Community-based justice as everyday governance across Moro and Roma contexts

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To link to this article: https://journals.msuiit.edu.ph/tmf

Published online: 16 March 2026

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ABSTRACT

This article examines how community-based justice functions as an everyday governance practice across Moro communities in Mindanao and Roma communities in Romania. Despite increasing attention to informal institutions and legal pluralism, few studies bring distinct regional contexts into analytical conversation to identify shared governance dynamics. Existing research remains largely case-bound and seldom frames informal justice as a form of social innovation grounded in daily practice. Drawing on qualitative interviews with community leaders, mediators, and residents, the study employed a multi-sited case study design and thematic analysis to examine patterns of dispute resolution. The analysis identified three main themes: justice as relational repair, moral authority as the basis of compliance, and informal dispute resolution as a practical governance resource. These patterns appeared across both contexts despite cultural and historical differences. This article contributes to debates on informal governance by integrating cross-context evidence and reframing community-based justice as everyday governance. Ultimately, the study underscores the enduring role of locally embedded justice practices in sustaining social order.

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INTRODUCTION

This article examines why community-based justice remains central to everyday governance despite the global expansion of formal legal institutions. Across many social settings, disputes continue to be resolved through locally embedded mechanisms that rely on social relations, moral norms, and trusted intermediaries rather than formal courts. As Merry (1988) argues in her foundational discussion of legal pluralism, such practices are not marginal or residual but form part of overlapping normative orders that structure everyday life. Peace and conflict scholarship has similarly emphasized that everyday practices of mediation and compromise contribute to coexistence in divided settings, with Mac Ginty (2014) highlighting how local agency stabilizes fragile environments. This article responds to the persistence of these practices and the need to better understand how they function across different settings. By focusing on community-based justice, the article engages broader debates about governance, legitimacy, and social order beyond formal state institutions.

Research on community-based justice and informal governance has developed around debates concerning how social order is produced outside formal legal systems. Helmke and Levitsky (2004) demonstrate that informal institutions often shape political and social behavior as decisively as formal rules. Within socio-legal scholarship, Merry (1988) situates these dynamics within legal pluralism, showing how multiple normative systems coexist and interact within the same social space. Peace research further extends this understanding, with Mac Ginty (2014) illustrating how routine mediation and compromise contribute to stability in conflict-affected societies. These perspectives position community-based justice as a key site where governance is enacted through everyday practice. These mechanisms constitute alternative arenas through which authority, legitimacy, and conflict management are negotiated at the local level.

More recent scholarship has examined the specific mechanisms through which community-based justice operates in practice. Studies of conflict mediation and restorative processes indicate that dispute resolution often prioritizes repair and reintegration over punishment, as Zehr (2002) emphasizes in articulating restorative justice principles. Braithwaite (2002) similarly argues that responsive regulation and social accountability can sustain compliance without reliance on coercive sanction. Ethnographic accounts such as Bohannan's (1957) work among the Tiv and Gibbs's (1963) analysis of the Kpelle moot illustrate how authority and reconciliation are embedded in social relations. In the Mindanao context, Ragandang (2017) documents how indigenous tribes employ customary mediation rooted in collective responsibility and relational balance, reinforcing the centrality of social harmony over adversarial judgment. These studies demonstrate that informal justice functions through moral standing and community recognition, offering practical solutions that align with shared norms rather than abstract legal formalism.

Building on this body of work, significant gaps remain in how community-based justice is synthesized across contexts. Much of the literature remains anchored in single-case analyses, such as Bohannan's (1957) study of Tiv adjudication or Blagg's (2008) work on Aboriginal justice, which provide

depth but limited cross-context integration (also see Ragandang and Ponce 2019). Similarly, studies of restorative justice and informal mediation often focus on particular societies without tracing broader governance patterns, even though Braithwaite (2002) and Zehr (2002) outline principles that travel across settings. As a result, relational repair, moral authority, and informal compliance are rarely examined together as intersecting governance dynamics. Addressing this gap matters because informal justice continues to shape how conflict is managed for large populations, influencing social stability and everyday experiences of legitimacy beyond formal courts.

This article aims to examine how community-based justice operates as an everyday governance practice across different social contexts. Drawing on empirical material from Moro and Roma communities, the study focuses on how disputes are resolved through relational repair, how moral authority shapes compliance, and how informal mechanisms function as practical resources for managing conflict. Here, we suggest that community-based justice can be understood as a practical and socially embedded form of governance enacted through everyday relations. By synthesizing empirical insights from Moro and Roma contexts, this article demonstrates how relational repair and moral authority intersect to sustain compliance without coercive enforcement. This framing builds upon Mac Ginty's (2014) argument that everyday practices constitute meaningful forms of peacebuilding, while also drawing on Helmke and Levitsky's (2004) insight that informal institutions operate alongside formal rules as enduring governance structures.

This article has four main parts. The first part reviews existing literature on community-based justice and informal governance, outlining key debates, challenges, and gaps that inform the study. The second part describes the research design and methods, including data collection and analytical approach across the Moro and Roma contexts. The third part presents the empirical findings, organized around three themes that capture how community-based justice operates in everyday practice. The final part discusses the implications of these findings for understanding informal governance and social innovation, and concludes by summarizing the study's contributions and suggesting directions for future research.

Community-based justice and informal governance: A literature review

Research on community-based justice and informal governance has increasingly emphasized that disputes are often resolved outside formal courts through customary, relational, and locally embedded mechanisms. The field of socio-legal studies and peace research plays a vital role in documenting how everyday justice is practiced in communities where formal legal systems are distant, costly, or socially unfamiliar. Across diverse settings, scholars show that informal institutions shape social order by regulating conflict through moral norms, shared values, and trusted intermediaries (Merry, 1988; Helmke & Levitsky, 2004). Recent work highlights how these practices contribute to everyday peace by preventing escalation and sustaining coexistence through routine acts of mediation and compromise (Mac Ginty, 2014). Studies of Roma communities in Romania demonstrate how elders, kinship networks, and religious figures manage disputes through restorative processes embedded in social life, as illustrated in broader ethnographic work on informal dispute

resolution (Bohannan, 1957; Gibbs, 1963, Chereji & Sandu, 2018; Sandu, 2018, 2025). Similarly, research in Mindanao documents, for example in McKenna's (1998) study of everyday politics and Torres' (2007) edited volume on rido, the continued relevance of datus and sultans in resolving conflict through culturally grounded mechanisms that operate alongside state institutions, a pattern further illuminated in Ragandang's (2024) historical analysis of justice formation in Mindanao and in Kelly et al.'s (2026) study on community responses to counter violent extremism, which highlights how local leadership structures remain central to conflict mediation and social stabilization.

Despite its importance, the field continues to face challenges such as conceptual fragmentation, normative tension, and uneven empirical coverage. Scholars have pointed out several persistent limitations, including the dominance of state centered legal assumptions and the tendency to treat informal justice as secondary or transitional (Merry, 1988; Helmke & Levitsky, 2004). Research has also struggled to balance recognition of effectiveness with concerns about accountability, transparency, and unequal power relations within communities. Studies on traditional leadership in Mindanao note tensions between customary authority and formal legal standards, particularly around legitimacy and potential misuse of influence, as discussed in McKenna (1998) and Torres (2007). Similarly, research on community governance and indigenous justice mechanisms highlights risks of romanticizing informal justice while underplaying exclusions linked to gender, age, or social status (Blagg, 2008; Coker, 2006). These challenges persist because informal justice systems are deeply embedded in social life, making them difficult to evaluate using conventional legal or institutional benchmarks.

Recent studies have focused on the everyday practices through which communities manage conflict and sustain social order outside formal legal systems. The current state of research shows a growing emphasis on micro level interactions, moral authority, and relational forms of justice that operate through trusted local actors. Scholarship on everyday peace highlights how routine mediation, compromise, and dialogue contribute to stability in conflict affected and marginalized settings (Mac Ginty, 2014). Studies of community-based dispute resolution document how elders and kin networks resolve disputes through restorative processes that prioritize reintegration and social cohesion, as seen in classic analyses of informal courts and moots (Bohannan, 1957; Gibbs, 1963). In the Philippine context, research demonstrates the continued reliance on datus and sultans in Meranaw communities, despite the availability of formal courts, and highlights emerging hybrid arrangements between traditional leaders and state institutions (McKenna, 1998; Torres, 2007). These studies indicate a shift toward practice oriented analyses that foreground legitimacy, accessibility, and lived experience in understanding informal justice.

While these studies provide valuable insights, they also reveal limitations in how informal justice and community based governance are currently understood. Much of the literature remains organized around single case studies, offering rich contextual detail but limited cross context engagement, as reflected in both ethnographic accounts of customary law and region-specific analyses of rido (Bohannan, 1957; Torres, 2007). As a result, similar practices such as mediation, restorative settlement, and reliance on moral authority are often analyzed in isolation. Several studies document effectiveness and legitimacy but give less attention to how these systems

function simultaneously as governance mechanisms and social resources, even within frameworks of everyday peace. In the Mindanao literature, concerns around transparency, politicization, and uneven authority are acknowledged but not fully integrated into analytical frameworks. Likewise, scholarship on informal institutions and community governance notes risks of exclusion yet stops short of systematically examining how power relations shape outcomes (Helmke & Levitsky, 2004; Blagg, 2008). These gaps limit the field's ability to develop integrative and comparative explanations.

Conceptual and methodological approaches

What remains underexplored, however, is how these community based justice practices can be understood together as part of a shared set of governance dynamics across different social and regional contexts. While existing studies document relational justice, moral authority, and accessibility in specific cases, they rarely examine how these elements intersect in practice or travel across settings, a limitation visible in region-specific analyses of clan feuding in Mindanao (Torres, 2007) and broader anthropological accounts of informal adjudication (Leach, 1954). There is limited empirical work that brings findings from different regions into conversation to identify common patterns without collapsing local specificity. In addition, informal justice is seldom examined through the lens of social innovation, despite its adaptive, problem solving, and locally generated character. The literature also leaves unresolved how everyday dispute resolution simultaneously sustains social order and produces internal tensions linked to power, exclusion, or accountability, concerns raised in work on informal institutions (Helmke & Levitsky, 2004) and decolonial justice scholarship (Blagg, 2008). Addressing these gaps is necessary to advance more integrative and practice oriented analyses.

One influential framework in this area is legal pluralism, which highlights the coexistence of multiple normative orders within the same social space and challenges the assumption that state law monopolizes justice (Merry, 1988). This perspective connects with scholarship on hybrid governance, where authority is negotiated between state and customary actors (Adam, 2018; Dahlberg & Söderberg, 2024). Recent studies also draw on everyday peace frameworks to explain how routine practices of mediation and compromise sustain social order through micro level interactions (Mac Ginty, 2014). Restorative justice theory has further informed analyses of community based dispute resolution by focusing on repair, reintegration, and social harmony, as articulated in foundational restorative justice scholarship (Braithwaite, 2002; Zehr, 2002). Together, these frameworks underpin contemporary research on informal justice systems while revealing the need for more integrated theoretical applications across contexts.

Methodologically, research in this field has relied heavily on qualitative approaches that prioritize in depth engagement with communities and close attention to everyday practices, particularly ethnographic approaches that emphasize prolonged field contact and reflexive engagement (Batan, 2005). Studies commonly use semi structured interviews, ethnographic observation, and case based analysis to capture how disputes are managed outside formal institutions, an approach consistent with qualitative research guidance (Teherani et al., 2015). Research on Meranaw communities draws on

interviews with traditional leaders and community members to document mediation processes and authority structures, as illustrated in McKenna's (1998) study of everyday politics in the southern Philippines. Similarly, analyses of indigenous dispute forums such as the Kpelle moot (Gibbs, 1963) and Tiv adjudication (Bohannan, 1957) demonstrate the value of close observation in understanding therapeutic and consensus-oriented settlements. These methods provide rich contextual insight into moral norms and social relations. At the same time, their case specific focus can limit comparative synthesis and make it difficult to trace broader patterns across regions.

In the context of Mindanao in the southern Philippines, studies have shown that community based justice remains closely tied to traditional leadership structures and indigenous norms. Research on Meranaw communities documents how datus and sultans continue to play central roles in mediating disputes, particularly in cases of rido and family conflict, drawing on culturally embedded principles to restore social balance, as discussed in McKenna (1998) and further analyzed in Torres (2007). These practices operate alongside barangay justice systems and formal courts, forming hybrid governance arrangements similar to those described in other hybrid security contexts (Cross, 2016). In other regions, indigenous conflict resolution systems among African communities have been shown to reinforce social solidarity through mediation and restorative dialogue (Alemie & Mandefro, 2018; Tafese, 2016). Across these settings, local justice practices are embedded in everyday life and shaped by social ties, moral authority, and concerns for collective cohesion.

Across these studies, several themes emerge that cut across regions, methods, and analytical lenses. First, justice is consistently described as relational, with dispute resolution aimed at restoring social ties and enabling continued coexistence rather than producing formal legal outcomes, a pattern visible in restorative justice scholarship (Van Ness et al., 2001) and classic sociological analyses of social integration (Scott, 1976). Second, moral authority rooted in trust and long term embeddedness appears as a central mechanism through which decisions gain compliance, echoing discussions of conflict regulation in small-scale societies (Colson, 1974) and contemporary governance debates (Stenson, 2005). Third, accessibility and proximity are repeatedly identified as reasons communities rely on informal mechanisms instead of formal courts, a dynamic explored in community mediation studies (Marshall, 1996). Finally, hybrid arrangements in which informal justice operates alongside state institutions reflect broader debates on governance pluralism and negotiated authority (Helmke & Levitsky, 2004; Adam, 2018). These themes reveal shared patterns in how everyday justice is practiced and sustained.

METHODS

This study employed a qualitative approach. It sought to understand how community-based justice operates in everyday practice and how participants interpret processes of mediation, authority, and repair. A qualitative design was appropriate for capturing the lived experiences, narratives, and relational dynamics that structure informal dispute resolution in both Moro and Roma contexts. The study focused on how justice is enacted,

negotiated, and sustained within community settings. This approach aligns with prior research that has used qualitative methods to examine informal institutions and locally embedded governance practices. By privileging in depth accounts over numerical generalization, the methodology allowed for close attention to moral norms, trust, and social embeddedness. The goal was analytical insight into governance dynamics across contexts, rather than statistical representativeness, enabling a nuanced exploration of shared patterns and contextual specificities.

The study adopted a multi-sited qualitative case study design (Falzon 2016), as it best suited the aim of examining how community-based justice operates across distinct yet analytically comparable contexts. A case study approach allowed for in depth engagement with local dispute resolution practices, leadership structures, and governance dynamics within their social and cultural settings. This design is consistent with prior research that has relied on case-based inquiry to document informal justice mechanisms in both Mindanao and Romanian communities. It placed the two contexts in analytical conversation to identify shared patterns and contextual differences. The multi-sited design strengthened the analysis by enabling cross-context synthesis while preserving local specificity. This approach provided the flexibility necessary to explore relational repair, moral authority, and governance function in everyday settings.

The research was conducted in Moro communities in Mindanao in the southern Philippines and in Roma communities in Romania, both characterized by strong traditions of community-based dispute resolution. In Mindanao, the study focused on Meranaw settings within the broader Bangsamoro context, where traditional leaders such as datus and sultans continue to mediate conflicts alongside formal institutions. In Romania, the research engaged Roma and rural communities where elders, kinship networks, and religious figures play central roles in resolving disputes. These settings were chosen because informal justice mechanisms remain active and socially recognized, offering rich empirical material for examining everyday governance. Both contexts share experiences of marginalization and complex relationships with state institutions, making them analytically relevant for exploring how community-based justice operates where formal systems coexist with locally embedded authority structures.

Roma communities in Romania are internally diverse, comprising multiple sub groups with distinct occupational histories and social traditions. Among these groups, the Kalderash represent one of the largest and most cohesive traditional communities. Roma presence in Romanian lands dates back to the medieval period, when many were held in systems of hereditary slavery that lasted until the mid nineteenth century. This long history of marginalization shaped patterns of economic vulnerability, mobility, and exclusion from formal institutions. Despite these pressures, many Kalderash communities maintained strong kinship networks and internal governance structures, including the Kris, which continues to function as a central forum for dispute resolution and community regulation.

Seen from this perspective, Roma informal justice should not be interpreted simply as a cultural preference for customary mechanisms. Rather, it reflects a historical response to uneven and often coercive encounters with state authority. For much of their history, Roma communities experienced the state primarily through regulation, forced settlement policies, or exclusion

from legal protections. Under these conditions, resolving disputes internally through trusted community institutions offered a practical alternative to distant or mistrusted legal systems. The Kris therefore functions not only as a cultural institution but also as a pragmatic mechanism for managing conflict in contexts where state justice has historically been inaccessible or unreliable.

Participants included traditional leaders, community mediators, elders, and residents with direct experience in dispute resolution processes. In the Mindanao site, participants comprised datus, sultans, community members, and individuals who had been involved in rido or local mediation cases. In the Romanian context, participants included Roma elders, kin-based mediators, and community members familiar with dispute settlement practices. Participants were selected through purposive sampling, with additional recruitment through snowball referrals to identify individuals knowledgeable about informal justice mechanisms. Inclusion criteria required that participants had either facilitated, participated in, or observed community-based dispute resolution processes. This approach ensured that the data reflected informed perspectives grounded in lived experience. The sampling strategy aligns with qualitative case study research that prioritizes depth of insight and relevance of experience over representativeness, enabling focused exploration of governance practices within each setting.

The data collection process involved semi-structured interviews conducted separately in each research site. One author based in Romania collected data within Roma and rural communities, while the remaining authors conducted fieldwork in Mindanao among Moro participants. Interviews explored experiences of dispute resolution, perceptions of authority, mechanisms of compliance, and interactions with formal institutions. In both sites, interviews were conducted in languages familiar to participants and later translated where necessary. Field notes were maintained to document contextual observations and nonverbal dynamics. Following data collection, the research team consolidated transcripts and notes for joint analysis and cross-context synthesis.

Data were analyzed using thematic analysis to identify recurring patterns across the two research sites. The analysis followed an iterative process that began with open coding of interview transcripts and field notes to capture key concepts related to dispute resolution, authority, and governance. Codes were then grouped into broader categories reflecting relational repair, moral authority, accessibility, and governance function. The team compared coding decisions and discuss emerging interpretations, ensuring analytical consistency across contexts. Cross-site comparison was conducted to identify shared patterns as well as contextual distinctions. Throughout the process, the analysis remained grounded in participants' accounts, with themes refined through repeated review of transcripts to maintain coherence and fidelity to the data.

A limitation of this method is its reliance on qualitative data drawn from specific community contexts, which constrains the generalizability of the findings. While the case study design allows for rich, contextualized insight into informal justice practices, it does not permit broad statistical claims about all Moro or Roma communities. The findings are based on participants' narratives and reflections, which may be shaped by memory, social desirability, or selective disclosure. In addition, differences in historical and political contexts between Mindanao and Romania limit direct equivalence between

cases. Although the study places the two settings in analytical conversation, it does not claim full comparability. These constraints are consistent with broader methodological challenges in studying informal institutions, where context and embedded norms significantly shape outcomes (Helmke and Levitsky, 2004). Despite these limitations, the approach provides meaningful analytical depth into everyday governance practices.

Two important differences between the two contexts further caution against treating them as directly equivalent. First, Meranaw customary leaders operate with a level of public recognition that Roma elders generally lack. In Mindanao, figures such as datus and sultans are often informally acknowledged within local governance structures and may coordinate with barangay or municipal authorities. Customary mediation therefore operates alongside state institutions in hybrid arrangements. By contrast, Roma elders exercise authority primarily within the community through the Kris, with little formal legal recognition. When disputes move to state courts, this often reflects the limits of the community process rather than institutional coordination. Second, the disputes themselves differ in scale and stakes. Meranaw mediation frequently addresses conflicts linked to clan relations and histories of rido, where tensions can escalate into wider violence. In Roma communities, disputes are more commonly intra community and every day in nature, such as family disagreements, marriage issues, or matters of reputation. These differences shape how community justice functions in each setting even as broader patterns remain comparable.

At the same time, these community based mechanisms are not insulated from broader social change. Migration within the European Union, expanding digital connectivity, and increasing engagement with civil society organizations have gradually exposed Roma communities to new legal ideas and administrative systems. Communication technologies now allow families to coordinate mediation processes across distances and access information about formal legal options. These changes do not necessarily replace traditional mechanisms but contribute to evolving interactions between community based justice and state institutions.

Access to Roma communities required sustained engagement and careful negotiation of trust. Previous research notes that Roma settlements are often socially and spatially marginalized, which can make entry difficult for outside researchers (Sibley 1981). In this study, access developed gradually through earlier community engagement projects and the support of respected local leaders. Considerable time was invested in learning community norms relating to hospitality, hierarchy, and gender interactions in order to minimize misunderstanding and maintain respectful relationships. Throughout the research process, reflexive attention was given to the potential influence of the researcher's position as an outsider and to the ethical responsibility of representing participants' perspectives faithfully (Hammersley and Atkinson 2003).

Everyday justice as community practice: Examples from Moro and Roma communities

This section presents the empirical findings of the study and addresses the research focus on how community-based dispute resolution operates in

everyday settings and why it continues to be relied upon across different social contexts. The analysis examines how disputes are addressed, how decisions gain compliance, and how informal mechanisms function alongside formal institutions. Drawing on participants' accounts from Moro and Roma communities, the findings document shared patterns in how justice is practiced and experienced. Three themes structure the section. The first describes justice as a process centered on repairing social relations and enabling continued interaction after conflict. The second examines how moral authority, rooted in trust and social embeddedness, shapes compliance with mediated outcomes. The third outlines how informal dispute resolution operates as a practical governance resource that addresses conflicts quickly and locally. These themes summarize the key empirical patterns observed across the dataset.

Justice as repairing social relations

Across the study sites, justice was commonly understood as a process aimed at repairing social relations and restoring everyday interaction. Participants described disputes as collective disruptions that affected families, clans, and neighborhoods, with consequences that extended beyond the immediate parties involved. Resolution was judged less by the formal outcome of a case and more by whether people could continue living alongside one another without fear, hostility, or lingering tension. Participants repeatedly framed justice as successful when communication was reopened and social balance was reestablished. A settlement mattered if it allowed people to meet again in public spaces, attend communal events, or cooperate in daily activities. When this was not achieved, the dispute was considered unresolved, even if an agreement had technically been reached. Justice, in this sense, was evaluated through its capacity to sustain social life and prevent future conflict, not through abstract principles or procedural closure.

Among Meranaw communities, mediators described rido settlements as successful only when families could resume interaction without fear of retaliation. Compensation payments, public apologies, and carefully facilitated dialogue were used to cool emotions and prevent the dispute from resurfacing. Participants explained that restoring maratabat, or collective dignity, was central to this process. A verdict that ended the dispute on paper carried little value if resentment remained and families avoided each other or restricted their movements. Several accounts emphasized that the ability to attend weddings, funerals, or religious gatherings together signaled genuine resolution. In Roma communities, a similar logic prevailed. Disputes handled through the Kris or elders' mediation focused on restitution, apology, and public acknowledgment of wrongdoing. Sanctions were designed to restore moral balance and allow the offending party to remain within the community. Participants stressed that exclusion threatened collective survival in tightly knit social settings.

Participants in both contexts also identified limits to relational repair. In Meranaw settings, cases involving severe violence or entrenched clan rivalries sometimes exceeded the capacity of mediation, especially when trust between families had already collapsed. In such situations, reconciliation attempts stalled or required external intervention to prevent escalation. In Roma communities, participants noted that power differences within families

or gendered expectations could shape outcomes, occasionally placing pressure on weaker parties to accept settlements that favored social harmony over personal redress. These accounts point to the conditional nature of relational justice. Repair worked most effectively where social ties remained meaningful and negotiation was possible. At the same time, participants recognized that some disputes demanded safeguards or escalation beyond community-based processes, revealing the boundaries of repair-centered approaches to justice.

Gender hierarchies further shape participation in community justice processes, particularly within the Roma context. In many Kalderash Roma communities, dispute resolution forums such as the Kris historically operated within a strongly patriarchal structure in which women rarely participated directly in negotiations or decision making. Instead, women's grievances were typically represented by male relatives such as husbands, fathers, or brothers. As one participant explained, "the man is the head, he decides… we were not allowed to go because this is the law, it's up to the men" (personal communication, Kalderash woman, 14.06.2017). Younger women were especially constrained by expectations of obedience and concern for family reputation, often accepting settlements more quickly than older women. In the Philippine context, studies show that women such as the bae can play meaningful roles in mediation within otherwise patriarchal leadership structures (Ragandang and Ponce 2019). These dynamics illustrate how community justice systems can simultaneously sustain social cohesion while reproducing internal hierarchies.

Moral authority as the basis of compliance

Across the study sites, compliance with mediated decisions rested on moral authority grounded in trust, reputation, and long-term social embeddedness. Participants explained that decisions were followed because mediators were perceived as fair, knowledgeable, and accountable to the community. Authority emerged through everyday conduct and repeated interactions, where mediators demonstrated patience, restraint, and concern for collective well-being. Social accountability played a central role. Mediators lived among those they judged and were subject to the same norms and expectations. This proximity meant that decisions carried weight because they reflected shared values and mutual recognition. Participants described authority as something earned and sustained through behavior over time. When mediators acted with consistency and integrity, compliance followed without the need for coercion. Justice functioned through conscience, social obligation, and concern for standing within the community, creating a form of governance rooted in moral legitimacy.

In Meranaw communities, datus, sultans, and bae a labi were described as authoritative figures whose legitimacy came from lineage, religious knowledge, and demonstrated wisdom in mediation. Participants recalled disputes where parties accepted outcomes after listening to a mediator recount shared ancestry, past agreements, or religious teachings. Acceptance was often quiet and immediate, reflecting recognition of moral standing. Obedience was closely tied to fear of shame, loss of honor, and damage to family reputation. In Roma and rural Romanian settings, elders and priests exercised similar influence through moral standing accumulated across a lifetime.

Compliance was reinforced by concern for reputation, gossip, and social exclusion. In rural villages, priests were especially influential because of their involvement in baptisms, marriages, and funerals, embedding their authority across generations and reinforcing their role as trusted moral arbiters.

Participants also emphasized that moral authority was fragile and had to be continuously maintained. In Meranaw settings, some raised concerns about favoritism, political influence, or declining integrity among certain leaders. When mediation appeared selective or self-serving, trust weakened and compliance became uncertain. Romanian participants described similar dynamics, noting that authority diminished when elders or priests were perceived as biased or motivated by personal gain. Once credibility eroded, people became more willing to challenge decisions, disengage from mediation, or turn to formal institutions. These accounts highlight that moral authority depends on sustained ethical conduct. It cannot be assumed or inherited indefinitely. Its effectiveness relies on ongoing recognition by the community, and once that recognition falters, informal systems lose their capacity to govern behavior and resolve disputes.

Informal dispute resolution as a practical governance resource

Across the study sites, community-based dispute resolution functioned as a practical governance resource embedded in everyday life. Participants described turning to informal mechanisms to address disputes quickly, reduce uncertainty, and prevent escalation. These processes were experienced as accessible and understandable, especially when compared with formal legal procedures. Mediation occurred close to where people lived, involved familiar actors, and relied on shared norms. Participants emphasized the importance of resolving conflicts early, before they hardened into long-term grievances or violence. Informal processes allowed disputes to be managed in ways that preserved social stability and minimized disruption to daily routines. Justice was embedded in ordinary social settings, making it easier for people to participate and comply. In this sense, informal dispute resolution operated as a routine form of governance, addressing everyday problems and maintaining order without reliance on distant institutions.

In Meranaw communities, participants frequently described formal courts as costly, slow, and culturally distant. Informal mediation offered immediate access to decision-makers who understood local customs and family histories. Disputes over land, marriage, or interpersonal conflict were often resolved within days through dialogue facilitated by trusted leaders. In Roma and rural Romanian contexts, courts were similarly viewed as a last resort. Elders, kin, or priests intervened early to prevent disputes from escalating into legal cases. Meetings were held in homes, churches, or community spaces, reducing fear and formality. Participants noted that these settings encouraged openness and compromise. The speed and proximity of informal mediation were repeatedly cited as reasons for its continued use, especially in communities where prolonged conflict threatened social cohesion.

At the same time, participants recognized limits to informal governance. In both contexts, serious offenses, repeated noncompliance, or unresolved disputes sometimes required referral to formal authorities. Some Meranaw participants expressed support for coordination with state

institutions when mediation failed or violence loomed. Romanian participants similarly acknowledged the need for courts in cases involving persistent injustice. However, there was concern that excessive formalization could undermine flexibility and local legitimacy. Participants favored arrangements that preserved community-based problem solving while allowing escalation when necessary. These perspectives point to a preference for layered governance, where informal mechanisms handle everyday disputes and formal systems remain available as a backstop. Informal dispute resolution thus operated as a practical complement to state institutions, not a substitute for them.

In practice, dispute resolution often unfolds through a layered sequence of interventions rather than a single institutional forum. In Roma communities, conflicts typically begin within the extended family, where elders attempt to persuade the parties to reach an agreement. If these efforts fail, representatives of both families negotiate directly, often through grandparents or senior relatives. Only when these steps do not produce a resolution is the matter brought before the Kris, the community court composed of respected elders. As one mediator explained, "they don't come to Kris immediately… first the grandparents talk with their own family member, then with the other family's elders" (personal communication, krisinitor, Tg. Jiu, 06.12.2017). A comparable layering occurs in Moro contexts, where disputes are often mediated first by datus, sultans, or other respected leaders before being referred to barangay officials or formal courts if mediation fails or violence escalates. These pathways illustrate how informal and formal institutions function as complementary layers within broader governance arrangements.

Across the empirical accounts, the three themes frequently appeared together within the same narratives. Participants who described justice as repairing social relations also spoke about the moral authority of mediators as central to achieving that repair. In several Meranaw accounts, discussions of restored family interaction were directly linked to respect for the datu, sultan, or bae a labi who facilitated the settlement. Similarly, Roma and rural Romanian participants often connected successful reconciliation to the moral standing of elders or priests involved in the process. Accounts of accessibility and speed in informal dispute resolution were commonly paired with references to trust and social embeddedness. Participants describing why they avoided formal courts also emphasized confidence in community mediators and concern for maintaining social ties. These overlaps suggest that relational repair, moral authority, and practical governance were experienced as interconnected features of dispute resolution, frequently co-occurring within individual cases and shared narratives.

While most accounts aligned with the dominant patterns, several data points diverged from these trends. A small number of Meranaw participants described disputes where mediation failed to produce agreement, particularly in cases involving long-standing clan rivalries or repeated acts of violence. In these instances, families refused to accept compensation or apology and avoided further dialogue. Some participants reported bypassing traditional leaders altogether and proceeding directly to barangay officials or formal courts. In the Roma and rural Romanian contexts, a few participants recounted situations where elders or priests were not invited to mediate due to perceived bias or prior involvement with one party. There were also accounts where informal mediation occurred but did not result in compliance, leading to

prolonged disputes or eventual legal action. These cases were described as exceptions, but they demonstrate that informal mechanisms were not uniformly applied or effective across all disputes.

The findings show three consistent descriptive patterns across the study sites. First, dispute resolution was commonly framed as a process aimed at repairing social relations and enabling continued interaction among families, clans, and neighbors. Second, compliance with mediated decisions was linked to the moral authority of mediators, grounded in trust, reputation, and long-term social embeddedness within the community. Third, informal dispute resolution functioned as a practical governance resource, valued for its accessibility, speed, and proximity to everyday life. Participants across contexts described similar practices involving mediation, apology, restitution, and dialogue, carried out by trusted local figures. At the same time, the data included cases where mediation failed, authority was contested, or disputes were escalated to formal institutions. Together, these accounts document how community-based mechanisms operated in practice, the conditions under which they were applied, and the observable limits identified by participants, providing a comprehensive empirical basis for the analysis that follows.

DISCUSSION OF FINDINGS

The everyday character of community justice becomes particularly visible when examining how frequently these mechanisms are activated in daily social life. In Kalderash Roma communities, conflict resolution practices such as appeals to elders, family negotiations, and the convening of the Kris occur regularly as part of routine community governance. These processes are often held in public spaces and involve multiple members of the community, reinforcing shared norms and collective accountability. Rather than exceptional interventions, they function as ongoing mechanisms through which social order is maintained and relationships are regulated. In this sense, justice operates as a routine feature of everyday life rather than an extraordinary response to conflict.

This section discusses the key findings of the study and explains their significance for understanding community-based justice and informal governance. The analysis shows three central patterns across the Moro and Roma contexts. First, justice was consistently practiced as a process of repairing social relations, with dispute resolution aimed at restoring everyday interaction and preventing future conflict. Second, compliance with mediated outcomes depended largely on moral authority rooted in trust, reputation, and long-term social embeddedness. Third, informal dispute resolution functioned as a practical governance resource, valued for its accessibility, speed, and proximity to everyday life. Together, these findings address the core research question of how and why community-based justice continues to operate alongside formal legal institutions. They demonstrate that informal justice systems are not peripheral, but play a central role in regulating conflict and sustaining social order in settings where everyday governance relies on relational norms and locally grounded authority.

Interpreting everyday justice and informal governance

The finding that justice is practiced as relational repair highlights how conflict resolution is oriented toward sustaining social life. In both Moro and Roma contexts, disputes were addressed in ways that prioritized the restoration of interaction, trust, and collective balance. This suggests that justice functions as a preventative mechanism, reducing the likelihood of retaliation and long-term division. Such practices align with scholarship on everyday peace, which emphasizes how routine acts of mediation and compromise stabilize communities over time (Mac Ginty, 2014). From a legal pluralism perspective, relational repair reflects the operation of non-state normative orders that are responsive to social realities and lived relationships (Merry, 1988). The Meranaw case further shows how culturally grounded notions of dignity and honor shape the terms of repair, reinforcing the idea that justice is embedded in shared moral frameworks.

The second pattern underscores moral authority as a key mechanism through which compliance is achieved in community-based justice systems. Mediators draw authority from trust, reputation, and long-standing social embeddedness. This form of authority enables decisions to be accepted even when outcomes involve personal sacrifice. The findings resonate with work on informal institutions, which shows how unwritten rules and social expectations shape behavior beyond formal enforcement (Helmke and Levitsky, 2004). In the Roma context, compliance is closely tied to concerns about reputation and social exclusion, while in Moro communities it is linked to honor, religious legitimacy, and lineage. These dynamics illustrate how authority operates through social accountability, reinforcing legitimacy through everyday interaction. The findings thus highlight moral authority as a central governance resource that sustains order in contexts where formal legal power is limited or distrusted (Sandu and Chereji, 2021).

Alongside these patterns, the findings also reveal tensions that complicate idealized accounts of community-based justice. Instances where mediation failed, authority was contested, or repair remained incomplete point to the conditional nature of informal governance. In Meranaw settings, severe violence or entrenched clan rivalries sometimes exceeded the capacity of relational repair, leading families to reject mediation or seek external intervention. In Roma communities, power imbalances within families or gendered norms occasionally shaped outcomes in ways that disadvantaged weaker parties (Sandu, 2020). These cases echo broader concerns in the literature about inequality and exclusion within informal institutions (Helmke and Levitsky, 2004). These contradictions highlight the boundaries of moral authority and the contexts in which informal justice struggles to deliver equitable outcomes, for instance, in cases involving vulnerable youth and reintegration challenges (Embornas and Solmayor, 2024).

The findings strongly align with existing scholarship on everyday peace, legal pluralism, and informal governance. The emphasis on relational repair mirrors prior work showing that justice practices often prioritize coexistence and stability over legal finality (Mac Ginty, 2014). Similarly, the central role of moral authority confirms long-standing arguments that non-state justice systems rely on legitimacy rooted in social norms and shared values (Merry, 1988). What this study adds is empirical reinforcement across

distinct contexts, demonstrating that these dynamics are not confined to specific cultural or regional settings. By showing consistent patterns in both Moro and Roma communities, the findings lend further support to the view that community-based justice constitutes a durable and meaningful form of governance. This agreement with prior research strengthens confidence in the robustness of these concepts while setting the stage for further analytical refinement.

Implications for existing scholarship

The findings challenge strands of the literature that frame informal justice as residual, transitional, or destined to be replaced by formal legal systems. While earlier work has suggested that informal institutions persist mainly due to state weakness or legal gaps, the evidence here shows that community-based justice is actively chosen because it works in practice (Helmke and Levitsky, 2004). In both Moro and Roma contexts, informal mechanisms were preferred even when formal options were available, complicating assumptions about linear legal modernization (Sandu, 2020). At the same time, the findings partially align with studies that caution against idealizing customary authority, as mediation sometimes failed or reproduced inequality (see Boege, Brown and Clements 2019). This mixed pattern suggests that informal justice cannot be understood simply as an alternative to state law. Instead, it operates as a parallel governance system whose strengths and limits depend on context, authority, and the nature of the dispute.

The findings have several theoretical implications for scholarship on justice and governance. They extend legal pluralism by demonstrating how multiple normative orders operate simultaneously in everyday life, not as competing systems but as overlapping sources of authority and practice (Helmke and Levitsky, 2004). The results also refine everyday peace frameworks by showing how peace is sustained through routine governance practices that manage conflict before it escalates (Mac Ginty, 2014). Beyond confirming existing theories, the study advances a conceptual shift by framing community-based justice as a form of everyday governance and social innovation. This perspective emphasizes function over form, focusing on what these practices do than how closely they resemble formal institutions. By foregrounding repair, authority, and accessibility, the study offers a way of thinking about informal justice that captures its adaptive and problem-solving character across contexts.

Methodologically, the study highlights the value of qualitative, practice-focused research for understanding informal justice systems. Close engagement with community narratives made it possible to observe how authority, trust, and repair operate in everyday settings, aspects that are often invisible in institutional or quantitative analyses (Sandu, 2020). The cross-context synthesis used in this study also demonstrates the analytical potential of bringing distinct cases into conversation without imposing rigid comparative frameworks. This approach allows shared patterns to emerge while preserving contextual specificity. At the same time, the findings underscore the limits of case-based qualitative work, particularly in capturing variation within communities or tracing long-term change. These lessons suggest that future research would benefit from combining deep qualitative insight with broader

comparative designs to better understand how informal governance practices evolve across time and place.

This study has several limitations that should be acknowledged. The findings are based on qualitative data drawn from specific Moro and Roma contexts and therefore do not claim statistical generalizability. The analysis reflects the perspectives of participants involved in or familiar with community-based justice, which may privilege certain viewpoints over others. In addition, the cross-context synthesis highlights shared patterns but cannot account for all historical, political, or legal differences shaping each setting. These limitations may influence how broadly the findings can be applied. However, the purpose of the study is not to produce universal claims, but to generate analytical insight into how informal justice operates as everyday governance. By documenting consistent patterns and acknowledged tensions, the study provides a grounded basis for further research while remaining attentive to the contextual boundaries of its conclusions.

CONCLUSION

This study set out to examine how community-based justice functions as an everyday governance practice across distinct social contexts. Drawing on empirical material from Moro communities in Mindanao and Roma communities in Romania, the research focused on how disputes are resolved through relational repair, how moral authority shapes compliance, and how informal mechanisms operate alongside formal institutions. Rather than evaluating these systems against formal legal benchmarks, the study explored how justice is enacted in daily life and how communities sustain social order through locally embedded practices. By placing two geographically and historically distinct settings in analytical conversation, the research aimed to identify shared governance dynamics while preserving contextual specificity.

The findings reveal three central insights. First, justice was consistently practiced as relational repair, with dispute resolution oriented toward restoring social interaction and preventing future conflict. Second, compliance with mediated outcomes was grounded in moral authority rooted in trust, reputation, and long-term social embeddedness. Third, informal dispute resolution functioned as a practical governance resource valued for its accessibility, speed, and proximity to everyday life. These patterns appeared across both contexts, despite differences in culture, religion, and political history. They demonstrate that community-based justice is not peripheral but central to how conflict is managed in everyday settings.

The study contributes to scholarship by integrating empirical insights across regions that are rarely analyzed together. By bringing Moro and Roma contexts into conversation, it demonstrates that relational justice, moral authority, and governance function are not isolated phenomena but shared dynamics across diverse social settings. One of the main conceptual implications is the reframing of community-based justice as everyday governance. Rather than viewing informal justice as residual or transitional, the findings show it to be an adaptive and enduring system through which communities regulate behavior and maintain order. This integrative move strengthens existing theories of legal pluralism and informal institutions by

grounding them in cross-context empirical synthesis.

Beyond academic debates, these results have important implications for policymakers and practitioners engaged in justice reform and community development. The findings suggest that informal dispute resolution systems should not be dismissed or replaced without careful consideration of their social functions. For policymakers, recognizing the governance role of locally embedded mediators may support more effective hybrid arrangements that combine state oversight with community legitimacy. For practitioners working in marginalized settings, the research highlights the importance of trust, moral authority, and cultural resonance in dispute resolution processes. Strengthening safeguards against inequality while preserving flexibility may enhance both effectiveness and fairness in community-based systems.

By engaging with existing scholarship, this study addresses the gap in integrative, cross-context analysis of informal justice. While previous research has documented relational repair, moral authority, and accessibility within specific cases, it has often done so in isolation. In extending previous work, this research demonstrates that these elements intersect consistently across different regions and historical contexts. It also advances discussion by framing informal justice as a form of social innovation grounded in everyday practice. In doing so, the study responds to calls for greater synthesis in the field and contributes to a more connected understanding of community-based governance.

Based on the findings, it is recommended that future research pursue broader cross-context qualitative synthesis to further test and refine the patterns identified here. Mixed-method approaches could complement in-depth case studies by exploring variation within and across communities. For policymakers, one practical step moving forward is to design legal reforms that acknowledge and engage existing community-based mechanisms rather than seeking their displacement. For practitioners, investing in training and accountability mechanisms for local mediators may help balance effectiveness with fairness. Continued dialogue between formal institutions and community leaders may strengthen governance without undermining local legitimacy.

In conclusion, this research underscores the importance of recognizing community-based justice as an integral component of everyday governance. Informal dispute resolution systems persist not simply because formal institutions are absent, but because they provide meaningful, accessible, and socially embedded mechanisms for managing conflict. By documenting shared patterns across Moro and Roma contexts, the study demonstrates that governance often operates through relationships, moral authority, and practical problem solving rooted in community life. Ultimately, the findings remind us that understanding justice requires attention not only to laws and institutions, but also to the everyday practices through which social order is sustained.

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