around fifty percent (50%) of them adhere since the "Tingiting practice" for the latter in some instance may put only additional strain on the respondent's family. Participant 8, (Religious Leader) answered yes and has expounded that, “the political leader supports the practice, in fact, they encourage this practice to be observed by all the people living in the locality. Participant 9, (Policeman) also said, “yes, the politicians always support the Tingiting practice.” Participant 12, (Business Sector) has acclaimed and said yes, “that the political leaders support the “Tingiting practice” as an indigenous way of solving conflicts, since it brings back peace between disputants and their relatives, “no tribal war will happen,” this usually occurs for the reason that it is an instinct to defend one's own community when someone will bring chaos to them.

Atemi, Justin A (2014), investigated the effects of leaders' employment of alternative dispute resolution (ADR) strategies on the long-term settlement of conflicts in Bungoma County, Kenya. With an emphasis on arbitration, conciliation, mediation, and negotiation, it sought to classify different conflicts in the Lwandanyi, Webuye, and Cheptais Sub-Counties and to determine the variables influencing the usage of ADR procedures. The study evaluated how much leaders used alternative dispute resolution (ADR) to resolve these disputes.

Buszka, Alexander J. (2019), emphasizes in his study that several dispute resolution strategies are used by civilizations, however many of them can be expensive, intricate, and biased. Participants frequently turn to alternatives like self-help, peer pressure, and mediation rather than litigation in an effort to find effective, equitable solutions in a time and resource constraint. Alternative dispute resolution (ADR) is praised by the US Department of Justice for being efficient and cost-effective, while detractors point to an increase in attempts to nullify arbitration rulings as evidence of discontent. ADR techniques differ greatly, and concerns about accountability and equity still exist, despite the validity of both viewpoints. An example of how alternative dispute resolution (ADR) might develop is the Bashingantahe institution in Burundi. Despite its prejudices, its past procedures and more recent changes show promise for better accountability and dispute settlement.

CONCLUSION AND RECOMMENDATIONS

Conclusion

The study highlights the "Tingiting Practice" of the Balangao tribe as an essential Indigenous Alternative Dispute Resolution (IADR) method, which aligns with mainstream justice mechanisms like "Katarungang Pambarangay" in promoting peaceful conflict resolution and societal harmony. Rooted in community values, respect, and perseverance, the practice developed organically, reflecting the tribe's commitment to maintaining traditional justice without external influence, though it has evolved with recent adaptations.

In "Tingiting," tribal elders and knowledgeable members mediate disputes, ensuring a process that resonates deeply with both indigenous and non-indigenous community members. The practice's acceptance among local people, including non-indigenous residents and intermarried families, underscores its effectiveness and cultural significance. This inclusivity reinforces "Tingiting" as a unifying tradition that fosters community purification, conflict resolution, and peace.

The Tribal Council's elder members have been instrumental in preserving "Tingiting," with support from political figures who recognize it as vital to cultural heritage, community cohesion, and lasting peace. The study affirms "Tingiting" not only as a valuable indigenous practice but also as a potential model for broader societal integration in dispute resolution, cultural preservation, and social unity.

RECOMMENDATIONS

The following recommendations are proposed to sustain and enhance the “Tingiting Practice” as an Indigenous Alternative Dispute Resolution (IADR) within the Balangao Tribe:

1. It is recommended that local government units (LGUs), in collaboration with the National Commission on Indigenous Peoples (NCIP), undertake systematic documentation of "Tingiting Practice" through oral histories, case studies, and comprehensive records. This

documentation can protect the tradition from potential erosion due to modern influences and ensure its preservation as a valuable cultural heritage.

2. Community leaders and educational institutions should organize training programs on dispute resolution and mediation methods specifically tailored for tribe elders and community leaders. Such training would enhance their skills in conducting the "Tingiting Practice" and bolster its role as an effective Indigenous Alternative Dispute Resolution (IADR) method. The NCIP and local universities could partner to facilitate these sessions.
3. It is recommended that LGUs and non-governmental organizations (NGOs) initiate community workshops and public outreach programs to increase awareness about "Tingiting." These workshops could emphasize the practice's role in conflict resolution and cultural heritage, highlighting its value to both indigenous and non-indigenous residents. Additionally, educational initiatives should incorporate elements of "Tingiting" to foster respect for this indigenous practice among future generations.

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