

Alternative dispute resolution mechanisms and conflict prevention

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Abstract

The world as we know it is a global village and there is a need for countries and the individuals in the said countries to co-exist peacefully. In years past when conflicts resulted in wars, devastating effects were felt all over the world. Communities engaged in conflict have made sacrifices and lost their lives. As long as the human race is in existence and humans continue to co-exist with themselves and the environment, the conflict will forever be an inevitable part of such existence. The purpose of the study was to establish the importance of alternative dispute resolution mechanisms in preventing conflict. The study sought to bring to light the possibility of preventing conflict through alternative dispute resolution. The same wars have led to destruction in all spheres of human life. The study was guided by the Theory of Conflict Transformation. The study adopted ethnographic and cross sectional survey designs using a mixed method approach in data collection. The target population in the study included all those involved and with knowledge of the conflict in the Mundoro location including government officials, members of the civil society, inter-governmental organizations, the community and members of the church as well as the media. The researcher used multistage sampling to get the sample size and to identify the respondents. The study used both primary and secondary sources in the collection of data. The secondary sources included books, journals, and relevant articles. The primary data were collected through the use of a questionnaire distributed to relevant respondents involved in the conflict in the Mundoro location. Quantitative data were analyzed descriptively and inferentially while qualitative data were analyzed thematically. The study found out that there was a need for conflict resolution mechanisms in the world so that the human race can continue to survive and thrive. There is a need, therefore, to have conflict resolution mechanisms so that conflict is dealt with to avoid escalation to devastating levels. Adopting conflict resolution mechanisms is the best way to handle conflict situations and the best way to start the process of peacemaking. Parties in conflict should avoid violence through mechanisms such as mediation, negotiation, arbitration, adjudication, litigation, conciliation, and reconciliation. The study, therefore, recommends that the courts should allow parties in conflicts to resolve their disputes by use of various conflict resolution mechanisms.

Keywords: Alternative Dispute Resolution, Conflict, Conflicting parties, Conflict management, Criminal justice, Mediation