Reflections on Conflict Management and Culture

Kariuki Muigua

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Abstract

It has correctly been argued that conflict management is largely influenced by culture. Culture therefore plays an important role in all stages of conflict management including before, during and after the conflict. This paper critically reflects on conflict management and culture. It seeks to demonstrate that culture is part and parcel of the conflict management process. The paper highlights some of the cultural influences in conflict management in Africa. It further points out some of the opportunities and challenges in relation to conflict management and culture in Africa. The paper argues a case for embracing culture towards effective conflict management in Africa.

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1.0 Introduction

Conflicts have been identified as a common phenomenon in human relationships and interactions[1]. It has been pointed out that people disagree because they view situations and circumstances differently, want different things, or are naturally predisposed to disagree[2]. Conflicts are therefore seen as a clash of interests, values, actions, views or directions[3]. Conflicts often occur as a result of incompatibility of goals and interests between two or more individuals[4]. They can also occur due to misalignment of goals, actions or motivations which can be real or only perceived to exist[5]. Conflicts are an undesirable occurrence in any given society since they can affect peace, sustainability and development[6]. It has rightly been pointed out that development is not feasible in a conflict situation[7]. Effective, efficient and expeditious conflict management is therefore a desirable ideal in order to spur peace, development and sustainability[8].

Conflict management refers to the processes and techniques adopted towards stopping or preventing overt conflicts and aiding the parties involved to reach a durable and peaceful solution to their differences[9]. Conflict management therefore involves handling all stages of a conflict as well as the mechanisms used in the management of conflicts[10]. Various approaches and techniques can be adopted towards managing conflicts ranging

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[1] Muigua. K., 'Reframing Conflict Management in the East African Community: Moving from Alternative to 'Appropriate' Dispute Resolution.' Available at https://kmco.co.ke/wp-content/uploads/2023/06/Reframing-Conflict-Management-in-the-East-African-Community-Moving-from-Alternative-to-Appropriate-Dispute-Resolution-1.pdf (Accessed on 16/11/2023)

[2] Food and Agriculture Organization., 'Conflict Management.' Available at https://www.fao.org/3/w7504e/w7504e07.htm (Accessed on 16/11/2023)

[3] Ibid

[4] Kaushal. R., & Kwantes. C., 'The Role of Culture and Personality in Choice of Conflict Management Strategy.' International Journal of Intercultural Relations 30 (2006) 579–603

[5] Ibid

[6] Muigua. K., 'Reframing Conflict Management in the East African Community: Moving from Alternative to 'Appropriate' Dispute Resolution.' Op Cit

[7] Muigua. K & Kariuki. F., 'ADR, Access to Justice and Development in Kenya.' Available at http://kmco.co.ke/wp-content/uploads/2018/08/ADR-access-to-justice-and-development-in-KenyaRevised-version-of-20.10.14.pdf (Accessed on 16/11/2023)

[8] Ibid

[9] Leeds. C.A., 'Managing Conflicts across Cultures: Challenges to Practitioners.' *International Journal of Peace Studies*, Volume 2, No. 2, 1997

[10] Ibid

from the most informal negotiations between the parties themselves through increasing formality and more directive interventions from external sources to a full court hearing with strict rules of procedure[11].

It has been argued that the process of conflict management can either result in settlement or resolution of the underlying conflict[12]. Settlement in relation to conflict management refers to an agreement over the issues in a conflict which often involves a compromise[13]. Settlement often seeks to manage a conflict without discovering or rectifying the underlying causes of such a conflict[14]. Settlement mechanisms include litigation and arbitration[15]. These mechanisms have been described as highly coercive, power based and usually involve a lot of compromise in addressing the conflict[16]. Settlement mechanisms may be effective in providing an immediate solution to a conflict but fail to address underlying issues in a conflict leaving the likelihood of conflicts remerging in future[17]. Resolution on the other hand refers to a conflict management process where the outcome is based on mutual problem-sharing whereby parties to a conflict cooperate in order to redefine their conflict and relationships[18]. Resolution mechanisms include most Alternative Dispute Resolution (ADR) techniques such as mediation, negotiation, traditional justice systems and facilitation[19]. These mechanisms are non-coercive, non-power based and focus on the needs and interest of the parties[20]. They result in mutually

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[11] Muigua. K., 'Alternative Dispute Resolution and Access to Justice in Kenya.' Glenwood Publishers Limited, 2015
[12] Ibid
[13] Bloomfield. D., 'Towards Complementarity in Conflict Management: Resolution and Settlement in Northern Ireland,' *Journal of Peace Research*., Volume 32, Issue 2
[14] Ibid
[15] Muigua. K., 'Alternative Dispute Resolution and Access to Justice in Kenya.' Op Cit
[16] Ibid
[17] Ibid
[18] Bloomfield. D., 'Towards Complementarity in Conflict Management: Resolution and Settlement in Northern Ireland,' Op Cit
[19] Muigua. K., 'Alternative Dispute Resolution and Access to Justice in Kenya.' Op Cit
[20] Ibid

satisfying outcomes that address the root causes of conflicts thus creating long lasting outcomes and are therefore ideal in conflict management[21].

It has correctly been argued that conflict management is largely influenced by culture[22]. Culture therefore plays an important role in all stages of conflict management including before, during and after the conflict[23]. This paper critically reflects on conflict management and culture. It seeks to demonstrate that culture is part and parcel of the conflict management process. The paper highlights some of the cultural influences in conflict management in Africa. It further points out some of the opportunities and challenges in relation to conflict management and culture in Africa. The paper argues a case for embracing culture towards effective conflict management in Africa.

2.0 Relationship between Conflict Management and Culture

The term culture has been defined as a complex whole which includes knowledge, belief, art, morals, law, custom, and any other capabilities and habits acquired by man as a member of society[24]. It has also been defined as a set of attitudes, values, beliefs, and behaviors shared by a group of people, but different for each individual, communicated from one generation to the next[25]. In addition, culture has also been described as a pattern of shared basic assumptions invented, discovered or developed by a given group as it learns to cope with its problems of external adaptation and internal integration that has worked well enough to be considered valid, and, therefore is to be taught to new members of the group as the correct way to perceive, think, and feel in relation to those

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[21] Ibid

[22] Kaushal. R., & Kwantes. C., 'The Role of Culture and Personality in Choice of Conflict Management Strategy.' *International Journal of Intercultural Relations* 30 (2006) 579–603

[23] Ibid

[24] Spencer-Oatey. H., 'What is Culture?.' Available at https://warwick.ac.uk/fac/soc/al/globalpad-rip/openhouse/interculturalskills_old/core_concept_compilations/global_pad_-_what_is_culture.pdf (Accessed on 17/11/2023)

[25] Ibid

problems[26]. Culture is both an individual and social construct[27]. Individual differences in culture can be observed among people in the degree to which they adopt and engage in the attitudes, values, beliefs, and behaviors that, by consensus, constitute their culture[28]. Social differences on the other hand can be deduced in relation to how different groups of people perceive the various facet of culture including attitudes, values, beliefs, and behaviors[29].

Culture has been described as essential part of conflict and conflict resolution[30]. Cultures are embedded in every conflict since conflicts arise in human relationships which relationships are defined by culture[31]. Therefore, Culture affect the ways we name, frame, blame, and attempt to tame conflicts[32]. Further, it has been pointed out that whether a conflict exists at all is a cultural question[33]. In addition, differences in attitudes, belief systems, religious practices, language, social set ups and economic practices among different cultures means that conflicts may take different forms in each culture[34]. In the context of conflict management, it has been observed that a person's cultural background will influence every aspect of the conflict process, ranging from the goals that are considered incompatible, why they are seen as so, what one chooses to do about it, and whether the outcome is considered to be satisfactory or not[35]. As a result, the nature of

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[26] Schein. E., 'What is Culture?' Available at
https://books.google.co.ke/books?hl=en&lr=&id=acHnScKqPGIC&oi=fnd&pg=PA311&ots=3U9HvjDbCY&sig=GKUrBfKLPYS9_pW7yERfkSGHjGo&redir_esc=y#v=onepage&q&f=false (Accessed on 17/11/2023)
[27] Spencer-Oatey. H., 'What is Culture?.' Op Cit
[28] Ibid
[29] Ibid
[30] LeBaron. M., 'Culture and Conflict.' Available at
https://www.beyondintractability.org/essay/culture_conflict (Accessed on 17/11/2023)
[31] Ibid
[32] Ibid
[33] Ibid
[34] Kaushal. R., & Kwantes. C., 'The Role of Culture and Personality in Choice of Conflict Management Strategy.' Op Cit
[35] Ibid

conflict varies across cultures where it may be emphasized in one culture and ignored in another[36].

It has been argued that culture plays two related but distinct roles in the conflict . On the one part, culture serves as the vehicle for identifying and distinguishing the groups that are likely to be parties to conflict[37]. On the other hand, culture shapes the way in which individuals perceive a conflict and respond to it[38]. Culture therefore influences the way people construct their realities and ultimately guides conflict and confrontation[39]. It also shapes people's approaches to dealing with conflict within their cultural group[40]. As a result, it has been contended that culture is inextricable from conflict, though it does not cause it[41]. For example, when disagreements arise in families, organizations, or communities, culture is always present, shaping perceptions, attitudes, behaviors, and outcomes[42].

Culture therefore plays an important role in conflict management and shapes the way in which individuals or groups frame and respond to conflicts[43]. It has been observed that some cultures especially in Western societies focus on the individual rather than the collective as the unit of social organization and public policy[44]. Such cultures often prefer confrontational approaches and conflict management characterized by adversarial techniques over non- adversarial techniques due to their focus on individuals' rights and

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[36] Ibid

[37] Worchel. S., 'Culture's Role in Conflict and Conflict Management: Some Suggestions, Many Questions.' *International Journal of Intercultural Relations*., Volume 29, Issue 6 (2005)

[38] Ibid

[39] Ibid

[40] Ibid

[41] LeBaron. M., 'Culture and Conflict.' Op Cit

[42] Ibid

[43] Ibid

[44] Ogbaharya. D., 'Alternative Dispute Resolution (ADR) in Sub-Saharan Africa: The Role of Customary Systems of Conflict Resolution (CSCR).' Available at https://www.researchgate.net/publication/228182138_Alternative_Dispute_Resolution_ADR_in_Sub-Saharan_Africa_The_Role_of_Customary_Systems_of_Conflict_Resolution_CSCR (Accessed on 17/11/2023)

interests[45]. Some societies on the other hand especially those in Africa and parts of Asia operate in a cultural and political landscape that gives precedence to communal rights as opposed to individual entities[46]. It has been observed that such collectivistic cultures prefer conflict management strategies that are harmony-inducing and therefore embrace non adversarial techniques towards conflict resolution[47]. Conflict management in such societies often takes the form of customary conflict resolution which focuses on restorative justice in order to build lasting relationships among conflicting parties[48].

Culture is therefore part and parcel of the process of conflict management. It has been asserted that after years of relative neglect, culture is finally receiving due recognition as a key factor in the evolution and resolution of conflicts[49]. There is need to embrace the role of culture in conflict management.

3.0 Conflict Management and Culture in Africa: Opportunities and Challenges

It has been observed that Africa has a rich history and culture which is diverse and varies not only from one country to another but also within regions and countries[50]. The culture of each ethnic group in Africa holds together the authentic social fabric of traditional practices and rites, art, music, and oral literature through which identities are built[51]. Despite the rich diversity of cultures present in Africa, it has been pointed out that there are underlying similarities shared by many African societies which, when contrasted

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[45] Kaushal. R., & Kwantes. C., 'The Role of Culture and Personality in Choice of Conflict Management Strategy.' Op Cit
[46] Ogbaharya. D., 'Alternative Dispute Resolution (ADR) in Sub-Saharan Africa: The Role of Customary Systems of Conflict Resolution (CSCR).' Op Cit
[47] Kaushal. R., & Kwantes. C., 'The Role of Culture and Personality in Choice of Conflict Management Strategy.' Op Cit
[48] Ogbaharya. D., 'Alternative Dispute Resolution (ADR) in Sub-Saharan Africa: The Role of Customary Systems of Conflict Resolution (CSCR).' Op Cit
[49] Avruch. K., 'Culture and Conflict Resolution.' Available at https://www.usip.org/publications/1998/11/culture-and-conflict-resolution (Accessed on 17/11/2023)
[50] Africa Union., 'African Culture: Versatile Approach to Realize the Africa we Want.' Available at https://www.africanunion-un.org/post/african-culture-versatile-approach-to-realize-the-africa-we-want (Accessed on 17/11/2023)
[51] Ibid

with other cultures, reveal a wide gap of difference[52]. It has correctly been pointed out that before colonialism, most African societies, if not all, were living communally and were organized along clan, village, tribal or ethnic lines[53].

The cultures of traditional African societies, together with their value systems and beliefs have been described as close, even though they vary slightly from one another[54]. These slight variations only exist when African cultures are compared to others[55]. It has rightly been observed that the spirit of collectivism permeates almost all African communities such that they live an inclusive as against exclusive lifestyle apparent in the western world[56]. Africans are known for their philosophy of corporate existence as against the individualistic philosophy of the western world[57]. It has been observed that throughout Africa, the culture and traditions have since time immemorial emphasized harmony/togetherness over individual interest and humanness as expressed in terms such as *Ubuntu* in South Africa and *Utu* in East Africa[58].

Ubuntu has been described as an African philosophy that places emphasis on *'being self through others'*[59]. It is a form of humanism which can be expressed in the phrases *'I am because of who we all are'*[60]. *Ubuntu/Utu* as expressed in African cultures was therefore geared towards upholding values for the greater good of the all community including

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[52] Idang. G., 'African Cultures and Values.' Available at
https://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S1561-40182015000200006 (Accessed on 17/11/2023)
[53] Kariuki. F., 'Conflict Resolution by Elders in Africa: Successes, Challenges and Opportunities.' Available at http://kmco.co.ke/wp-content/uploads/2018/08/Conflict-Resolution-by-Elders-successeschallenges-and-opportunities-1.pdf (Accessed on 17/11/2023)
[54] Idang. G., 'African Cultures and Values.' Op Cit
[55] Ibid
[56] Oladipupo. S., 'Rethinking the African Spirit of Collectivism as a Tool for African Empowerment.' *Human Discourse.*, Volume 2, No. 1 (2022)
[57] Ibid
[58] Muigua. K., 'Alternative Dispute Resolution and Access to Justice in Kenya.' Op Cit
[59] Mugumbate. J., & Nyanguru. A., 'Exploring African Philosophy: The Value of Ubuntu in Social Work.' Available at
https://ro.uow.edu.au/cgi/viewcontent.cgi?article=4272&context=sspapers&httpsredir=1&referer#:~:text=Ubuntu%20can%20best%20be%20described,ngumuntu%20ngabantu%20in%20Zulu%20language. (Accessed on 17/11/2023)
[60] Ibid

sympathy, compassion, benevolence, solidarity, hospitality, generosity, sharing, openness, affirming, being available, kindness, caring, harmony, interdependence, obedience, collectivity and consensus[61]. *Ubuntu/Utu* seeks to deter vengeance, confrontation and retribution and on the other hand values life, dignity, compassion, humaneness harmony and reconciliation[62]. *Ubuntu/Utu* contributes to social harmony in African societies.

Based on the philosophy of *Ubuntu/Utu*, traditional African societies therefore upheld norms and values geared towards promoting social cohesion and smooth running of the community[63]. These values include respect and honor for elders, unity, cooperation, forgiveness, harmony, truth, honesty and peaceful coexistence[64]. African societies were therefore founded on strong moral values which discouraged vices such as adultery, stealing and other forms of immoral behaviour; religious values which upheld a moral sense of justice and truth and the knowledge of the existence of good and evil; political values as evidenced by the presence of political institutions such as the Council of E lders with heads of such institutions as respected individuals; aesthetic values premised on an African concept of aesthetics which was predicated on the fundamental traditional belief system which gave vent to the production of the art; and economic values marked by hard work and cooperation[65]. These values were the foundation of African societies and cultures and were inextricably bound together in order to foster social harmony and cohesion[66]. They influenced every aspect of African societies including conflict management.

It has been observed that conflicts were a common occurrence in African societies and often arose in the basic units of society such as within families, clans, villages, locations

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[61] Ibid

[62] Ibid

[63] Awoniyi. S., 'African Cultural Values: The Past, Present and Future' *Journal of Sustainable Development in Africa* , Volume 17, No.1, 2015

[64] Ibid

[65] Idang. G., 'African Cultures and Values.' Op Cit

[66] Ibid

or other small units[67]. The major sources of conflict in African societies were land, chieftaincy, personal relationship issues, family property, honour, murder, and matrimonial fall-outs among others[68]. Culture played an important role in conflict management in African societies. It has been pointed out that the process of conflict management in African societies was well-entrenched in the traditions, customs, norms and taboos of the people[69]. Conflict management was based on the principles of equity and justice, which were well entrenched in African customs and traditions[70].

African societies viewed conflicts as a threat to the social fabric that holds the community together[71]. Consequently, there was need for expeditious and efficient management of conflicts and for preventing their escalation into violence, a situation which could threaten the social fabric[72]. African communities therefore developed and embraced conflict management strategies that were aimed towards effectively dealing with conflicts in order to ensure peaceful co-existence within the community[73]. These mechanisms gave prominence to communal needs over individual needs[74].

Conflict management in African societies was designed to uphold the values and norms that held such societies together[75]. Conflict resolution in the traditional African societies involved the use of mechanisms such as mediation, adjudication, reconciliation, arbitration and negotiation[76]. These techniques fitted comfortably within traditional

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[67] Kariuki. F., 'Conflict Resolution by Elders in Africa: Successes, Challenges and Opportunities.' Op Cit
[68] Ademowo. A., 'Conflict Management in Traditional African Society.' Available at https://www.researchgate.net/publication/281749510_Conflict_management_in_Traditional_African_Society (Accessed on 18/11/2023)
[69] Ibid
[70] Ibid
[71] Kariuki. F., 'Conflict Resolution by Elders in Africa: Successes, Challenges and Opportunities.' Op Cit
[72] Ibid
[73] Adeyinka. A., & Lateef. B., 'Methods of Conflict Resolution in African Traditional Society' *An International Multidisciplinary Journal,* Ethiopia Vol. 8 (2).
[74] Ibid
[75] Muigua. K., 'Preparing for the Future: ADR and Arbitration from an African Perspective.' Available at https://kmco.co.ke/wp-content/uploads/2023/10/Preparing-for-the-Future-ADR-and-Arbitration-from-an-African-Perspective.pdf (Accessed on 18/11/2023)
[76] Adeyinka. A., & Lateef. B., 'Methods of Conflict Resolution in African Traditional Society.' Op Cit

concepts of African justice, particularly its core value of reconciliation[77]. It has been pointed out that African societies had institutional mechanisms including the Council of Elders as well as cultural sources to uphold the values of peace, tolerance, solidarity and respect for, and of, one another[78]. These structures were responsible for peace education, confidence-building, peacemaking, peacebuilding, conflict monitoring, conflict prevention, conflict management, and conflict resolution[79]. The mechanisms adopted towards conflict prevention, management and resolution in African societies were largely effective and respected, and their decisions were binding on all parties, since the identity of an individual was linked to that of the community[80]. Therefore, there was an impetus for individuals to comply with decisions for the well-being of the community[81]. In addition, social ties, values, norms and beliefs and the threat of excommunication from the society provided institutions such as the Council of Elders with legitimacy and sanctions to ensure their decisions were complied with[82].

Culture therefore played a prominent role in conflict management in African societies. Conflict management in African societies was premised on the values that were held sacrosanct including peace, harmony, truth, honesty, unity, cooperation, forgiveness, reconciliation, and respect[83]. The philosophy of *Ubuntu/Utu* was essential in fostering social harmony and was effectively incorporated in conflict management strategies[84]. Conflict management in African societies was therefore aimed at creating consensus,

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[77] Uwazie. E., 'Alternative Dispute Resolution in Africa: Preventing Conflict and Enhancing Stability.' *Africa Security Brief*, No. 16 of 2011

[78] ACCORD., 'Traditional Methods of Conflict Resolution.' Available at https://www.accord.org.za/conflict-trends/traditional-methods-of-conflict-resolution/ (Accessed on 18/11/2023)

[79] Ibid

[80] Ademowo. A., 'Conflict Management in Traditional African Society.' Op Cit

[81] Ibid

[82] Kariuki. F., 'Conflict Resolution by Elders in Africa: Successes, Challenges and Opportunities.' Op Cit

[83] Awoniyi. S., 'African Cultural Values: The Past, Present and Future' Op Cit

[84] Muigua. K., 'Alternative Dispute Resolution and Access to Justice in Kenya.' Op Cit

facilitating reconciliation, fostering peace, harmony and cohesion and gave prominence to communal needs over individual needs[85].

However, as a result of colonization and introduction of western justice systems, the role of culture in conflict management has largely been eroded. It has rightly been observed that one of the most important distinctions between the institutional settings of Western societies and African societies has to do with the former's focus on the individual rather than the collective as the unit of social organization and public policy as envisaged in African societies[86]. Consequently it has been argued that formal conflict management strategies can be politically driven and readily used to justify the imposition of Western values and ideals on postcolonial cultures and societies of the developing world including Africa[87]. This has resulted in the introduction of confrontational approaches to conflict management including the use of courts which are characterized by adversarial techniques over non- adversarial techniques due to their focus on individuals' rights and interests[88]. Such an approach could potentially go against the culture and fundamental values of African societies by weakening relationships and social harmony[89].

There is need to (re)embrace the role of culture in conflict management in Africa. Conflict management in African societies was premised on culture and values that held societies together including peace, harmony, truth, honesty, unity, cooperation, forgiveness, reconciliation, and respect[90]. It has been argued that Africans and African societies in general have not lost the capacity to co-exist peacefully, to commune together, to respect one another, to negotiate, to forgive and to reconcile in resolving their conflicts[91]. On the contrary, formal justice systems do not always bring about peace and co-existence in

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[85] Ibid

[86] Ogbaharya. D., 'Alternative Dispute Resolution (ADR) in Sub-Saharan Africa: The Role of Customary Systems of Conflict Resolution (CSCR).' Op Cit

[87] Ibid

[88] Kaushal. R., & Kwantes. C., 'The Role of Culture and Personality in Choice of Conflict Management Strategy.' Op Cit

[89] Ibid

[90] Awoniyi. S., 'African Cultural Values: The Past, Present and Future' Op Cit

[91] ACCORD., 'Traditional Methods of Conflict Resolution.' Op Cit

societies due to the tension between and among people in the aftermath of court battles and the likelihood of conflicts remerging in future[92]. Traditional conflict management mechanisms including negotiation, mediation and reconciliation have deep roots African communities, which still have a strong belief in the principles of common humanity, reciprocity and respect for one another and for the environment[93]. These mechanisms have thus been part and parcel of the African culture since time immemorial[94]. They were considered as 'Appropriate' and not 'Alternative' in management of disputes and were the first point of call whenever a conflict arose since they were able to safeguard values that were inherent in African societies and foster peace and social cohesion[95].It is therefore imperative to embrace the role of culture in conflict management in Africa in order to foster effective and efficient management of disputes.

4.0 Conclusion

The process of conflict management is largely influenced by culture[96]. Culture plays an important role in all stages of conflict management including before, during and after the conflict[97]. Culture is essential part of conflict and conflict resolution and shapes the way in which individuals or groups frame and respond to conflicts[98]. Conflict management in African societies was guided by culture and premised on the values that were held sacrosanct including peace, harmony, truth, honesty, unity, cooperation, forgiveness, reconciliation, and respect[99]. The philosophy of *Ubuntu/Utu* was essential in fostering social harmony and was effectively incorporated in conflict management strategies[100].

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[92] Ibid

[93] Ibid

[94] Muigua. K., 'Fusion of Mediation and Other ADR Mechanisms with Modern Dispute Resolution in Kenya: Prospects and Challenges.' Available at http://kmco.co.ke/wpcontent/uploads/2022/11/Fusion-of-Mediation-and-Other-ADR-Mechanisms-with-Modern-DisputeResolution-in-Kenya-Prospects-and-Challenges.pdf (Accessed on 18/11/2023)

[95] Adeyinka. A., & Lateef. B., 'Methods of Conflict Resolution in African Traditional Society.' Op Cit

[96] Kaushal. R., & Kwantes. C., 'The Role of Culture and Personality in Choice of Conflict Management Strategy.' Op Cit

[97] Ibid

[98] LeBaron. M., 'Culture and Conflict.' Op Cit

[99] Awoniyi. S., 'African Cultural Values: The Past, Present and Future' Op Cit

[100] Muigua. K., 'Alternative Dispute Resolution and Access to Justice in Kenya.' Op Cit

However, the role culture in conflict management has largely been eroded as a result of introduction of Western justice systems and its confrontational approaches to conflict management including the use of courts which are characterized by adversarial techniques over non- adversarial techniques due to their focus on individuals' rights and interests[101]. These mechanisms are not effective in conflict management and often sever relationships resulting in the likelihood of conflicts remerging in future[102]. There is need to embrace the role of culture in conflict management in Africa in order to foster effective and efficient management of disputes. Conflict management and culture are concepts that cannot be separated in Africa.

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[101] Kaushal. R., & Kwantes. C., 'The Role of Culture and Personality in Choice of Conflict Management Strategy.' Op Cit
[102] Ibid

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Leeds. C.A., 'Managing Conflicts across Cultures: Challenges to Practitioners.' *International Journal of Peace Studies*, Volume 2, No. 2, 1997

Mugumbate. J., & Nyanguru. A., 'Exploring African Philosophy: The Value of Ubuntu in Social Work.' Available at https://ro.uow.edu.au/cgi/viewcontent.cgi?article=4272&context=sspapers&httpsredir=1&referer#:~:text=Ubuntu%20can%20best%20be%20described,ngumuntu%20ngabantu%20in%20Zulu%20language.

Muigua. K & Kariuki. F., 'ADR, Access to Justice and Development in Kenya.' Available at http://kmco.co.ke/wp-content/uploads/2018/08/ADR-access-to-justice-and-development-in-KenyaRevised-version-of-20.10.14.pdf

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