

**THE EFFECTS OF ALTERNATIVE DISPUTE RESOLUTION IN ORGANIZATION:  
A CASE STUDY OF SELECTED LOCAL GOVERNMENT AREAS IN EDO STATE**

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**ABSTRACT:**

This paper examines the Effects of Alternative Dispute Resolution in Organization: in Nigeria: A Case Study of Selected Local Government in Edo State. It evaluates how effective the alternative dispute resolution policy have been able to restructure the political economy of Nigeria to the tune of alleviating the yearnings and aspirations of the working class and/or the Nigeria citizens for sustainable development in Africa. Since the early 1990s, the issue of Good Effective Governance has become an important concept in the International Development debates and Policy discourse. Over the last decade however, the gradual accumulation of indicators and research based on them has provided broad support for the arguments that good governance is necessary to achieve sustainable growth and development, particularly in Developing Countries like Nigeria nation. In the course of this study, the Effects of Alternative Dispute Resolution in Organization in Nigeria, A Case Study of Selected Local Government Area of Edo State were brought to the fore while the objectives of the study are well spelt out. Hypotheses were postulated and the Group Theory was used to explicate the works. Data were obtained from both primary and secondary sources. From the primary sources, the survey method, that is, the use of questionnaire designed and adopted. Data obtained from this method were analyzed with the aid of Simple Percentage. Thereafter, the five researchable hypotheses were tested and accepted while the null hypotheses were rejected. The implication is that there was relationship between the dependent and independent variables. Generally, the paper brought to focus that the Alternative Dispute Resolution is a collective effort in reaching a compromise in the management of Local Government Areas in in Nigeria and it has contributed immensely to the growth and development of public enterprise elsewhere. Finally, it suggests policy prescription and recommendation which are aimed at repositioning Local Government Administration not only in Edo State in particular, but also in Nigeria in general.

**Keywords:** Dispute, Crises, Management, Resolution, Effect, Organization

## INTRODUCTION

Peace in Nigeria and other countries could be likened to the Biblical Aaron and Moses, who were endowed with the responsibility to bring Africa out from the bondage of despair, decline and underdevelopment. As regional powers, history has imposed on them the enormous task of finding solutions to some of the most pressing African concerns for sustainable development.

Conflict is inevitable among humans for sustainable development. When two or more social entities (i.e. individuals, groups, organizations and nations) come in contact with one another in attaining their objectives, their relationships may become incompatible or inconsistent. Relationships among such entities may become inconsistent when two or more of them desire a similar resource that is in short supply; when they have partially exclusive behavioural preferences regarding their joint action; or when they have different attitudes, values, beliefs and skills. Conflict in some form and degree is part and parcel of virtually every facet of human life (Iyamu and Salami, 2011). Some people tend to view conflict as undesirable component of human life while others through history and experience came to the conclusion that conflict can indeed lead to changes regarded as desirable in terms of generally acceptable human values. As a matter of fact, conflict exists in every organization of human assembly and cannot be avoided. Conflict is ubiquitous at all levels of human social relationships. No wonder (Uhunmwangho and Epelle, 2008) posits that conflict performs many positive functions (such as enhancing social solidarity, classifying values,, stimulating growth and promoting learning). He went further to say that the common phrase that states “without peace which negative conflict offers there cannot be meaningful development” is incontrovertible. Conflict is not deviant or sick behaviour. Industrial conflicts represent the basic expression of the inability of the parties involved to mutually or reciprocally satisfy each other’s needs (Akintoye, 2014). According to Dimeji Bankole, former Speaker of the Nigeria House of Representative, the presence of military force in Niger Delta then was a solution and to enforce peace in the region.

Conflict is further defined as a struggle over values or claims to status, power and scarce resources among two or more parties that perceive incompatible interests or express hostile attitudes. Accordingly, it can also be seen as a struggle or contest between people with opposing needs, ideas, beliefs, values or goals. Conflict is not necessarily war but there is hardly any war without declared or undeclared conflict. There are two sides to conflict. Conflict could degenerate to non-productive results in the form of irreparable damages. It could also culminate in some beneficial outcome in the form of equity or emergence of a new situation agreeable to the parties hitherto in conflict. The determining factor therefore is how a conflict is managed (Iyamu and Salami, 2011).

Conflict management is viewed as a wide term that includes conflict resolution, changing the character of conflict to be positive, and encouraging peaceful cohabitation (Uhunmwangho and Epelle, 2008) It is a long-term agreement including official organizations and institutions for stopping and averting conflict anytime it is ready to erupt. In other words , conflict management is a name for the various methods in which individuals address complaints, defending what they believe to be right against what they believe to be wrong. Conflict resolution necessitates a mix of intellectual and interpersonal abilities. It has an impact on individual happiness, group performance, and organizational effectiveness (Uhunmwangho and Epelle, 2008). As such, conflict management is taking steps to reduce the bad elements of conflict while increasing the good components of conflict with the goal of improving learning and group outcomes, such as effectiveness or performance in an

organizational context (Aina et al, 2015). Conflict resolution is considered effective when it achieves its purpose by establishing a win-win approach or consensual agreement that is agreeable to both sides. Coleman, (1958) as cited in Nnoli, 1980:113) characterized the introduction of Indirect Rule system in Nigeria by Fredrick Lord Lugard, the Chief Administrator, was not the appropriate mechanism for managing tribal animosities in the colony. The system not only reinforced ethnic divisions, "it has complicated the task of welding diverse elements into a Nigerian Nation". This strategy of governance distanced ethnic groups from each other. Lugard gave power to the traditional rulers who corruptly used it in the villages to amass wealth, land and establish patronage networks, which, in the long run, encouraged tribalism and nepotism. Consequently the emerging issues include:

1. Does the Alternative Dispute Resolution System have viable tools for addressing injustice in the Local Government System?
2. Does ADR Committee System free top management of Local Government for greater administrative responsibilities in the System?
3. To what extent does the ADR Committee System provide specialized advisory services to the Management?
4. Does the ADR Committee System provide the premise for managing ad-hoc but sensitive tasks?
5. To what extent does the Committee System provide the premise for training young administrative officers to take over the management of the Local Government Administration in Nigeria?

## **PROBLEM**

The history of ethnicity and ethnic conflicts in Nigeria also traces back to the colonial transgressions that forced the ethnic groups of the northern and southern provinces to become an entity called Nigeria in 1914. Since the various ethnic groups living in these provinces were not consulted regarding the merger, the British colonial policy was autocratic and undemocratic, and thus led to conflict. It denied the people's basic needs of participation, equality and social well-being (Longe, 2015). An administration that endorses segregation for its people does not have the unity of the country at heart. Rather the separate governments introduced in the North and the South were designed to strengthen the colonial grip on Nigerian society and weaken the people's potentials for resistance. This era of provincial development, though relatively peaceful, also led to growing ethnocentrism.

The introduction of "indirect rule" in Nigeria by Lord Fredrick Lugard, the chief administrator, was not the appropriate mechanism for managing tribal animosities in the colony. The system not only reinforced ethnic divisions, "it has complicated the task of welding diverse elements into a Nigerian nation" (Coleman, 1958:194 as cited in Nnoli, Okwudiba 1980:113). This strategy of governance distanced ethnic groups from each other. Lugard gave power to the traditional rulers who corruptly used it in the villages to amass wealth, land and establish patronage networks, which, in the long run, encouraged tribalism and nepotism. The segregation of the Nigerian colony was also reinforced by the colonial laws that limited the mobility (Afigbo, 1989; Okonjo, 1974) of Christian Southerners to the Muslim North, created a separate settlement for non-indigenous citizens in the North, and even limited the purchase of land outside one's own region. Prejudice and hatred became rife in the provinces as different ethnic groups started looking at each other suspiciously in all spheres of contact. Unequal and differential treatment of ethnic groups was responsible for the intense competition in Nigerian society.

It created disparity in educational achievement and widened the political and economic gaps between Northern and Southern Nigeria.

During this period, there was significant scarcity of all goods, "evident in the economic social and political areas of life. It affected employment, education, political participation and the provision of social services to the population." (Nnoli, 1980 :87) The lack of such "basic needs" always gives elites the ability to mobilize groups for intense competition, employing ethnocentrism to achieve their goals. In 1947, a colonial constitution divided Nigeria into three political regions: East, West and North. The North, which was predominately Hausa-Fulani, was the largest and eventually the most populous region. The Igbos dominated the East and Yorubas the West. With the three major ethnic groups in dominance, the minority groups (Uhunmwangho and Akintoye, 2017) rebelled and Nigerians started fighting for ethnic dominance as the nation marched towards independence.

The creation of the three ethnic regions did not take into account the needs of the ethnic minority groups for autonomy and self-determination. Instead, they were lost within the majority. This development was based on the "bogus theory of regionalism...That one should be loyal to and protect the interest of one's region to the exclusion of the others." (Osaghae, 2011). The years between 1952 and 1966 brought change in the political culture of the country, transforming the three regions into three political entities. Thus, the struggle for independence was reduced to the quest for ethnic dominance. At this time, ethnic and sub-ethnic loyalties threatened the survival of both East and West, while the North was divided religiously between Christianity and Islam. It was a period of politicized ethnicity and competition for resources, which worsened the relationships between ethnic groups. There was a high degree of corruption, nepotism and tribalism. The national interest was put aside while politicians used public money to build and maintain patronage networks. Since independence, the situation in Nigeria has been fraught with ethnic politics whereby the elite from different ethnic groups schemed to attract as many federal resources to their regions as possible, neglecting issues that could have united the country (Uhunmwangho and Epelle, 2008)

The anarchy, competition, and insecurity led to the demise of the first republic. Military intervention culminated in the gruesome civil war from 1967 to 1970, when the mistreated Igbos of Eastern Nigeria (Biafrans) threatened to secede from the Federation. The Igbos' grievances were caused by the denial of their basic human needs of equality, citizenship, autonomy and freedom (Burton, 1992). Wherever such basic needs are denied, conflict often follows as aggrieved groups use violent means to fight for their human rights (Osaghae, 2011).

Alternative Dispute Resolution system, despite its wide acceptance and usage, have exhibited some difficulties in the course of its operations.

## **OBJECTIVES**

The specific objectives are:

- (a) To determine whether Alternative Dispute Resolution system has been a viable tool for addressing injustice in the Local Government System..

- (b) To determine to what extent the Alternative Dispute Resolution system reduced administrative responsibilities of top Local Government Management.
- (c) To ascertain the extent to which the ADR committee system provides specialized advisory services to management.
- (d) To examine the extent to which the use of ADR system has the ability to help management carry out Ad-hoc but sensitive task.
- (e) To find out the extent to which the ADR system provides the avenue for the training of young Administrative Officers to take over the management of Local Government.

## **HYPOTHESES**

In order to achieve these objectives, the following research hypotheses were formulated:

1. There is no significant relationship between Alternative Dispute Resolution System and the Local Government's capacity to address injustice in the System.
2. There is no significant relationship between the administrative capacity of ADR system and the possibility of the Local Government management to free itself for greater administrative responsibility.
3. There is no significant relationship between ADR committee System and the Local Government's capacity to address injustice in the System.
4. There is no significant relationship between the administrative capacity of ADR committee system and the possibility of the Local Government management to free itself for greater administrative responsibility.
5. There is no significant relationship between the provision of specialized services of committees to management and the performance of Management.

## **THEORETICAL EXPOSITION**

The particular theory that can sufficiently act as guide for the analysis of issues in this paper is group theory. The group theory framework is perhaps the most ambitious methodology in the study of social sciences. The most distinctive characteristic of the group theory to the conduct of political and democratic analysis is the theoretical assumption which sees society, the political process and the entire political process as nothing but a gigantic network of interacting groups. The exponents and principle promoters of the group theory are of the view that every society includes within it a large number of groups which remain engaged in perpetual struggle for power and domination over each other. For instance, to them politics could be understood only in terms of interactions between various groups. They tried to establish the group rather than the individual or the society as the basic unit of analysis in the study of politics. The first explicit and systematic development of the group theory as it relates to analytic study of political systems was provided by A.F. Bentley in his book "The process of Government" which was published in 1908.

However, the work of Bentley was given boost nearly half a century later when David Truman advanced it further in his book governmental process, the analytical impact of group theory in 1951. Other scholars of this theory are Robert Darl, John Starte Mill among others. Bentley was interested in de-emphasizing the institutions and re-emphasizing processes. He

conceived the group as a mass of activity and not a collection of individuals. Accordingly, he defined a group as a certain portion of men of society taken not as a physical mass out-off from other masses of men, but as a mass of who participates in its form like in many other group activities (Ojo, 1989).

In a nutshell, this framework is associated with this work because of the characteristic nature of the groups that make up the polity under study. For example, the nature of perpetual struggle for power and admonition over each other by major social groups.

## METHODOLOGY

This paper adopted a descriptive survey method. The survey was based on selected Local Government in Nigeria, Edo State as a focal point. The scope of the study is therefore restricted to years 2012 to 2020. The population of the study consist of 250 base on two categories (Senior and Junior) staff of Local Government in Edo State (see table one). Out of this number, one hundred and seventy of them met our criteria and therefore form our sample size as can be seen in table one below:

**TABLE 1: POPULATION OF STUDY**

S/No	Local Government Areas	Category of Respondents	No. of Returned Questionnaires	No. of Not Returned/Invalid Questionnaires	Total No. of Sampled Respondents
1.	Uhunmwonde	Senior Staff	16	6	31
		Junior Staff	5	4	
2.	Orhionmwon	Senior Staff	17	8	31
		Junior Staff	4	2	
3.	Egor	Senior Staff	18	7	32
		Junior Staff	4	3	
4.	Ikpoba-Okha	Senior Staff	15	7	31
		Junior Staff	6	3	
5.	Oredo	Senior Staff	17	6	32
		Junior Staff	5	4	
6.	Ovia South West	Senior Staff	17	8	31
		Junior Staff	4	2	
7.	Ovia North East	Senior Staff	18	7	31
		Junior Staff	4	3	
8.	Esan Central	Senior Staff	16	6	31
		Junior Staff	5	4	
<b>TOTAL</b>			<b>170</b>	<b>80</b>	<b>250</b>

**Source:** Field Survey, 2021.

Both primary and secondary sources of data were explored in trying to generate data for this study. The specific information required for the study was Effect of Alternative Dispute Resolution in organization: A Selected Local Government in Edo State as a focal point. The questionnaire formed the main instrument used in generating primary data while documented information on prints that were relevant to this study constituted the secondary source of generating data. To complement the

information received through the questionnaire, respondents were also interviewed. As the research was based on attitude and opinions, the statistical tools employed in analyzing responses included tables and simple percentages. All the one hundred and seventy copies of the questionnaire distributed to the respondents studied were duly completed and returned in a useable form. The Statistical Package for Social Sciences (SPSS) was used for the data analysis.

## DEMOGRAPHIC DATA

Out of all the one hundred and seventy respondents, eighty (47%) of them were married; fifty (29%) were single while twenty one (13%) were divorced. The remaining nineteen (11%) were either widows or widowers. Thirty (18%) of them were within the age bracket of 18 – 25, Fifty (29%) were between the age bracket of 26-35 years, while eighty (47%) were within the age bracket of 36-45 years. The remaining forty six years and above were ten (6%).

### TABLE 2: Hypothesis 1

There is no significant relationship between Alternative Dispute Resolution System and the Local Government’s capacity to address injustice in the System.

Responses	No. of Respondents	Percentage
Yes	110	65
No	60	35
Total	170	100

Source: Statistical Analysis

Table 2 showed that 110 (65%) of the total respondents agreed that there was no Effective Alternative Dispute Resolution System in Local Government Administration in Nigeria. Thereby impacted negatively on people enjoying the dividends of democracy in Edo State in particular and Nigeria in general. Therefore, hypothesis one which states that there is no significant relationship between Effective Alternative Dispute Resolution System and the Local Government in Nigeria is accepted.

### TABLE 3: Hypothesis 2

There is no significant relationship between the administrative capacity of ADR system and the possibility of the Local Government management to free itself for greater administrative responsibility.

Responses	No. of Respondents	Percentage
Yes	105	62
No	65	38
Total	170	100

Source: Statistical Analysis

Table 3 showed that 105 (62%) of the respondents agreed that there was correlation between Alternative Dispute Resolution System and Local Government Management to free itself for greater administrative responsibility while 65 (38%) were not satisfied or disagreed.

**TABLE 4: Hypothesis 3**

There is no significant relationship between ADR committee System and the Local Government’s capacity to address injustice in the System.

Responses	No. of Respondents	Percentage
Yes	120	71
No	50	29
Total	170	100

**Source: Statistical Analysis**

Table 4 showed that 120 (71%) of the respondents agreed that the ADR Committee System and the performance of Management which substantially led to economy growth and crises free in the Local Government output and dividends of democracy in local governments while 50 (29%) disagreed with the opinion. Therefore, the hypothesis which states that there is no significant relationship between the ADR committee system and the Local Government’s capacity to address injustice in the system was accepted.

**FINDINGS BASED ON HYPOTHESES**

Based on the analysis of the hypotheses, all the research hypotheses were positive which implies that **(Hr) 1-3** were accepted.

More so, the study revealed that the Effect of Alternative Dispute Resolution in Organization is not friendly which have more relevance and impacted negatively on decision making and which affect staff enjoying the dividends of democracy in Nigerian Democratic system.

1. Furthermore, this paper have highlighted several challenges and solutions as per the findings in the hypothesis carried out in the research. However, again, it was found that the pattern of relationship between workers and bosses in decision making in Nigerian political system have slow down developmental stride which led to masses suffering in midst of plenty.
2. It was revealed that the developments in recent times have whittled down. Several organizations normally focus attention on the other means of resolving conflicts in their activities and functions. Local Governments in Nigeria in general and Edo State in particular are no exceptions. To do otherwise may be to lose its identity and resource base.
3. It was also revealed according in the findings that the major view held by the working class in Local Government in Nigeria is that Dispute Resolution will destroy the industrial relations system and should be resisted if possible amended to suit the interest of workers of the Local Government Area.
4. Finally, the study also revealed that federalism in Nigeria has failed to unite the country, because rapid and even development across the length and breadth of the country and has failed to checkmate the many recent expressions of ethnic, religious and cultural bigotry that has led to deaths of many innocent and unarmed Nigerians, young and old, Dora Akunyili’s husband untimely death is a pointer. See below the political map of Nigeria.

See figure 1 below for more details of Nigeria Political map.



Figure 1: Political map of Nigeria

Source: Wikipedia caught 20 November, 2020

## CONCLUSION AND RECOMMENDATIONS

For the high point of this study, data covering the period 2012 to 2020 were collected from the survey which was based on selected Local Government Areas of Edo State in Nigeria. The Local Government Areas Uhumwonde, Ego, Ikpoba-Okha, Orhionmwon, Oredo, Ovia South-West, Ovia South East and Esan Central. This study investigated the Alternative Dispute Resolution in an Organization in Nigeria, a Selected Local Government Areas in Edo State As A Focal Point for sustainable development.

Data obtained from this method were analyzed with the aid of Simple Percentage. Thereafter, the five researchable hypotheses were tested and accepted while the null hypotheses were rejected. The implication is that there was relationship between the dependent and independent variables. Generally, the paper brought to focus that the Alternative Dispute

Resolution in Nigeria is a collective effort in reaching a compromise in the management of Public Sector in Nigeria and it has contributed immensely to the growth and development of several organizations elsewhere but Nigeria experience is difference.

## **RECOMMENDATIONS**

Haven gone this far gathering problems that have continued to pose a threat to full implementation of Alternative Dispute Resolution in Nigeria Local Government Administration, the following solution became necessary for sustainable development.

1. There is need to ensure that unions are properly organized in every company so that it can tackle headlong the challenges inherent in ensuring that the welfare of workers are adequately pursued. There are many dimensions to this issue. Ethno-religious conflicts in Nigeria have continued because Nigerian elites are corrupt and split along lines of religion and ethnicity. This has resulted in ethnic rivalry, suspicion and hostility among leaders. Without a bold and articulate leadership, conflict management or prevention will always be a mirage.
2. Secondly, it is important for union leaders and those connected with the management of conflicts to be grounded in negotiation. This can be achieved through attendants at seminars and conferences. The significance of Conflict Management in Public Administration in Africa is underlined by the continent's underdevelopment and weak economic growth. This points to the need for a change in the continent's approach to conflict management. Peace in Africa is not the absence of war, but the provision of the people's basic human needs.
3. It is important to emphasize that there should be transparency in the Management of Local Government affairs. If weak leaders are allowed to lead Local Government Administration, they are not likely to achieve much and if such leaders are not transparent, they will be weak financially. This will place them at a strong disadvantage each time they have cause to negotiate with management.
4. Finally, peace would help both organs of Government solidify their leadership positions in the African Union and the New African Partnership for Development (NEPAD).

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