

Appropriate Dispute Resolution (ADR) and Recognition Justice in Africa: Institutionalizing Conflict Management through Policy and Law

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Appropriate Dispute Resolution (ADR) and Recognition Justice in Africa?: Institutionalizing Conflict Management through Policy and Law

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Abstract

This paper critically discusses how Appropriate Dispute Resolution (ADR) can be effectively embraced towards sound conflict management and recognition justice in Africa. The paper observes that conflicts are prevalent all over Africa. It posits that the prevalence of conflicts in Africa is a major threat to peace, justice, development and sustainability. Consequently, the paper notes that effective conflict management in Africa is key towards fostering Sustainable Development. Despite the need for sound conflict management in Africa, the paper notes that this ideal is yet to be realised. In particular, the paper observes that failure to effectively utilise ADR techniques, which have been practiced in Africa for many centuries, undermines appropriate conflict management and recognition in justice. In light of this concern, the paper discusses how Africa can achieve effective conflict management by institutionalizing ADR processes through policy and law towards recognition justice, peace and Sustainable Development.

1.0 Introduction

Effective conflict management is vital towards justice, peace and Sustainable Development. The prevalence of conflicts can undermine Sustainable Development efforts. For instance, it has been observed that conflicts and wars undermine Sustainable Development efforts by fueling the loss of life and injury, impeding economic growth, leading to infrastructure damage and deterioration of critical services including healthcare and education¹. It has been observed that escalating global, regional and local conflicts and climate-related emergencies have substantially affected progress towards achieving the Sustainable Development Goals (SDGs)². In particular, armed conflicts pose significant challenges to peace, justice, development and sustainability, leading to economic decline, social dislocation, humanitarian disasters, and environmental damage³. In addition, conflicts are also fueling forced migration increasing pressure on the environment and natural resources, leading to competition and further conflicts between communities⁴.

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¹ Jiang. Q et al., 'Complex Impacts of Wars on Global Sustainable Development in a Metacoupled World' Available at https://www.researchgate.net/publication/385716943_Complex_Impacts_of_Wars_on_Global_Sustainable_Development_in_a_Metacoupled_World (Accessed on 09/06/2026)

² Taylor. R., 'Sustainable Development Goals and the Impact of Global Conflict, Extreme Poverty and Climate-Related Emergencies' Available at <https://lordslibrary.parliament.uk/sustainable-development-goals-and-the-impact-of-global-conflict-extreme-poverty-and-climate-related-emergencies/> (Accessed on 09/06/2026)

³ African Development Bank Group., 'Nexus conflict and sustainability: An African perspective' Available at <https://blogs.afdb.org/climate-change-in-africa/nexus-conflict-and-sustainability-an-african-perspective-363> (Accessed on 09/06/2026)

⁴Ibid

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Conflicts can therefore undermine peace, justice and Sustainable Development. It has been correctly noted that addressing conflict of whatever nature is part of the social aspects of sustainability that must be put into consideration if the Sustainable Development agenda is to be realised⁵. ⁶. The United Nations *2030 Agenda for Sustainable Development* acknowledges that there can be no Sustainable Development without peace and no peace without Sustainable Development⁷.

Sound conflict management is therefore necessary towards spurring development, peace, justice and sustainability. 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 differences⁸. It has been pointed out that conflict management involves handling all stages of a conflict as well as the mechanisms used in the management of conflicts⁹. Conflict management entails various approaches and techniques ranging 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 procedure¹⁰. It has been observed that certain conflict management approaches and techniques are more appropriate especially those that involve collaboration and cooperation among parties¹¹.

This paper critically discusses how Appropriate Dispute Resolution (ADR) can be effectively embraced towards sound conflict management and recognition justice in Africa. The paper observes that conflicts are prevalent all over Africa. It posits that the prevalence of conflicts in Africa is a major threat to peace, justice, development and sustainability. Consequently, the paper notes that effective conflict management in Africa is key towards fostering Sustainable Development. Despite the need for sound conflict management in Africa, the paper notes that this ideal is yet to be realised. In particular, the paper observes that failure to effectively utilise ADR techniques, which have been practiced in Africa for many centuries, undermines appropriate conflict management and recognition in justice. In light of this concern, the paper discusses how Africa can achieve effective conflict management by institutionalizing ADR processes through policy and law towards recognition justice, peace and Sustainable Development.

⁵ Muigua. K., 'Understanding the Place of Conflict Management in Sustainable Development Agenda' Available at <https://kmco.co.ke/wp-content/uploads/2022/09/Understanding-the-Place-of-Conflict-Management-in-Sustainable-Development-Agenda.pdf> (Accessed on 09/06/2026)

⁶ 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-developmentinKenyaRevised-version-of-20.10.14.pdf> (Accessed on 10/02/2025)

⁷ United Nations General Assembly., 'Transforming Our World: the 2030 Agenda for Sustainable Development.' 21 October 2015, A/RES/70/1., Available at <https://sustainabledevelopment.un.org/content/documents/21252030%20Agenda%20for%20Sustainable%20Development%20web.pdf> (Accessed on 09/06/2026)

⁸ Leeds. C.A., 'Managing Conflicts across Cultures: Challenges to Practitioners.' *International Journal of Peace Studies*, Volume 2, No. 2, 1997

⁹ Ibid

¹⁰ Muigua. K., 'Alternative Dispute Resolution and Access to Justice in Kenya.' Glenwood Publishers Limited, 2015

¹¹ Ibid

2.0 Appropriate Dispute Resolution (ADR) and Conflict Management in Africa: Promises and Pitfalls

Africa is highly susceptible to conflicts. It has been observed that Africa has been highly susceptible to intra and inter- state wars and conflicts for many decades¹². There have been frequent conflicts and wars across the African continent, which are fueled by various factors, including but not limited to natural resources, fight for political control, poverty, negative ethnicity, religion, environmental causes, and external influence, among others¹³. It is estimated that Africa accounts for nearly 40 percent of the world's armed conflicts which are fuelled and motivated by competition over natural resources, violent extremism and political instability among other factors¹⁴. Further, it has been pointed out that there are more than 50 active conflict hotspots in Africa at the moment¹⁵. The United Nations observes that conflicts in Africa are caused and worsened by several factors including weak or ineffective state authority, violence extremism conducive for terrorist activities, poor governance and inequitable management of natural resources, organized crime, the impact of climate change, acute food insecurity and, in some instances, denial of fundamental human rights¹⁶.

The prevalence of conflicts undermines human rights, peace, and development. It has been correctly observed that conflicts have had adverse impacts on every aspect and corner of the African family, community and nation-state, with economic, cultural, political, social, and environmental costs¹⁷. For example, the adverse impacts of conflicts and wars in Africa include loss of human life, destruction of critical infrastructure, loss of livelihoods, environmental damage, and humanitarian crises including the growth of refugees and Internally Displaced Persons (IDPs)¹⁸.

In light of the negative impacts of conflicts and wars on people and planet, sound conflict management in Africa is vital for peace, justice, development and sustainability. However, achieving this ideal remains a challenge in the continent. For example, it has been observed that conflicts in Africa are usually protracted and recurring since their underlying causes are not adequately addressed¹⁹. The United Nations observes that as a result of prevalent conflicts in Africa, peace has become more challenging to sustain and protracted and recurring conflict more difficult to prevent or resolve, often because their underlying causes are not well understood or addressed²⁰. In particular, it has been argued that conflict management

¹² Olaosebikan. A., 'Conflicts in Africa: Meaning, Causes, Impact and Solution.' *African Research Review*, Volume 4, No. 4 (2010)

¹³ Muigua. K., 'Towards Effective Peacebuilding and Conflict Management in Kenya.' Available at <https://kmco.co.ke/wp-content/uploads/2021/05/Towards-Peacebuilding-and-Conflict-Management-in-Kenya.docx-Kariuki-Muigua-MAY-2021.x.pdf> (Accessed on 09/06/2026)

¹⁴ African Initiative., 'Armed conflicts in Africa increase by 45% over five years' Available at <https://afrinz.ru/en/2025/10/armed-conflicts-in-africa-increase-by-45-over-five-years/> (Accessed on 09/06/2026)

¹⁵ Ibid

¹⁶ United Nations., 'Africa needs conflict prevention as the continent faces unprecedented threats' Available at <https://news.un.org/en/story/2025/10/1166053> (Accessed on 09/06/2026)

¹⁷ Uwazie. E., 'Alternative Dispute Resolution and Peace-building in Africa.' Available at <https://www.cambridgescholars.com/resources/pdfs/978-1-4438-5707-9-sample.pdf> (Accessed on 09/06/2026)

¹⁸ Ibid

¹⁹ United Nations., 'Promotion of durable peace and Sustainable Development in Africa' Available at https://www.un.org/osaa/sites/www.un.org.osaa/files/docs/2109875_osaa_sg_report_web_new.pdf (Accessed on 09/06/2026)

²⁰ Ibid

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strategies and approaches employed in Africa have not been effective since they only cover proximate causes and seldom address the deep-rooted factors that cause or sustain conflict²¹.

In light of the prevalence of conflicts in Africa coupled with shortcomings in current conflict management approaches, it is imperative to employ more appropriate strategies towards effective conflict management for peace, justice and development. In particular, ADR provides a more appropriate and effective approach that can ensure sound conflict management in Africa while upholding recognition justice. The concept of Appropriate Dispute Resolution (ADR) connotes the suitability and effectiveness of certain processes in managing conflicts for peace, justice, prosperity and development²². For instance, it has been observed that mechanisms such as negotiation, mediation, conciliation, adjudication, arbitration and Traditional Dispute Resolution Mechanisms (TDRMs) are more appropriate than litigation²³. In particular, processes such as negotiation, conciliation, mediation and TDRMs promote collaborative problem-solving towards achieving peace and justice in an adversary society²⁴. Further, it has been observed that ADR processes offer numerous advantages in conflict management including a system with procedural flexibility, a broad range of remedial options, and a focus on individualized justice²⁵. With the exception of binding arbitration, the goal of ADR is to provide a forum for disputing parties to work toward a voluntary, consensual agreement, as opposed to having a judge or other authority impose an outcome upon them²⁶.

It is therefore necessary to consider ADR processes as ‘*appropriate*’ and not ‘*alternative*’ in conflict management. The use of the term ‘*alternative*’ to describe ADR mechanisms is misleading since it may be understood to imply that these mechanisms are second-best to litigation which is not the case²⁷. In particular, ADR processes are appropriate in conflict management in the African context. It has been observed that conflict management amongst African societies has since time immemorial taken the form of informal negotiation, mediation, reconciliation and arbitration among other techniques²⁸. The practice of ADR in Africa traces back to the very origin of humankind²⁹. Before the advent of modern conflict strategies in Africa, virtually all communities in the continent had well established mechanisms and institutions for conflict prevention, conflict management, peace-building, peace-making and peace-

²¹ Ibid

²² P. Fenn, ‘Introduction to Civil and Commercial Mediation’, in Chartered Institute of Arbitrators, *Workbook on Mediation*, (CIArb, London, 2002), pp. 50-52

²³ Muigua. K., ‘Alternative Dispute Resolution and Access to Justice in Kenya.’ Op Cit

²⁴ Egbunike-Umegbolu. C., ‘Contemporary Overview of Appropriate Dispute Resolution (ADR)’ Available at https://link.springer.com/chapter/10.1007/978-3-031-57476-4_1 (Accessed on 09/06/2026)

²⁵ Main. T., ‘ADR: The New Equity.’ Available at https://www.researchgate.net/profile/ThomasMain/publication/228182886_ADR_The_new_equity/links/53d00e470cf2fd75bc5c57a5/ADR-The-newequity.pdf (Accessed on 09/06/2026)

²⁶ Alternative Dispute Resolution., Available at <https://www.dol.gov/general/topic/labor-relations/adr#:~:text=Types%20of%20ADR%20include%20arbitration,%2C%20neutral%20factfinding%2C%20and%20minitrials.> (Accessed on 09/06/2026)

²⁷ P. Fenn, “Introduction to Civil and Commercial Mediation”, in Chartered Institute of Arbitrators, *Workbook on Mediation*, (CIArb, London, 2002), pp. 50-52

²⁸ 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-successeschallengesand-opportunities-1.pdf> (Accessed on 09/06/2026)

²⁹ Laibuta. K., ‘Contending with Multiple Legal Orders for Wholesome Dispute Resolution’ Available at <https://lcadr.net/wp-content/uploads/2017/10/ADR-IN-AFRICA-2.pdf> (Accessed on 09/06/2026)

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education³⁰. It has been observed that these institutions and processes were effective and highly respected and the outcomes binding upon all parties³¹. In particular, ADR processes are respected among African communities since they fit comfortably within traditional concepts of African justice, particularly its core values of reconciliation and restorative justice³².

Harnessing processes such as negotiation, mediation, conciliation, TDRMs and arbitration can therefore ensure appropriate management of conflicts in Africa towards peace, justice and development. It has been argued that effective conflict management in Africa involves creating consensus, facilitating reconciliation, fostering peace, harmony and cohesion and giving prominence to communal needs over individual needs in line with the African philosophy of *Ubuntu/Utu*³³. The African philosophy of *Ubuntu* is at the heart of effective conflict management in Africa with humanness, peace, justice, harmony and reconciliation guiding decision-making process³⁴. Embracing ADR mechanisms can therefore ensure appropriate and Afrocentric conflict management that adheres with the African philosophy of *Ubuntu* for sustainable, peaceful, just and durable outcomes³⁵.

It has been correctly observed that effective conflict prevention and management in Africa demands thorough understanding of the origins and dynamics of conflicts in the continent³⁶. By utilising ADR processes, it is possible to address the root causes of conflict thus resulting in mutually satisfying, long-lasting and sustainable outcomes and eliminating the likelihood of conflicts reemerging in future³⁷. ADR therefore provides a more effective and appropriate tool for conflict management in Africa. However, it has been observed that these processes are often underutilized in peacebuilding efforts undermining the quest towards effective and appropriate conflict management in Africa while also undermining recognition justice³⁸. Strengthening the use of ADR in conflict management in Africa is therefore necessary towards recognition justice, peace, development and sustainability.

3.0 Harnessing Appropriate Dispute Resolution (ADR) for Recognition Justice in Africa

ADR processes including negotiation, mediation, conciliation, arbitration and TDRMs provide an appropriate pathway towards effective conflict management in Africa. It has been observed that these techniques provide numerous benefits including informality, privacy, confidentiality, flexibility and the ability to promote expeditious and cost-effective management of disputes making ADR a viable and

³⁰ African Traditional Conflict Resolution Methods., Available at <https://www.scribd.com/document/363363850/Conflicts-in-African-Traditional-Society> (Accessed on 09/06/2026)

³¹ Awoniyi. S., 'African Cultural Values: The Past, Present and Future' *Journal of Sustainable Development in Africa* , Volume 17, No.1, 2015

³² Uwazie. E., 'Alternative Dispute Resolution in Africa: Preventing Conflict and Enhancing Stability.' *Africa Security Brief*, No. 16 of 2011

³³ Muigua. K., 'Alternative Dispute Resolution and Access to Justice in Kenya.' Op Cit

³⁴ Batchelor. B., Chetty. N., & Makore. S., 'Incorporating Afrocentric Alternative Dispute Resolution in South Africa's Clinical Legal Education' Available at <https://www.saflii.org/za/journals/LDD/2021/17.pdf> (Accessed on 09/06/2026)

³⁵ Ibid

³⁶ Organisation for Economic Co-operation and Development., 'Conflict Management in Africa' Available at https://www.oecd.org/en/publications/1998/07/conflict-management-in-africa_glg1345.html (Accessed on 09/06/2026)

³⁷ Muigua. K., 'Resolving Conflicts through Mediation in Kenya.' Glenwood Publishers Limited, 2nd Edition, 2017

³⁸ Uwazie. E., 'Alternative Dispute Resolution in Africa: Preventing Conflict and Enhancing Stability.' Op Cit

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appropriate tool in enhancing access to justice³⁹. Further, ADR allows for more creative and collaborative solutions than those available in traditional litigation and is therefore an ‘appropriate’ avenue in dispensing justice⁴⁰. In addition, due to their ability to address root causes of conflicts, ADR techniques can preserve and even strengthen relationships towards effective and appropriate conflict management⁴¹. With Africa facing protracted and reoccurring conflicts, utilising ADR can enable the continent to build and sustain long-term peace towards development and prosperity⁴².

Failure to effectively and widely embrace ADR in peacebuilding efforts thus undermines effective conflict management in Africa. In particular, failure to harness ADR affects recognition justice in Africa. Recognition justice focuses on including and representing all relevant voices in decision-making processes at all levels⁴³. This concept focuses on recognising (and adequately valuing) different bodies of knowledge and understandings⁴⁴. In addition, it has been observed that recognition justice entails recognising and respecting how different values, preferences, interests and needs are rooted in diverse histories, identities and cultural backgrounds⁴⁵.

Embracing ADR is thus necessary in fostering recognition justice in Africa since this approach values practices such as negotiation, mediation, conciliation, arbitration and TDRMs which are rooted in the history, identity and culture of the people of Africa. Conflict management is culture-specific. It has been observed that culture is an essential part of conflict and conflict resolution⁴⁶. For instance, culture affects the way people name, frame, and attempt to tame conflicts⁴⁷. Further, culture can define boundaries to a conflict, thus determining the participants and course of conflicts⁴⁸. Culture therefore plays a significant role in shaping how individuals approach conflicts and the strategies they use to resolve them⁴⁹. In particular, due to the collectivistic nature of most African societies, conflict management is aimed at preserving cultural values including peaceful coexistence, harmony, truth, honesty, unity, cooperation, forgiveness and respect in line with the African philosophy of *Ubuntu/Utu*⁵⁰. ADR techniques including negotiation, mediation, conciliation and TDRMs are therefore preferred in conflict management in Africa since they foster the African philosophy of *Ubuntu/Utu* which deters vengeance, confrontation and

³⁹ Muigua. K., ‘Alternative Dispute Resolution and Access to Justice in Kenya.’ Op Cit

⁴⁰ JAMS ADR., ‘What is ADR’ Available at <https://www.jamsadr.com/adr-spectrum/> (Accessed on 09/06/2026)

⁴¹ Muigua. K., ‘Towards Effective Peacebuilding and Conflict Management in Kenya.’ Op Cit

⁴² Ibid

⁴³ van Uffelen. N., ‘Revisiting Recognition in Energy Justice’ *Energy Research & Social Science.*, Volume 92, October 2022

⁴⁴ Ibid

⁴⁵ European Environment Agency., ‘Delivering Justice in Sustainability Transitions’ Available at <https://www.eea.europa.eu/en/analysis/publications/delivering-justice-in-sustainability-transitions> (Accessed on 09/06/2026)

⁴⁶ LeBaron. M., ‘Culture and Conflict’ Available at https://www.beyondintractability.org/essay/culture_conflict (Accessed on 09/06/2026)

⁴⁷ Ibid

⁴⁸ Worchel. S., ‘Culture's role in conflict and conflict management: Some suggestions, many questions’ *International Journal of Intercultural Relations.*, Volume 29, Issue 6 (2005)

⁴⁹ Yamini. S et al., ‘Culture and Conflict Management Strategy: The Mediating Role of Instrumental Concerns’ Available at <https://journals.sagepub.com/doi/10.1177/00220221241312414> (Accessed on 09/06/2026)

⁵⁰ Awoniyi. S., ‘African Cultural Values: The Past, Present and Future’ Op Cit

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retribution and on the other hand values life, dignity, compassion, humaneness harmony and reconciliation⁵¹.

ADR techniques are therefore at the heart of recognition justice in Africa since they uphold cultural values, history and identity of the people of Africa. Due to their appropriateness, it is imperative to institutionalize ADR processes through policy and law towards sound conflict management and recognition justice in Africa. It has been observed that putting in place appropriate legal, policy, and institutional frameworks can create awareness and encourage the uptake of ADR processes in Africa⁵². In addition, there is need to recognise and empower elders among other institutions of conflict management in Africa in order to strengthen their role and to build their capacity and skills on fundamental and universal tenets of justice such as human rights⁵³. In addition, in order to effectively institutionalize ADR processes, it is essential to establish a clear interface between ADR mechanisms and formal courts through measures such as formulating clear referral systems providing for referral of disputes from courts to ADR and vice versa⁵⁴. Further, it is of utmost importance to ensure that while institutionalizing ADR processes in Africa, their key attributes including flexibility, informality, privacy and confidentiality are preserved in order to maintain the reputation of ADR as Appropriate Dispute Resolution⁵⁵.

4.0 Conclusion

With Africa facing mounting and protracted conflicts, ADR provides an appropriate tool towards ensuring effective conflict management for peace, justice and development. In particular, embracing ADR in Africa is key towards promoting recognition justice since techniques such as negotiation, mediation, conciliation and TDRMs fit comfortably within traditional concepts of African justice, particularly its core values of reconciliation and restorative justice in line with the African philosophy of *Ubuntu*⁵⁶. It is therefore necessary to institutionalize and legitimize conflict management in Africa through policy and law in order to effectively harness Appropriate Dispute Resolution (ADR) for recognition justice, peace, development and sustainability.

⁵¹ 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 09/06/2026)

⁵² Muigua. K., 'Effective Justice for Kenyans: Is ADR Really Alternative?' Available at <https://kmco.co.ke/wp-content/uploads/2018/08/Alternative-Dispute-Resolution-or-Appropriate-Dispute-Resolution.pdf> (Accessed on 09/06/2026)

⁵³ Judiciary of Kenya., 'Alternative Justice Systems Baseline Policy' Available at https://www.unodc.org/documents/easternafrika//Criminal%20Justice/AJS_Baseline_Policy_2020_Kenya.pdf (Accessed on 09/06/2026)

⁵⁴ Muigua. K., 'Legitimising Alternative Dispute Resolution in Kenya: Towards a Policy and Legal Framework.' Available at <https://kmco.co.ke/wp-content/uploads/2018/08/LEGITIMISING-ALTERNATIVE-DISPUTE-RESOLUTION-MECHANISMS-IN-KENYA.pdf> (Accessed on 09/06/2026)

⁵⁵ Ibid

⁵⁶ Uwazie. E., 'Alternative Dispute Resolution in Africa: Preventing Conflict and Enhancing Stability.' Op Cit

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References

African Development Bank Group., 'Nexus conflict and sustainability: An African perspective' Available at <https://blogs.afdb.org/climate-change-in-africa/nexus-conflict-and-sustainability-an-african-perspective-363>

African Initiative., 'Armed conflicts in Africa increase by 45% over five years' Available at <https://afrinz.ru/en/2025/10/armed-conflicts-in-africa-increase-by-45-over-five-years/>

African Traditional Conflict Resolution Methods., Available at <https://www.scribd.com/document/363363850/Conflicts-in-African-Traditional-Society>

Alternative Dispute Resolution., Available at <https://www.dol.gov/general/topic/labor-relations/adr#:~:text=Types%20of%20ADR%20include%20arbitration,%2C%20neutral%20factfinding%2C%20and%20minitrials>

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

Batchelor. B., Chetty. N., & Makore. S., 'Incorporating Afrocentric Alternative Dispute Resolution in South Africa's Clinical Legal Education' Available at <https://www.saflii.org/za/journals/LDD/2021/17.pdf>

Egbunike-Umegbolu. C., 'Contemporary Overview of Appropriate Dispute Resolution (ADR)' Available at https://link.springer.com/chapter/10.1007/978-3-031-57476-4_1

European Environment Agency., 'Delivering Justice in Sustainability Transitions' Available at <https://www.eea.europa.eu/en/analysis/publications/delivering-justice-in-sustainability-transitions>

JAMS ADR., 'What is ADR' Available at <https://www.jamsadr.com/adr-spectrum/>

Jiang. Q et al., 'Complex Impacts of Wars on Global Sustainable Development in a Metacoupled World' Available at https://www.researchgate.net/publication/385716943_Complex_Impacts_of_Wars_on_Global_Sustainable_Development_in_a_Metacoupled_World

Judiciary of Kenya., 'Alternative Justice Systems Baseline Policy' Available at https://www.unodc.org/documents/easternafrika//Criminal%20Justice/AJS_Baseline_Policy_2020_Kenya.pdf

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-successeschallengesand-opportunities-1.pdf>

Laibuta. K., 'Contending with Multiple Legal Orders for Wholesome Dispute Resolution' Available at <https://lc-adr.net/wp-content/uploads/2017/10/ADR-IN-AFRICA-2.pdf>

LeBaron. M., 'Culture and Conflict' Available at https://www.beyondintractability.org/essay/culture_conflict

Appropriate Dispute Resolution (ADR) and Recognition Justice in Africa: Institutionalizing Conflict Management through Policy and Law

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

Main. T., 'ADR: The New Equity.' Available at https://www.researchgate.net/profile/ThomasMain/publication/228182886_ADR_The_new_equity/links/53d00e470cf2fd75bc5c57a5/ADR-The-newequity.pdf

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-developmentinKenyaRevised-version-of-20.10.14.pdf>

Muigua. K., 'Alternative Dispute Resolution and Access to Justice in Kenya.' Glenwood Publishers Limited, 2015

Muigua. K., 'Effective Justice for Kenyans: Is ADR Really Alternative?' Available at <https://kmco.co.ke/wp-content/uploads/2018/08/Alternative-Dispute-Resolution-or-Appropriate-Dispute-Resolution.pdf>

Muigua. K., 'Legitimising Alternative Dispute Resolution in Kenya: Towards a Policy and Legal Framework.' Available at <https://kmco.co.ke/wp-content/uploads/2018/08/LEGITIMISING-ALTERNATIVE-DISPUTE-RESOLUTION-MECHANISMS-IN-KENYA.pdf>

Muigua. K., 'Resolving Conflicts through Mediation in Kenya.' Glenwood Publishers Limited, 2nd Edition, 2017

Muigua. K., 'Towards Effective Peacebuilding and Conflict Management in Kenya.' Available at <https://kmco.co.ke/wp-content/uploads/2021/05/Towards-Peacebuilding-and-Conflict-Management-in-Kenya.docx-Kariuki-Muigua-MAY-2021x.pdf>

Muigua. K., 'Understanding the Place of Conflict Management in Sustainable Development Agenda' Available at <https://kmco.co.ke/wp-content/uploads/2022/09/Understanding-the-Place-of-Conflict-Management-in-Sustainable-Development-Agenda.pdf>

Olaosebikan. A., 'Conflicts in Africa: Meaning, Causes, Impact and Solution.' *African Research Review.*, Volume 4, No. 4 (2010)

Organisation for Economic Co-operation and Development., 'Conflict Management in Africa' Available at https://www.oecd.org/en/publications/1998/07/conflict-management-in-africa_g1gh1345.html

P. Fenn, 'Introduction to Civil and Commercial Mediation', in Chartered Institute of Arbitrators, *Workbook on Mediation*, (CIArb, London, 2002), pp. 50-52

Appropriate Dispute Resolution (ADR) and Recognition Justice in Africa: Institutionalizing Conflict Management through Policy and Law

P. Fenn, "Introduction to Civil and Commercial Mediation", in Chartered Institute of Arbitrators, *Workbook on Mediation*, (CIArb, London, 2002), pp. 50-52

Taylor. R., 'Sustainable Development Goals and the Impact of Global Conflict, Extreme Poverty and Climate-Related Emergencies' Available at <https://lordslibrary.parliament.uk/sustainable-development-goals-and-the-impact-of-global-conflict-extreme-poverty-and-climate-related-emergencies/>

United Nations General Assembly., 'Transforming Our World: the 2030 Agenda for Sustainable Development.' 21 October 2015, A/RES/70/1., Available at <https://sustainabledevelopment.un.org/content/documents/21252030%20Agenda%20for%20Sustainable%20Development%20web.pdf>

United Nations., 'Africa needs conflict prevention as the continent faces unprecedented threats' Available at <https://news.un.org/en/story/2025/10/1166053>

United Nations., 'Promotion of durable peace and Sustainable Development in Africa' Available at https://www.un.org/osaa/sites/www.un.org.osaa/files/docs/2109875_osaa_sg_report_web_new.pdf

Uwazie. E., 'Alternative Dispute Resolution and Peace-building in Africa.' Available at <https://www.cambridgescholars.com/resources/pdfs/978-1-4438-5707-9-sample.pdf>

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

van Uffelen. N., 'Revisiting Recognition in Energy Justice' *Energy Research & Social Science.*, Volume 92, October 2022

Worchel. S., 'Culture's role in conflict and conflict management: Some suggestions, many questions' *International Journal of Intercultural Relations.*, Volume 29, Issue 6 (2005)

Yamini. S et al., 'Culture and Conflict Management Strategy: The Mediating Role of Instrumental Concerns' Available at <https://journals.sagepub.com/doi/10.1177/00220221241312414>