

Full Length Research Paper

Assessing the effectiveness of the alternative dispute resolution mechanism in the Alavanyo-Nkonya conflict in the Volta region of Ghana

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Conflict resolution in Ghana has taken centre stage in the last decade with efforts geared towards developing alternative and acceptable mechanisms for dealing with the country's numerous conflicts. One of such mechanisms that has been given prominence is the alternative dispute resolution mechanism. This research was therefore set out to add its voice to this advocacy by investigating the effectiveness of the alternative dispute resolution in Ghana using the Alavanyo-Nkonya peace mediation as a reference point. The aim of the research was to ascertain reasons for the use of alternative disputes resolution in this protracted conflict case and also examine the strengths and weaknesses of the method. The research relied on interviews as a data collection instrument. In all, eight (8) interviews were conducted among members of the various committees as well as members and leaders from the two communities. The research revealed that the method of alternative disputes resolution was preferred by the people of the two communities compared to traditional method of litigation owing to the delays and judgemental posture of these traditional methods. Again, the research revealed that the use of alternative dispute resolution operated under a three pronged structure; the mediation committee, the consultative committee and the community pacesetters. All these structures worked under different remits to culminate in the desired result of peace for the two communities. The research equally revealed a large involvement of the people from the two communities in the peace process. The research therefore recommends that there should be more vigorous education on the relevance of alternative disputes resolution in Ghana as well as a creation of alternative dispute resolution units in all district and regional capitals.

Key words: Alternative dispute resolution, effectiveness, strengths, weakness, conflict resolution in Ghana.

INTRODUCTION

Africa has the uncanny reputation of being the world's leading theatre of conflict, war, poverty, disease, and instability. Therefore, it is not surprising that scholars of ethnicity and conflict management regard it as a major laboratory for experimentation and theory building. During the post-Cold War period, Africa experienced persistent violent and seemingly intractable conflicts (Eghosa and Robinson, 2005). Some of these conflicts which include the notorious genocide and ethnic cleansing in Rwanda and to some extent, Burundi, civil wars in Liberia, Sierra

Leone, the Democratic Republic of Congo, Sudan, Côte d'Ivoire and Somalia, minority uprisings in Nigeria, and separatist agitation in Cameroon and Senegal, represent reference points of the conflicts in the African continent (Zartman, 2000). The causes and destructive consequences of conflicts imply that pragmatic steps must be employed to resolve these conflicts. Therefore, greater emphasis must be placed on securing and maintaining peace processes which are durable and embody a holistic view of all contending parties. Peace processes need to be able to draw on a wider spectrum of arrangements for all parties involved to provide the conditions in which a stable peace, which addresses the fundamental causes of conflict, can be established (Shinta, 2009).

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If we examine conflicting situations, it will be seen that wherever they exist, and whatever their causes, there have always been attempts to resolve them. Finding solutions requires the involvement of other people, who strive to negotiate acceptable terms and conditions between the conflicting parties. Although some of the notable and fairly successful cases have been highlighted, the South African "miracle", Ethiopia's ethnic federalism, Botswana's democratic stability, sub regional approaches to conflict resolutions via the Economic Community of West African States (ECOWAS), Inter-governmental Authority on Development (IGAD), Southern African Development Community (SADC), and more recently, the African Union (AU), have all involved various mechanisms aimed at tackling conflicts in a durable and pragmatic manner (Clapham, 2001). The researcher is therefore of the opinion that more innovative (that is, methods of conflict resolution that are originated within the people themselves and fit the circumstances of the conflict) and traditional approaches (methods of conflict resolution that takes care of the core values and traditions as well as customs of the people) to conflict resolution is the sure panacea to Africa and particularly Ghana's numerous conflicts situations. The problem, however, is that the management of conflict literature does not adequately reflect or acknowledge the efforts of many available mechanisms of solving conflicts. Even though international agencies, governments, and private organizations have entered the 'business' of conflict resolution in ever increasing numbers, it is clear that most interventions in African conflicts have done little to prevent the continent from taking the debilitating course it has traversed over the last decade (Clapham, 2001). The failure of these attempts further demonstrates the need for more creative approaches to conflict resolution. The renewed interest in traditional techniques for settling conflicts can be seen in this light. Alternative disputes resolution programs can play a positive role in resolving the conflicts in Africa and particularly Ghana. Alternative disputes resolution refers to a range of methods and techniques for resolving disputes, including unassisted negotiation, non-binding third-party intervention (conciliation or mediation), and binding arbitration (Chigas and David, 2000). Alternative dispute resolution (ADR) is a collection of processes used for the purpose of resolving conflicts or disputes informally and confidentially (CDC/ATSDR policy on alternative dispute resolution, 2006). Alternative dispute resolution (ADR) provides alternatives to traditional processes, such as grievances and complaints; however, it does not displace those traditional processes. The purpose of this research is therefore to access the effectiveness of alternative dispute resolution in the Alavanyo-Nkonya conflict in the Volta region of Ghana. This method was adopted for the purpose of the long standing conflict between the Alavanyos and Nkonyas who lived side by side each other not in peace but in perpetual conflicts since the 19th

century. In 2006, peace building efforts were started using an alternative dispute resolution mechanism. Therefore, the main purpose and aim of this research was to access the effectiveness of the alternative dispute resolution mechanism in bringing peace to these two communities and whether this method is best suited for the African and Ghanaian situation. Again, the research will equally access the strengths of this method and also find out whether peace through this method is sustainable and durable.

Study objectives

The general objective of the study was to access the effectiveness of alternative disputes resolution mechanism in the Alavanyo-Nkonya conflict resolution. However, specifically, the research fulfilled the following objectives:

- i The reasons for use of alternative dispute resolution in the Alavanyo-Nkonya conflict case
- ii. Document the strengths and challenges of the alternative dispute resolution in the Alavanyo-Nkonya conflict resolution case.
- iii. Make recommendations to help improve Alternative Dispute Resolution as a conflict resolution method.

Research questions

- i. Why was ADR adopted in the Alavanyo-Nkonya conflict resolution case?
- ii. How were the people in the two communities involved in the process?
- iii. What is the state of access to basic services (for example, health, education, trade) in the two communities?

Significance of the study

Many techniques and methods exist in the area of conflict resolutions in Africa and Ghana to be specific. However, the methods that best fit a particular conflict situation are culture specific. Dispute resolution is a part of every society's culture, and in each society, some methods are favoured over others. Each culture in the world may be unique, but underlying each culture is its own specific though usually tacit agreement or system that determines how to resolve disputes. Therefore, the case of using alternative dispute resolution in the Alavanyo-Nkonya conflict resolution is aimed at enriching the process and highlighting the suitability of this method to the specific situation of Ghana and the Volta region.

Again, this research is significant as it equally expose the use of non-violent means in the resolution of conflicts

Table 1. Selection of respondents from the two communities.

Respondent	Number
Parish priest of Alvano, community peace setter	1
Ho Diocese Peace Initiative	2
Representatives of paramount chiefs	2
Assemblymen	2
Representatives of Queen Mothers	2
Consultative committee	2
Women Group	2
Alavano/ Nkonya Youth peace Initiative	1
Kpeme Youth Association	2
Deme Youth Association	2
Wudi Youth Association	2
Total	20

in Africa and Ghana. Ghana is rich in cases of violent conflicts such as the Dagbon conflict, Bawku conflict, the Ga and Christians in Accra conflicts and the case of the Alavano and Nkonyas which are mostly bloody and unending. Therefore, the current situation of peace in the Alavano and Nkonya conflict owes its success to the use of the alternative dispute resolution. This research would expose the strengths associated with this method of conflict resolution and emphasize the use of non-violent means in conflict resolution in Ghana. This research equally advocates the use of alternative dispute resolution to deal with the numerous conflict cases in the country.

METHODS

Data sources

The study made use of both primary and secondary data. Primary data were gathered through interviews. Secondary data were obtained from text books, magazines, articles, journals, internet sources, published and unpublished dissertations as well as empirical literature and related researches.

Target population

The population for the study constituted all persons and individuals involved in the peace mediation process between the two communities. The method of alternative disputes resolution was used to mediate the peace in the Alavano-Nkonya conflict situation. There was a broad participation of various actors and people from the two communities. Therefore, estimating the exact population involved in this peace negotiation would be a difficult task. However, the various actors involved in the peace mediation formed the population for this study. These mainly involved some members or staff of the Ho Diocesan Peace Building and conflict management committee. At the community level, the peace process involved chiefs, Queen mothers, Youth leaders, Women Leaders, assemblymen, Consultative committee members, community pacesetters and unit committee members.

The researchers chose the sample based on whom they think would be appropriate for the study.

Sample and sampling procedure

Since the population of the study cannot be estimated with accuracy, the researcher selected individuals and persons from the various committees and actors of the two communities who were actively involved in the peace process of the two communities. The purposive sampling technique was used to select respondents. This is the type of sampling where the researcher selects respondents based on the kind of information the researcher requires. The researcher chooses the sample based on who they think would be appropriate for the study. This is used primarily when there are a limited number of people that have expertise in the area being researched as in the case of this research (Newman, 1998). Therefore, in this research, the information needed was from relevant individuals who have been part of the peace process in the study area. These were also considered typical cases in the selection of the respondents. Table 1 shows the groups and persons involved in the peace process that were selected for the purpose of this study.

Instruments

The researcher conducted semi-structured interviews on respondents. These were semi-structured interviews, in the sense that, they follow less structured procedure (Berg, 2004). Questions were ordered during the interview, language was adjusted and interviewers also had the freedom to probe far beyond the answers given by respondents. Interviewing was in-depth and went beyond just the answers provided to find hidden causes of the subject matter (Sarantakos, 1998). In this research, the researcher made use of this format of interviewing various respondents selected for the purpose of the research. The researcher asked probing and in-depth questions aimed at finding out how the peace process was mediated, how long it took and what the involvement of the respondents were. The researcher did this by the use of an interviewers guide. The interviewer's guide contained some set of questions not strictly according to pattern but structured such that the subject matter of the research was not lost. However, this allowed the researcher the freedom to digress and ask other probing questions and also allowed the respondents to freely express their views on the subject matter. The interviewers guide for the mediation and consultative committee members was different from those that were used for the youth association, leaders and representatives of recognised groups. Interviews were recorded by means of a tape recorder which were played back later for transcription, analysis and interpretation.

RESULTS AND DISCUSSION

Reasons for adopting alternative dispute resolution mechanism in the Alavano-Nkonya conflict case

The first major objective of the research was to explain why ADR as a conflict resolution mechanism was used with regards to what pertains in the study area. To find answers to this important objective of the research, eight (20) interviews were conducted among various actors involved in the peace building process in the Alavano-Nkonya conflict. Therefore, the researcher in the interviews conducted, asked respondents why the method of ADR was chosen for the peace building process. Alternative disputes resolution which refers to a range of methods and techniques for resolving disputes, including unassisted negotiation, non-binding third-party intervention

(conciliation or mediation), and binding arbitration was thought of as the best method for such a protracted conflict owing to its numerous advantages over other conflict resolution mechanisms (Chigas and David, 2000). This research therefore explains the relevance of ADR peculiar to this research. The method also refers to a collection of processes used for the purpose of resolving conflicts or disputes informally and confidentially (CDC/ATSDR policy on alternative dispute resolution, 2006). Alternative dispute resolution (ADR) provides alternatives to traditional processes, such as grievances and complaints; however, it does not displace those traditional processes.

In an interview with the Bishop of the Ho diocese who was the vice chairman of the mediation committee for the peace building process, he agreed that the ADR was the best method to use because according to him, the conflict for the two neighbouring communities started around 1923 and the root cause of the conflict was a land demarcation which the colonial German government drew as part of the Volta Togoland. The land apparently passes through Alavanyo and Nkonya. This piece of land became the centre of dispute and since 1923 they had fought over the land until 1958 when a Supreme Court decision ruled in favour of the Nkonya people and this, Alavanyo people disputed over, claiming they were never properly involved. Therefore, according to the Bishop, the ADR was thought of as an option because the court failed to settle the issue and therefore the people thought that the court was not being fair and that the court was too judgemental in the issue. This assertion by the Bishop was elaborately discussed in the literature reviewed and the reasons for the use of ADR in the Alavanyo Nkonya conflict confirm much of the literature reviewed earlier in this study. Many literature sources agree to the effect that court litigation unnecessarily delay cases and keep the anxiety of people to resolve their cases high and unending. For instance, Spangler (2003) advocates that alternative dispute resolution is believed to be superior to lawsuits and litigation. It is generally faster and less expensive. It is based on more direct participation by the disputants, rather than being run by lawyers, judges, and the state. In most alternative disputes resolution processes, the disputants outline the process they will use and define the substance of the agreements. This type of involvement is believed to increase people's satisfaction with the outcomes, as well as their compliance with the agreements reached. Hence, the choice of ADR in the study area may just be as apt, as this was meant to increase the involvement and satisfaction of the people in the two communities and more particularly the outcome of the agreements would be acceptable to all the disputants.

Further probing the respondent on why this method became the best option for dealing with the conflict situation, the Bishop elaborated further that after a long period of court cases, it was realised that all attempts made to

resolve the conflicts failed and the only option available was the ADR method under the framework of mediation. He further re-iterated that bringing the two communities together to talk was the best option. The respondent added that the people of the two communities equally thought that the best way to resolve the conflict was to talk as brothers and sisters. When the researcher asked further how the people were convinced to accept the method the Bishop explained:

The two communities have also inter-married so much so that they realised the need to solve the problem rather than perpetuate it. Therefore the inter-marriages was used to convince the people to agree to end the fight through dialogue among others.

This assertion by the chairman of the mediation committee further buttresses the understanding and definition of ADR as a conflict resolution mechanism. Another interview conducted with the secretary of the mediation committee added to the reasons why ADR was a preferred and appropriate method in this conflict situation. When the researcher specifically asked the secretary to the mediation committee why this method was chosen to resolve the Alavanyo-Nkonya conflict, the secretary remarked as follows:

"I feel that conflict is powerful but dialogue is more powerful"

The respondent further added that the people themselves agreed to interact and find a solution to their own problem. He however further corroborated the earlier reason in the interview with the Bishop that the issue of litigation or court arbitration had in the eyes of the people failed them in resolving the conflict and the only viable option left was ADR. The researcher did not end this first objective of the study with the reasons cited by the Bishop and the secretary to the mediation committee. The researcher further conducted another interview with a member of the consultative committee who also added that the ADR was chosen in this conflict situation because the people were ready to talk with each other to find a lasting solution to the problem.

The choice of ADR was yet corroborated by the leaders of the various youth associations that is Kpeme Youth Association, Deme Youth Association, and the Wudi Youth Association. In the words of the president of Kpeme youth association he remarked that:

Ah! after all we have been fighting for many years now but we marry each other so i think it is better we sit down with our wives and husbands to solve our own problem.

Meanwhile similar views were expressed by the leaders of the other youth associations when the question of why the choice of Alternative Dispute Resolution in the peace

process involving the two communities. The discussion raised two issues: first, the fact that ADR was preferred in this conflict scenario because litigation had failed to provide the long lasting peace that people constantly yearned for and therefore, this made the ADR a viable option. Secondly, the willingness of the people to actually chart their own path of peace through dialogue; this meant more interactive methods should be sort and in this case, the option available was the ADR. These revelations were not at variance with the literature reviewed earlier in the study. The literature also re-iterated the preference of ADRs in most conflict cases owing to the fact that litigation had failed to provide the desired solution or was overtly judgemental and too evidence based. This mechanism is a natural one which each country has had since time immemorial. ADR mechanism emanate from culture, traditions, and religion. To solve the long-standing conflicts of our time, there is the need to consolidate and reinforce international and regional ADR mechanisms to tackle and dismantle root problems through dialogue, negotiation, arbitration, and other means which are different in each culture and tradition (Ahmed, 2010).

The strengths of the ADR in the Alavanyo-Nkonya conflict resolution case

The purpose of this research was to find out the effectiveness of ADR in the Alavanyo-Nkonya conflict resolution case. This objective serves as the crux of the research and therefore received in-depth attention in the interviews conducted. The researcher probed all respondents in the interviews conducted on this subject. Results gathered showcased the relevance of the chosen method in the peace building process. All eight respondents answered questions on this subject and revealed that the method was effective as it helped in achieving the current state of peace in the study area.

In the interview with the vice- chairman of the peace process in response to the question “how would you assess the ADR as a mechanism for peace resolution”, the vice chairman maintained that the strength with ADR is that the people themselves decide on the ways and means through which the conflict can be resolved. He further added that ADR does not impose opinions or views on the conflicting parties. In the words of the vice-chairman:

“We have realised that nobody can solve peace for the warring factions’ except for the people themselves. The only thing is to try and bring them together and how they now decide and solve the problem depends entirely on them”.

This re-iterates the point that ADR clearly involves the people themselves; the most important thing is to create the environment for the people to dialogue among

themselves. To further substantiate his argument, the vice chairman in a question on “why exactly was ADR chosen as an approach to resolving the issue?” The respondent explained:

“Because it was realised that despite all the attempts to solve the issue peace was still illusive, but also it was realised that the best option was to bring the two together to talk as brothers and sisters. Again they themselves finally agreed to sit down together as brothers and sisters and resolve the problem”.

This position of the vice chairman is re-iterated in some of the literature reviewed earlier in this research; for instance, according to Ahmed (2010), the ADR process usually results in improved communications between disputing parties and is therefore better for ongoing relationships, results in participant satisfaction, solutions tend to be durable or long lasting since they have the “buy in” of all parties involved, publicity is avoided and most importantly, the parties retain control of the outcome .

Giving the desire to probe on this issue, the researcher in the interview with the leader of the women’s wing asked questions on the strengths of this method in peace resolutions particularly in the study area. In a question on “how would you assess the whole approach of ADR in this conflict resolution from the side of the women”? The leader responded:

It was excellent, because there is now peace and people go about their duties peaceful. The number of women who came for seminars and workshops were overwhelming, however, the advantage with the numbers was that we were able to reach as many women as possible and this also facilitated understanding of the issues being discussed. Therefore, the issue of dialogue is important in every conflict negotiation even in the family. Therefore it can be said that the use of ADR is effective in this conflict resolution.

This revelation further underscores the effectiveness and strength of ADR as a conflict resolution mechanism in the study area. The fact that this process bring two conflicting parties to dialogue for a common solution to their problem re-emphasise the need for the method to be used in conflict cases particularly in Ghana. The strength of the ADR method from an assessment of the respondents is the involvement of the people themselves and dialogue among the conflicting parties. Therefore, the strength in ADR lies in the ability of the method to bring conflicting parties together to deliberate on a common solution to the problem.

Further interviews conducted revealed a similar pattern as indicated by the two respondents earlier. Therefore, to fully explore these strengths of the ADR, another interview was conducted with the secretary to the mediation committee all in an effort to find how useful or otherwise

the method of ADR was in the conflict resolution involving the Alavanyos and Nkonyas.

According to the secretary of the mediation committee, he remarked that the method was good because it took the disputants out of their environments to a neutral environment where they felt saved and secured to talk about the issues this allowed the people a freedom of air where they can pour out their grievances and have someone to listen to them. The secretary however further elaborated that ADR was also beneficial in this conflict case because it allowed for trust among the people. This trust made the people deal with the real issues in the conflict and assured them that they were protected and informed on the negatives of the war. In the words of the secretary:

We brought the people out of their villages and communities to the Ho Diocesan Peace Centre and trained them on peace and the relevance of peace for development. Then we as trainers with some of the people embarked on a trust and confidence visits to the two communities and this assuage the fears of the people of any possible attacks from the opponent. From here any time we call for a meeting or training they came rest assured that nobody would attack one another also because we had educated them on peace and peaceful co-existence. This is what other methods of peace negotiation do not have, for instance, court litigation.

This elaboration also further buttressed earlier respondents' explanation about the strengths of the method. To further explain the need and the strength of this method, the researcher probed further and in a question to the secretary on "what do you think are the main strong points of the ADR method of peace resolution". The secretary added that the creation of structures was also helpful in getting peace in the study area. He maintained that structures were created for dealing with the peace which involved the people and this also was a strength of the ADR. These structures were the mediation, the consultative and the community pacesetters. Other technical structures were the diocesan peace centre, the youth leaders, queen mothers and opinion leaders all involving people from the two communities. These structures were also trusted by the people and therefore, were allowed to work for the peace to come. To the respondent the strength of structures rested in the bosoms of the people because these structures cut through a broad spectrum of the people in the two communities.

The last respondent that answered questions on the strengths and weaknesses of this method was a member of the consultative committee. This respondent also explained from the side of the consultative committee what the strengths of this method was and also gave the fact that the consultative committee members were the foot soldiers and actually implemented policies from the mediation committee. The responses from the respondent were not completely different from the views

expressed earlier from other respondents. The respondent maintained that a greater strength of the ADR method was the initial step of training the people to understand the essence of peace and more particularly, on the need for dialogue among the parties. This makes the people understand the process and follow the process till peace is attained. The respondent further maintained that in the use of this method, views or ideas were not imposed on the people; the method only facilitates the people to the attainment of a conclusion agreed on by all parties. When the researcher in a question "in all, how would you access the method of ADR in solving this conflict"? The respondent maintained that:

The major strength of the method was that it does not impose views or ideas or decision it only facilitates, therefore dialoguing is the only solution for such conflicts. The method demands honesty and truth and there should be no bias or siding with one or the other side as this can jeopardize the whole process.

This expression re-emphasizes the thrust of the method by maintaining that the solution or outcome from the use of this method lies with the disputants and not by a third party. The vital consideration to this method is the facilitation by a third party. This creates an environment for the two parties to interact and dialogue for a solution to the conflict. Therefore, a certain level of knowledge at the local level is crucial if this method is actually to succeed in conflicts resolution. Besides, the buy in of the people is also paramount as the decisions reached directly concern them.

The respondent further added that the ADR method was good because it engages all parties in the conflict in the process of dialogue and interaction. The method according to the respondent creates an atmosphere or environment for people to interact and engages in dialogue. The respondent further maintained that one other strength in using ADR was the selection of the people by the conflicting parties themselves which ensures transparency and trust among the people.

For instance, in the case of the Alavanyo and Nkonya, it was the people who selected which people should be part of the consultative committee and these people were also supported by the chiefs of the various communities. This means that leaders who negotiate on behalf of the people are not imposed on the people. They represent the people through a dispassionate process of selection from the people themselves. In the words of the respondent:

Because we believed and follow the process thoroughly there is now peace because now you see physical things that demonstrate that there is peace. Now Alavanyo people can freely go to Nkonya market to trade which was previously not the case. The road linking the two communities is now open and people from both communities travel on it day and night.

The challenges of the ADR in the Alavanyo-Nkonya conflict resolution case

The second aspect of this section is to look at the challenges of this method. After a critical discussion of the strengths of the method, it would be worthwhile to look at the challenges of the method with particular reference to the study area. It was evident in the discussion of the strengths that the method is best suited for conflicts such as the Alavanyo-Nkonya, owing to the large involvement of the people themselves in the negotiation process. This section would equally look at the challenges associated with the use of the method in this conflict case.

In the interviews conducted among the members of the various committees, evidence was produced to the effect that though the method was immensely beneficial to the people, some challenges were identified with the practise of the method. In the interview with the chairman of the mediation committee, he mentioned that a challenge with the method was suspicion from the two communities. The chairman re-iterated that though people from the two communities after the peace workshops became friendly and could interact well and even eat together, there was generally suspicion from both sides of the conflicting parties and this created mistrust among them. This made the work difficult because the people did not even trust us, claiming some of us belonged to a side. This was overcome with the sensitisation workshops and seminars which did not focus on the land issue or the conflicts but on how to build relationships among the people. This was done to create trust and get the people to believe in the method before the actual seminars could be organised to discuss the conflict and further the land issue. The respondent further mentioned the interference from the traditional courts. In the case of the Alavanyo-Nkonya, the earlier court decision in 1958 was seen as a final verdict for the issue of the land and that there was no need for another arbitration and settlement of the issue. This decision was also constantly contested by the losing party and this makes the conflict protracted.

This is a challenge in the ADR because the method cannot over turn the court decision and again this does make the people have full trust in the use of the alternative method in the resolution of the conflict. Some literatures have attested to the fact that for ADRs to survive, and serve as plausible alternative to conflict resolutions, it should have some leverage over the traditional courts. For instance, according to De Jong (2005), conflict resolution should not ignore completely the perceptively indigenous mechanisms, perhaps they should be viewed as alternative processes. It may be pointed out that many are the disputes that have been taken to court only for them to be withdrawn and settled out of court. This underscores the importance of ADR and the fact that certain cases may be best suited for the ADR as a conflict resolution mechanism. It also re-iterates the fact that people can generally trust the ADR in the same way

they do for the traditional court system. Furthermore, Justice Acquah (2006) in a statement calling for acceptance of the role of chief's courts in dispute management argued for a role for indigenous judicial processes and advocated for partnership between the modern and the indigenous conflict resolution process as evidenced by alternative dispute resolution.

This gives the realisation that the traditional courts or judicial systems are in favour of the use of ADR for conflict and disputes resolution.

To further explore this aspect of the research on the challenges of the method, the researcher asked the leader of the women's group on what aspect of the ADR was a problem, or hindered the workings of the method. In the response of the leader, she mentioned a challenge in using the ADR as the inability of the method to identify actors behind the scenes of conflict who profit as a result of the conflict and who also eventually fund such conflicts. This statement she made was in reference to the Alavanyo-Nkonya conflict where people who benefit from the conflict try to perpetuate the conflict so they can continue to benefit. The leader cited cases in the negotiation process where disputants have asked for time to consult people and natives in other places particularly in the cities who hold key stakes in their communities and actually sponsor them in undertaking certain actions which they assumed would be in the best interest of their communities. But the other side is that some other unknown figures may also benefit from conflict and therefore would not want an end to the conflict and therefore such people try to subvert the process of peace negotiation. In specific reference to the Alavanyo-Nkonya case, the respondent explained that people who benefited from illegal chain saw operation, and illegal palm wine tapping, were those who did not want the conflict to end, hence they engage in serious rumour mongering just to give them the environment to practise their illegal activities.

A further interview with a member of the consultative committee also revealed that a challenge in using this method is the fact that it is not a short term method to resolving conflict. Therefore, people are not patient to go through the whole process in a gradual way for peace to be attained. In a question to the respondent on "whether the ADR is reliable" the respondent intimated:

It is very reliable but there are still some challenges in that the ADR system of conflict resolution is not a one-time event it takes a lot of time. Therefore the process is long and time consuming. This makes the courts a better option for people who seek speedy resolution to conflicts and therefore such people may not prefer the use of ADR in the resolving conflicts.

To add to the challenges of the method, the secretary to the mediation committee maintained that getting the people to understand the process was a big challenge.

This was because haven emerged from such a catastrophic situation, they did not want to open up because of fear of losing what they think belong to them and has been handed to them from generation to generation.

Furthermore, from the point of view of the women's leader, another challenge of the method with regards to the process was the way and manner in which programmes and decisions were taken at the various committee levels without considering the peculiar needs of women.

RECOMMENDATIONS

Based on the conclusions, the researcher recommends that the following measures, if adopted, would further help improve the ADR as a conflict resolution mechanism:

1. There should be more vigorous education on the relevance of alternative disputes resolution in Ghana. This can be done through the traditional courts promoting the method and through the district and municipal assemblies also promoting the use of ADRs in solving disputes.
2. Alternative disputes resolution desks or units should be created at the various districts in the country to help educate the people and also to create access of the method to people.
3. It is also recommended that in other conflicts resolutions that do not use the alternative disputes resolution, the creation of structures should also be encouraged as this helps involve the people in the process of conflict resolution.

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