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Transforming the Dagbon Chieftaincy Conflict in Ghana: Perception on the use of Alternative Dispute Resolution (ADR)

Ahmed-Rufai Ibrahim
ai85@mynsu.nova.edu

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Transforming the Dagbon Chieftaincy Conflict in Ghana: Perceptions on the use of
Alternative Dispute Resolution (ADR)

by

Ahmed-Rufai Ibrahim

A Dissertation Presented to the
College of Arts, Humanities, and Social Sciences of Nova Southeastern University
in Partial Fulfillment of the Requirements for the Degree of
Doctor of Philosophy

Nova Southeastern University
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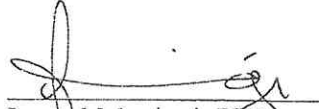
Ahmed-Rufai Ibrahim
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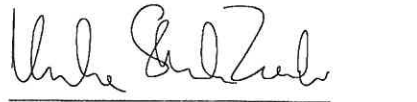
This dissertation was submitted by Ahmed-Rufai Ibrahim under the direction of the chair of the dissertation committee listed below. It was submitted to the College of Arts, Humanities, and Social Sciences and approved in partial fulfillment for the degree of Doctor of Philosophy in Conflict Analysis and Resolution at Nova Southeastern University.

Approved:

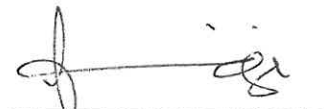
02/22/2018
Date of Defense


Ismael Muvingi, PhD.
Chair


Cheryl Lynn Duckworth, PhD.


Urszula Strawinska-Zanko, PhD.

06/06/2018
Date of Final Approval


Ismael Muvingi, PhD.
Chair

Dedication

This Dissertation is dedicated to the memory of my late mom, Hawa Naama Dahmani and dad, Afa Ibrahim L'mam Issahaka who unfortunately never lived to witness proceeds of what they toiled to sow.

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List of Acronyms

ADR	Alternative Dispute Resolution
BC	Before Christ
CI	Constitutional Instrument
CPP	Convention People's Party
CRS	Community Relations Services
DAYA	Dagbon Youth Association
GNA	Ghana News Agency
GSS	Ghana Statistical Service
LI	Legislative Instrument
MMDAs	Metropolitan, Municipal, and District Assemblies
NDC	National Democratic Congress
NGOs	Non-Governmental Organizations
NLC	National Liberation Council
NPP	New Patriotic Party
NRC	National Redemption Council
PNDC	Provisional National Defense Council
PNP	People's National Party
PP	Progress Party
SMC	Supreme Military Council
SPSS	Statistical Package for Social Science
UP	United Party
US	United States

List of Dagbani Terms and their English Meanings

Bugim jugu	Fire festival
Dagbamba (Dagombas)	Native people of Dagbon
Dagbon	Area occupied by Dagbamba
Damba	Damba Festival
Gbanlana	Regent
Naa (Lana)	King/Chief
Nam	Chieftaincy
Skin	Throne in Northern Ghana
Ya Na	Yendi King (with absolute power)

Abstract

The study is a survey research with a focus on the perceptions of the two conflicting parties in the Dagbon chieftaincy conflict in Ghana; the Abudu, and the Andani royal families on the use of Alternative Dispute Resolution (ADR) to resolve and transform the Dagbon chieftaincy conflict in Ghana. The conflict is over the rightful heir to the Yendi throne (skin) and it has persisted for more than five decades in Ghana's post-independence history. All attempts to amicably resolve and transform the conflict through government established committees and commissions of inquiry, rulings by the law courts, and interventions by state and non-state institutions and actors have failed to yield any positive results. An alternative conflict settlement approach is therefore required to resolve and transform the conflict. ADR which is an approach employed by two or more parties in the settlement of conflicts and disputes other than the judicial court system is perceived to be an option. Historically, the traditional practice of ADR dates back to the pre-colonial era in Africa including Ghana. However, Ghana formally introduced ADR by promulgating the ADR Act (Act 798) in 2010. Three significant theories, namely; ripeness theory, Hobbes' inherency theory and the group identity theory have been used to explain the study. Existing literature has been systematically reviewed. Primary data was gathered with a questionnaire. The data was then scientifically examined, analyzed, and interpreted. The findings are that respondents are very much aware of the existence of the conflict and its effects. The general perception is that, the ADR method when employed could result in an amicable resolution and transformation of the Dagbon conflict in Ghana. The research contributes to emerging literature on the relevance of Alternative Dispute Resolution and its success in the resolution of conflicts and disputes.

Chapter 1: Introduction

Background

The main focus of this study was to measure perceptions of the conflicting parties, the Abudus and the Andanis in the protracted Dagbon chieftaincy conflict, which is also known as “the Yendi Crisis”, on the use of Alternative Dispute Resolution (ADR), to find a mutually agreed on and lasting solutions to the conflict. The two parties involved in the conflict; the Abudus and the Andanis belong to two royal families with common ancestry and lineage. The conflict is therefore an internal family dilemma over ascendancy to the Yendi Skin (throne). The origin of this conflict dates back to the pre-independence period of 1948 (Tsikata & Seini, 2004).

Wherever and whenever conflict or dispute occurs, there must be a resolution or a settlement. However, the Dagbon conflict appears to have defied all efforts towards a resolution as it continues to rage on with devastating consequences and untold effects on the social and economic lives of the people in the Dagbon area.

The appropriateness of applying Alternative Dispute Resolution (ADR) to resolve and transform the protracted Dagbon chieftaincy conflict, as perceived by the conflict parties, is what this study tried to establish. Alternative Dispute Resolution (ADR) refers to a set of practices and techniques which aim at facilitating resolution of disputes or conflicts apart from through the formal legal system (Mnookin, 1998). The approach is largely dependent on situational circumstances and on how successful attempts at finding appropriate dispute or conflict resolution settlement models have been employed (Gbenda, 2009). It generally involve the use of a trusted, neutral third party in arriving at a mutually acceptable settlement. Using ADR in dispute or conflict resolution is a voluntary method in most cases and it must be agreed upon by the conflicting or disputing parties.

However, there are instances where the ADR approach may be ordered by a competent court of law, a formal state institution, a government, a statutory body or an international organization, among others.

In the Ghanaian context, arbitration, customary arbitration (arbitration using indigenous approach), and mediation are the main ADR methods in practice for settlement of disputes and conflicts and it is in line with the traditional Ghanaian ADR practices. This has been explicitly captured in Ghana's ADR Act (798) of 2010. Thus, the ADR method of conflict resolution is not a new idea in Dagbon or in Ghana as a whole, as its traditional practices dates back to the pre-colonial era. It, however, gained impetus during the late 1990s, and by year 2000 and onwards, greater attention had been paid to it. The Ghana ADR Act (Act 798) was enacted to replace the Arbitration Act of 1961 (Act 38) Indeed, the Act was formally passed in 2010 after several years of efforts. The Act aims at addressing numerous intractable and divisive disputes and conflicts in the country. The Act 798 of 2010 among other things states that "...parties to a written agreement may provide that a dispute arising under the agreement shall be resolved by arbitration". The Act further states that "...a party to any agreements may with the consent of the other opposing party submit any disputes arising out of that agreement for mediation by an institution or a person agreed upon by the two parties". Arbitration, customary arbitration, and mediation are the main ADR methods recommended for settlement of disputes and conflicts by the Ghana's ADR Act. Therefore, ADR has been in operation in Ghana for some time now and has been employed by both the informal and formal sectors to resolve conflicts and disputes apart from the law courts.

The chieftaincy institution in Ghana is very significant and plays exceptionally important roles in most spheres of community and national lives. The 1992 Fourth

Republican Constitution of Ghana affirms the establishment of the institution of chieftaincy within the Ghanaian society. Article 270 (1) of the Constitution stipulates that “the institution of chieftaincy, together with its traditional councils as established by customary law and usage, is hereby guaranteed”. The Chieftaincy Act (Act 759) of 2008 goes on to define a chief as “a person who, hailing from appropriate family and lineage, has been validly nominated, elected or selected and ‘enstooled’ (enthroned), or ‘enskinned’ (installed) as a chief or queen mother in accordance with the relevant customary law and usage”. Unfortunately, the institution has now been characterized by inter and intra-ethnic conflicts of various kinds with adverse consequences. Many of these chieftaincy conflicts are often engineered and perpetuated by the chieftaincy institution itself and processes of selecting and installing a chief with undue interference by political actors, businessmen, chieftaincy “contractors”, opinion leaders and other affluent members of society.

Writing on the subject area of chieftaincy conflicts in Ghana, MacGaffey (2013: p.165) notes that as a result of chieftaincy conflicts, some areas in Ghana have vacant stools/skins (thrones) for several years running and by that have not been represented in the Regional and National Houses of Chiefs. The results of all these are that several chieftaincy conflicts in Ghana are before the law courts, and for a long time have remained unresolved while violent attacks and aggressions continue. Hagan (2006) attests to this assertion when he notes that the law courts in Ghana are packed with numerous unresolved chieftaincy litigations.

In the light of all these complexities, there is a challenge at the District, Regional and National levels on how these conflicts could be stopped from escalating, how they could be managed and resolved, or even on how they could have been prevented from occurring in the first place. Indeed, it is the belief of many that the

Yendi chieftaincy conflict could have been amicably resolved without bloodshed and the kind of distress and calamities that have torn the historically unified family apart and reduced the Dagbon kingdom to a shadow of its former glory, had it not been for the interferences by politicians. Indeed, it is the politicization of the conflict that has protracted the conflict to its current level. In Ghana's partisan politics, the Abudus are mainly seen to be ardent supporters of the New Patriotic Party (NPP), an offshoot of the Danquah-Busia-Dombo and for that matter the United Party (UP) political tradition and the Andanis are seen as devoted followers of the Convention People's Party (CPP) in the past. However, following the emergence and ascendancy of the National Democratic Congress (NDC) to political power in 1992, the loyalty and support of the Andanis to the NDC was well established. There are however some members of both royal families that can be found belonging to either of the two political traditions. Even though it is the statutory responsibility of every government to carefully handle and ensure resolution of conflicts and disputes whenever they occur, successive Ghanaian governments have been accused of not demonstrating a strong and enough political will and commitment to resolving the Dagbon chieftaincy conflict. This is more especially so when it comes to dealing with issues that would bring about peaceful settlement of the conflict but would not necessarily lead to the realization of political gains for a ruling government (Alhassan, 2007). According to Brukum (2004), politicians manipulate conflicts in the Northern region in general to their advantage. Therefore, the wider Ghanaian public view is that government agencies, statutory bodies, and public institutions often fail to prosecute perpetrators of conflicts.

It is pertinent to state further that any time the Dagbon chieftaincy conflict erupts, the government usually adopts three main strategies and these are police and

military intervention, declaration of State of Emergency, and the establishment of investigative committees or commissions of inquiry. For instance, in March, 2002 there was renewed violence in Yendi and most parts of Dagbon which culminated in the assassination of Ya Na Yakubu Andani II, and 30 others. The government assumed Emergency Powers in accordance with the Emergence Powers Act (Act 472), 1994 by declaring a State of Emergency in Dagbon. In addition, a joint Military and Police contingent was deployed to Yendi and other parts of Dagbon to maintain peace, law and order. The government went a step further to establish a Commission of Inquiry chaired by a retired Supreme Court Judge, Mr. Justice Wuako to investigate the March 2002 disturbances in Yendi. In effect, the strategies at best, succeeded in helping to freeze the conflict by creating a climate of fragile peace and temporary cessation of violent hostilities. The conflict has also been before the law courts at one time or the other. There have also been initiatives by other state institutions, agencies, statutory bodies, organizations, and individuals at one time or the other and all these efforts have failed to yield expected results that could pave way for resolution of the age-long protracted Dagbon chieftaincy conflict. There is, therefore, a national level challenge on how the conflict could be resolved. This calls for measurement of perceptions of relevant stakeholders on the use of ADR as an option to resolve the Dagbon chieftaincy or Yendi conflict.

The fact is that conflicts have existed and continue to exist in all cultures and societies across the length and breadth of the globe since the beginning of time. Conflicts and disputes can emerge in any situation where people interrelate in an interdependent manner. In a situation where two or more persons, or groups of people, perceive their interests to be in opposition to one another and that their perceived

interests cannot be met but at the expense of an opposing party, conflict occurs. The chieftaincy conflict in Dagbon is therefore one of such conflicts.

There are historical narratives of conflicts and conflict resolution approaches being told at length through oral traditions and accounts of every society and culture. Through times past, individuals and groups have used a variety of means to resolve their disputes and conflicts when they occur. Among African societies, for instance, conflict and dispute resolutions were seen to be requiring the exceptional qualities and abilities by a third party and for that matter the preserve of the wise, the most enlightened, the matured and experienced, and by traditional and religious leaders in society. The mechanisms and approaches employed in the resolution of these conflicts are certainly part of human heritage and chartered to reduce the negative and adverse effects of conflicts. Conflict resolution means reducing incompatibilities and returning the search for the incompatibilities to non-violent means (Zartman 1995, p.300). In conflict resolution, the choice of appropriate mechanisms depends on the particular type of conflict situation and the context in which the conflict is occurring. In effect, there are several conflict resolution options to choose from in an effort to resolve a conflict or dispute. However, settling on a particular type of approach depends largely on the type and nature of the conflict, the relationship between the conflicting parties, and the sensitivity of the issues in dispute or conflict, among other things.

The study area and its people

The widest held view about the Dagbon Kingdom is that it was one of the Mole-Dagbani states positioned in the Volta basin of Northern Ghana about the 14th or 15th century, according to Tamakloe (1931) and Staniland (1975). The indigenous people of Dagbon are called Dagbamba which has been linguistically adulterated to be known to non Dagbani speaking people as Dagombas. The Dagbamba is a broad-

based ethnic group with the largest single tribal population in Northern Ghana. Other ethnic groups residing in the Dagbon area are the Konkomba, the Anufo, the Basari, the Bimoba, the Zantasi, the Kotokoli and the Kabre. These ethnic groups are regarded by many historians as the indigenous peoples conquered by the Dagbamba.

The 2010 Population Census of Ghana puts the total population of the Northern region at 2,468,557 with Dagombas forming about 41 percent of the population figure. A lot of other Dagbamba reside in other parts of Ghana (GSS, 2002) and abroad. Dagbon is mainly rural with Tamale, Yendi, and Savelugu being major urban settlements.

According to oral tradition, the Dagbon Kingdom originated from the ancient kingdom of Mali and moved southwards and thereby establishing its hegemony at its present location through wars of conquest, assassinations, betrayals, usurpation of power, and migration (Tsikata & Wayo, 2004). The ancient Dagbon kingdom was said to have been established in 1403 by Naa (King) Sitobu following the disintegration of the Gbewaa Kingdom resulting in the creation of the lesser Kingdoms of Moshi, Mamprugu, Dagbon and Nanun by the male descendants of Naa Gbewaa. The Dagbon Kingdom therefore developed to become the largest among the four established Kingdoms and now covers an area of 9,611 square miles and is administratively divided into one Metropolitan, two Municipal and seven Districts of Ghana. Yendi is the traditional capital of Dagbon and the seat of the Ya Na. Indeed, Ya-Na is literally translated to mean 'King of absolute power' The Ya Na, as symbol of authority, sits in state on collection of piled up animal skins with that of the Lion being on top. . It is in the light of this that the lion is considered the symbol of the Dagbon Kingdom and the Yendi throne or crown is referred to as Yendi skin.

The Dagbon kingdom is located in the heart of the Northern Region of Ghana within the Sudan Savanna and beneath the 'Sahelian' belt. The vegetation is mainly grassland with dispersed small trees such as 'shea', acacia, baobab and 'dawadawa'. The area has a single rainy season, from April to October followed by a dry season (November to March). The dry season begins with the harmattan winds and that is a dry dusty wind that blows along the northwest coast of Africa from the north east or east in the western portion along the northwest coast of Africa. A majority of the people are engaged in cultivation of food crops and livestock production. The area has limited basic social and economic infrastructures.

It is widely believed that the Dagbamba are patrilineal in their social structure arrangement. However, Nukunya (2003), is of the view that they are "bilateral" in the sense that a person's right to succession or inheritance in certain instances can either be traced to the mother's lineage or to that of the father's or from both depending on the peculiarity of the situation. There are instances where a person could ascend to certain skins 'matrilineally' especially if the mother happened to be a princess to a particular skin, and in certain cases 'patrilineally', and that is if the father was once a prince or chief. This exceptional social arrangement does not, however, cut across the various Dagbon communities, as there are exceptions. For instance, a person through fostering, which is a common practice among these people (Oppong, 1973) when brought up by a maternal uncle could also inherit from the uncle, even though the rule favors the biological offspring of the uncle. Indeed, the social structure serves as the basic unit of society in Dagbon and the right of a person to inheritance, succession, and privileges are defined by it.

The Dagbon traditional political system is a centralized one, with the Ya Na at the apex and having the sole right to choose and install paramount chiefs, and in

certain cases divisional, sub-divisional and honorary chiefs across the Dagbon Kingdom. All lands within the Dagbon territory are vested in the hands of the Ya Na who serves as the custodial trustee of the people and head of authority. The Ya Na is at the helm of traditional authority and resides in Yendi, the traditional capital but has control over the entire Dagbon territory.

The Dagbon kingdom is situated within several levels of authority, mainly from the kingship, paramount, divisional, sub-divisional and settlement levels. Traditionally, chiefs presiding and administering at the various levels are chosen from among members of the various royal groups. The Ya Na, who has central authority, appoints these chiefs from the royal groups to be in-charge of bigger settlements as paramount chiefs under his direct authority. Examples of these paramount thrones are Banvim, Gushegu, Karaga, Kasulyili, Kumbungu, Lamashegu, Mion, Nanton, Nyankpala, Sagnerigu, Savelugu, Tamale, Tolon, Zabzugu, Zangbalung, Zogu, and Zoosali among others. The paramount chiefs also appoint divisional chiefs for settlements under their jurisdiction.

The Dagbon chieftaincy tradition upholds the fact that once a Ya Na is enthroned (enskinned), he cannot be dethroned (deskinned). In past times, when Ya-Nas misconducted themselves, they were dethroned by the kingmakers through death by poisoning. With the passage of time, however, coupled with the increasing difficulty for kingmakers to reach a consensus on the elimination of a King, the King will simply remain a king for life (Ladoucer, 1972).

Conceivably, the most distinctive feature of the Dagbamba is their traditional political system which is built on an intricate systematic arrangement of chiefdoms. The Dagbon traditional chieftaincy system has been described as a 'hierarchical' one whereby royals primarily appointed to chieftaincy positions at the divisional, sub-

divisional and lesser settlement levels aspire to become paramount chiefs of major towns, and if it is the gateway skin to Yendi level (i.e. Mion, Savelugu or Kariga) could even rise to become the Ya Na (Brukum 2004).

Islam is said to be the most dominant religion (79%) in Dagbon. However, Christianity and traditional religious practices also exist amongst the people (GSS 2002). The culture of Dagbon is therefore greatly influenced by Islam, which was introduced to the area by the Soninke people (known to Ghanaians as the Wangara) and by Hausa-Fulani merchants from the 12th to 15th centuries. During the reign of Naa Zangina, Islam won the largest converts in Dagbon and became the state religion. Since then it continued to grow rapidly. Islam, therefore, plays a vital role in the culture and traditional practices of the people. Throughout the chieftaincy institution, the Imams are given recognition and assigned certain royal titles and responsibilities. The Ya Na and all other chiefs in Dagbon, for instance, choose and install renowned Muslim clerics as Imams to preside over spiritual functions of the Dagbon Kingdom and its people. Indeed, the Yendi Skin and every divisional and paramount throne in Dagbon have the office of the Imam (L'mam). The Ya-Na and his appointees with the support of these Imams have the sole right of officiating important celebrations of Islamic festivals and ceremonies in the kingdom such as the Damba festival (to mark the birth of Prophet Mohammed), the Idul-fitr (Ko-nyur Chugu), Idul Adha (Chimsi Chugu), and Fire festival (Bugum) to mark the 10th day of the first lunar month on the Islamic calendar, among others.

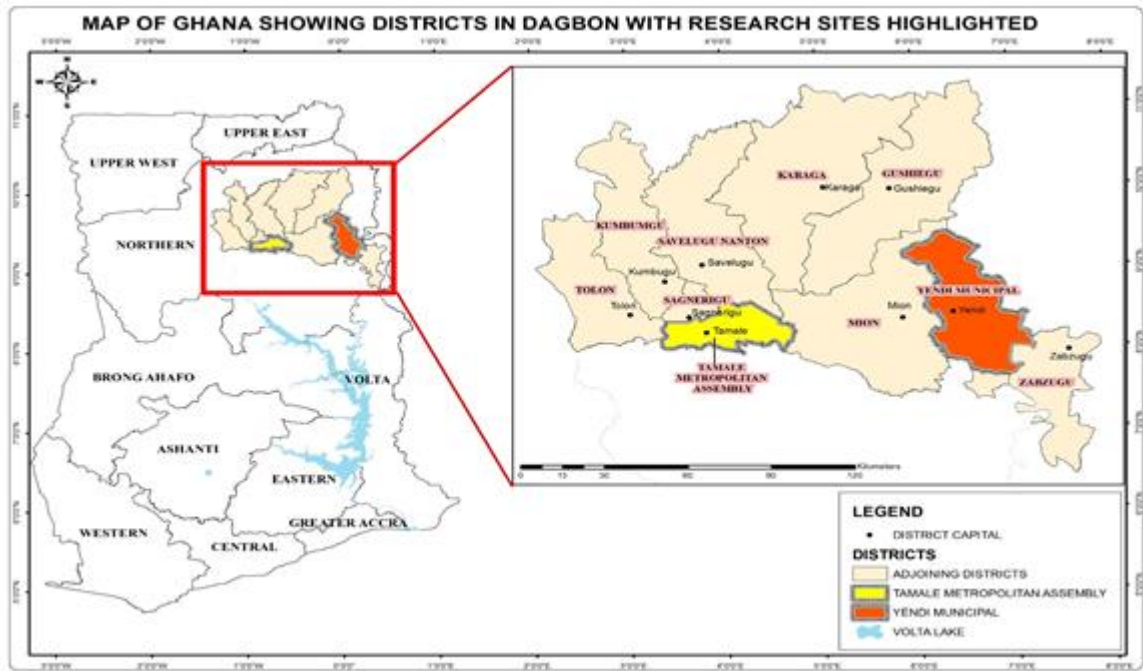


Figure 1. Map of Ghana showing Districts in Dagbon with Research Sites Highlighted. *Note.* Source: Center for Remote Sensing and Geographic Information System, Department of Geography and Resource Development, University of Ghana

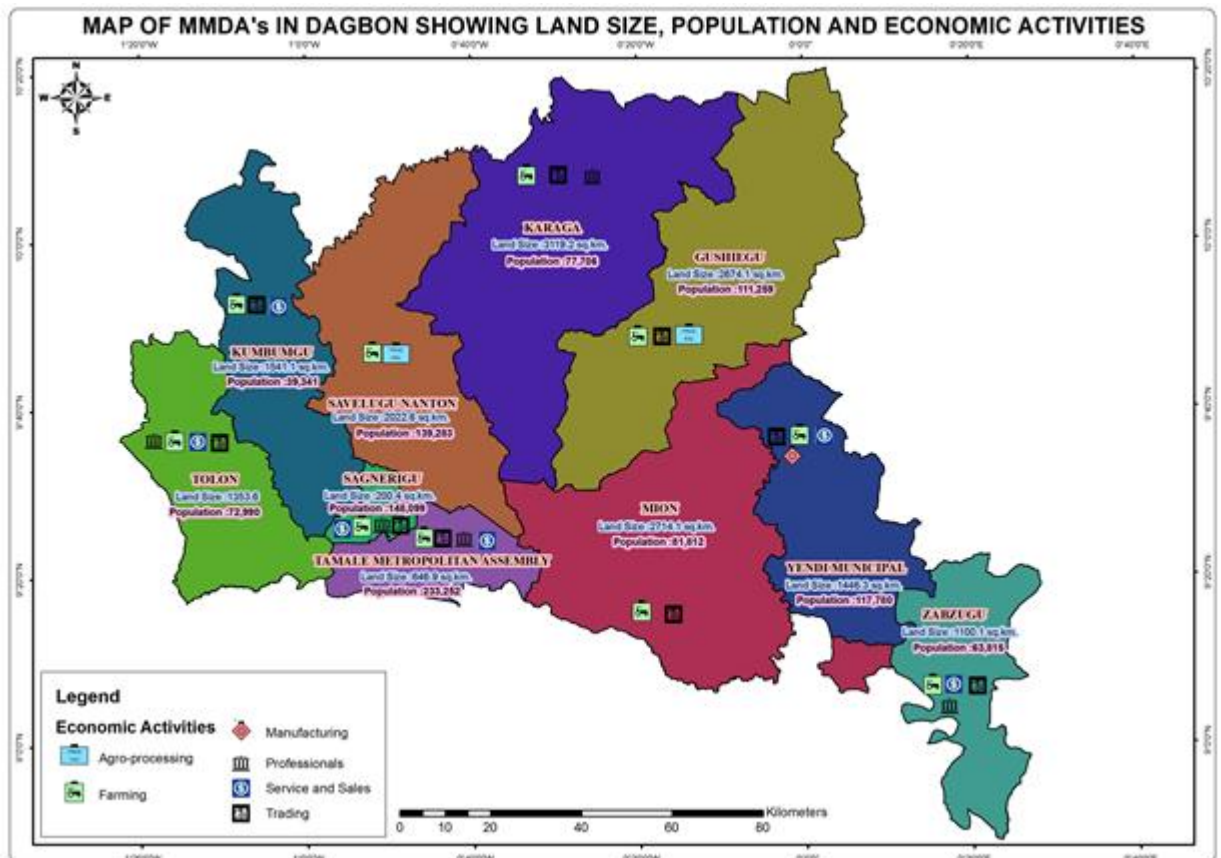


Figure 2. Map of Districts in Dagbon in Ghana Showing Land Size, Population and Economic Activities. *Note.* Source: Center for Remote Sensing and Geographic Information System, Department of Geography and Resource Development, University of Ghana

Conflict settlement approach of the courts

The judicial court system of conflict resolution which is also known as litigation was introduced in Ghana during the advent of colonialism and it has since remained the most common form of dispute and conflict resolution mechanisms in Ghana. The judicial court system in Ghana has been formally structured, institutionalized and modeled on the British law in a Westminster fashion. The formal nature of litigation has often been criticized based on problems associated with it. For instance, the court system has been criticized for delays and cumbersome procedures and processes that the litigant has to go through to get a judgment. Lawyers adopt the tactics of prolonging the processes by employing and dueling much on technical and procedural issues other than on the substance of the matter before the court. In this way conflicts before the courts that could have been resolved within a short period are prolonged for many years without a settlement. The system is also adversarial in form and character and does not lend itself to conciliation and reconciliation and could even further damage an already fragile relationship instead of repairing it, as in the case of ADR. Litigation has the tendency of increasing malicious antagonism, annoyance and acrimony between conflicting parties as its verdicts are often passed in favor of one party at the expense of the other in a win-lose situation.

Trials in the judicial courts lack confidentiality as proceedings are generally held in the open to the hearing of the general public and to media reportage except in few specific civil cases where hearings are held in camera. Access to the courts is also often too expensive to meet the financial strength of ordinary people. Clients pay court fees and fines as well as representation fees to lawyers acting on their behalf. The fact is that putting forward a conflict case before a law court for adjudication is an option that is lawful, but least preferred by many people because of the myriad of

problems associated with it. Quite apart of the above, contesting a conflict or dispute case in the law court is time-consuming and generally costly when compared with ADR, and this notwithstanding, it may not even lead to an amicable resolution of the dispute in question. A ruling by a law court may even exacerbate the protraction of a minor conflict by fueling to such an extent that it could degenerate into becoming a major and protracted one. Litigations have the tendency of increasing unpleasantness, antagonism, annoyance, acrimony and animosity between conflicting parties. All these problems associated with the law court approach to dispute resolution in one way or the other have affected efforts towards the resolution of the Dagbon conflict by the judicial courts. Therefore it is the belief of many that "...the Dagbon crisis is unlikely to be resolved amicably through normal judicial processes" (Ahorsu & Gebe, 2011).

Conflict settlement approach of committees and commissions of inquiry

The establishment of committees and commissions of inquiry is another form of conflict resolution option the Government of Ghana usually adopts to resolve conflicts. Mention could be made of the establishment of the Mate Kole committee in 1968, the Ollenu Committee in 1972 and the Wuaku Commission in 2002 by the various governments, all in the name of finding an amicable resolution of the Dagbon conflict, to no avail. These statutory committees and commissions of inquiry are to a large extent similar to the courts in character and function when it comes to settlements of disputes and conflicts, except that unlike the courts, the findings and recommendations by these bodies require the approval by the President with the issuance of a white paper. Thus, the president with the white paper can choose to accept in full or in part or even set aside the findings and recommendations of these committees and commissions of inquiry.

Indeed, the president of Ghana has the prerogative to establish commissions of inquiry in accordance with provisions of chapter 23 (1) of the 1992 Constitution of Ghana which states that "subject to article (5) of this Constitution, the President shall, by constitutional Instrument, appoint a commission of inquiry into any matter of public interest..." Article 279 of the 1992 Constitution of Ghana goes on to state that a "commission of inquiry shall have the powers, rights, and privileges of the High Court or a Justice of the High Court at a trial, in respect of;

- (a) Enforcing the attendance of witnesses and examining them on oath, affirmation or otherwise;
- (b) Compelling the production of documents; and
- (c) The issue of a commission or request to examine witnesses abroad"

The 1992 Fourth Republican Constitution of Ghana also guarantees that findings of a Commission of inquiry will have "the effect of a judgment of the High Court" when the findings are made and announced to the public after six months have passed.

From the forgoing, it is abundantly clear that almost all the problems associated with the law courts also bedevil the government established committees and commissions of inquiry and as such they are not able to adequately address and settle disputes and conflicts. Besides, recommendations made by these statutory bodies do not pay attention to the need to reconcile and improve upon the existing relationships between conflicting parties.

Conflict settlement approach of Alternative Dispute Resolution (ADR)

According to Mnookin (1998), ADR refers to types of practices and techniques that have the ardent aim of facilitating and promoting resolution of disputes or conflicts outside the formal legal system.

Alternative Dispute Resolution (ADR) which is at times referred to as the “Appropriate Dispute Resolution” approach to conflict resolution was formally introduced in Ghana in 2010 with the enactment of the ADR Act (798). It is a kind of dispute resolution approach which has become an essential part of Ghana’s policy options that aims at fast tracking conflict resolution outside the law courts. The ADR mechanism in the Ghanaian milieu has to do with mainly arbitration, customary arbitration and mediation. It provides the opportunity for settlement of social conflicts and disputes. The approach is linked to situational circumstances and has the object of finding appropriate dispute or conflict settlement models that greatly help to resolve conflicts between parties (Gbenda, 2009). It generally involves the use of a trusted, neutral third party to facilitate a process leading to a mutual settlement of a conflict between parties. A decision consented to by conflicting parties in ADR may be binding or non-binding. The administrative dispute resolution Act of 1996 of the United States (US), for instance, provides for each Federal Agency to take up a policy that accepts the use of ADR to resolve disputes. The Act decisively recognizes ADR within the federal government setting as the preferred method of dispute resolution ((USC 654(a) (1)–(3) (2006). Ghana’s ADR Act (Act 798), 2010 also recognizes the significance of ADR and as such guarantees the use of ADR to resolve conflicts and disputes.

A point worth noting is that using ADR for conflict resolution is a voluntary process in most cases and must be agreed upon by the conflicting or disputing parties. However, there are instances where the ADR approach may be ordered by a competent court of law, a formal state institution, an agency, a statutory body or an international organization among others.

Conflict resolution through the ADR method is considered to have benefits beyond the immediate resolution of the dispute. Under the ADR approach, parties agree and accept settlement outcomes as products of their deliberate actions and efforts. The principle then is that if parties agree to and goes ahead to consent to a resolution, then short, medium and long term compliance will ultimately not be a problem. Thus, the positive manner in which a conflict is handled under the ADR process in pursuit of win-win settlement options can produce a collaborative and cooperative solution and by that being capable of reconciling and restoring good relationship between conflicting parties. As earlier indicated, ADR has been in operation in Ghana for some time now and has been employed by both the informal and formal sectors to resolve conflicts and disputes. Indeed, showing remorse by accepting guilt and publicly asking for forgiveness and reconciliation, which is the hall mark of ADR, have some roots in the Ghanaian cultural and traditional dispute resolution.

It must be pointed out that chiefs in Ghana and for that matter in most parts of Africa, in the past played very significant roles in the settlement of disputes and conflicts within their communities across Africa. The struggle against colonial rule in Ghana was marked by disputes and conflicts and in the process some chiefs played influential roles in resolving the disputes and conflicts which in the end led to the attainment of independence (Prah & Yeboah, 2011). In this regard, the influence of the chiefs continues to exist in the post-independence era. Successive Ghanaian governments therefore had to work closely with these chiefs in matters of national and community interest, including settlement of disputes and conflicts or risk losing their support and cooperation. The practice of recognizing chiefs, continued after independence with the enactment of the 1961 Chieftaincy Act by the government of

the Convention Peoples' Party (CPP) of President Kwame Nkrumah. Under this Act, names of chiefs were published in the Local Government Bulletin under a process known commonly as 'gazetting' as a form of recognizing chiefs. The practice was later removed by K. A. Busia when he became Prime Minister through the enactment of the Chieftaincy Act of 1971. The government of the Provisional National Defense Council (PNDC) of Chairman Jerry John Rawlings later adjusted section 48(2) of the 1971 Chieftaincy Act and reintroduced 'gazetting' of chiefs through the Chieftaincy (Amendment) Law in 1985.

In 2008, under the administration of President John Agyekum Kufuor, the Chieftaincy Act (759) was enacted and passed. The Act 759 defines a chief as "a person who, hailing from appropriate family and lineage, has been validly nominated, elected or selected and 'enstooled' (enthroned), or 'enskinned' (installed) as a chief or queen mother in accordance with the relevant customary law and usage". The chieftaincy institution in Ghana is therefore of significance and plays important role in most spheres of national life and has an expression in the 1992 Fourth Republican Constitution of Ghana when it explicitly states in Article 270(1) that, "the institution of chieftaincy, together with its traditional councils as established by customary law and usage, is here by guaranteed". To give real meaning to these provisions, the Act went further to establish the National and Regional Houses of Chiefs in Article 271 and 274 respectively (Ghana, 1992 Fourth Republican Constitution).

It should, however, be clearly stated that the 1992 constitution prohibits traditional chiefs from engaging in 'active' partisan politics. In this regard, if a chief wants to take part in 'active' partisan politics he or she must simply renounce the stool or skin he or she occupies. Indeed, article 276 (1) of the 1992 Constitution debar chiefs from taking part in active partisan politics. Article 94 (3) (c) specifically

outlaws chiefs from serving as Members of Ghana's Parliament. This was recently demonstrated in the case of Honorable Robert Nachinab Mosore Doameng, the then New Patriotic Party (NPP) Member of Parliament for the Talensi Constituency in the Upper East region of Ghana when on Tuesday, 9th June 2015 he turned in/submitted his resignation following his enskinment as the paramount chief of the Tongo traditional area.

The Constitution of the Republic of Ghana has however made provisions for chiefs to be represented in very important national affairs. In Article 89 (2b) of the Constitution, "the President of the National House of Chiefs is to be a member of the Council of State" this is the singular institutional representation on the Council of State. Article 153 mandates "a representative of the National House of Chiefs to be a member of Ghana's Prisons Council." Article 233 (b)(1) provides for "a representative of the Regional Houses of Chiefs to serve on the Regional Coordinating Councils" while Article 256 (b) (i) consents to "a representative of the National House of Chiefs being on the National Lands Commission" and Article 261 (b) authorizes "a representative of the Regional House of Chiefs to be on the Regional Lands Commissions".

Unfortunately, the chieftaincy institution has now been characterized by inter and intra-ethnic conflicts of various kinds with adverse consequences. Many of these chieftaincy disputes and conflicts are often engineered and perpetuated by the chieftaincy institution itself with undue interferences from political actors, businessmen, opinion leaders and other affluent members of society.

Operational definition of terminologies

Alternative Dispute Resolution (ADR). Alternative Dispute Resolution (ADR), "refers to a range of procedures (arbitration, customary arbitration and

mediation) that serves as alternatives to traditional litigation for the resolution of disputes and generally involves the assistance of a neutral or impartial third party” (The ADR Manual, Ghana). The practice of Alternative Dispute Resolution (ADR) “includes any processes or procedures other than adjudication by a presiding judge in court-litigation in which a neutral third party participates to assist in the resolution of issues in controversy” (Section 654-658 of 28 U.S. Code 651 - Authorization of ADR: Title 28—Judiciary and Judicial Procedure).

Arbitration. Arbitration generally refers to “a voluntary process in which people in conflict request for the assistance of an impartial and a neutral third party to make a decision for them regarding contested issues (Moore, 2003:p.9)”. Arbitration is usually conducted by an accredited individual person or a group of individual panel members. The arbitration process is a private and informal approach to conflict resolution in which proceedings and settlement outcomes are not necessarily made known to the public. In arbitration, the disputing parties usually determine the arbitrator(s) and will thus have greater control over the settlement decision. The principal feature of arbitration is that settlement outcomes are binding on the disputing parties. The approach has the benefit of being less expensive and faster than the law court proceedings (Moore, 1996).

Customary arbitration. Arbitration is said to be customary if disputing or conflicting parties voluntarily submit their conflict or dispute to arbitrator(s) acting under customary practices (law) or in accordance with acceptable customary traditional norms and conventions within a locality and in which indigenous method of conflict/dispute resolution is applied. In Ghana, customary arbitration has been provided in the ADR Act, 2010, Act 798 and is often considered to be more

convenient, simple, informal, economical and friendly in dispute or conflict resolution and fits well into the traditional and modern settings (ADR Act, 798)

Mediation. Mediation has been defined as “the intervention in a negotiation or a conflict of an acceptable third party who has limited or no authoritative decision-making power, which assist the disputing parties to voluntarily reach a mutually acceptable settlement of the issue(s) in dispute (Moore 2003, p. 15)”. Folberg and Taylor (1984, p.7) describe mediation as “the process by which the participants, together with the assistance of a neutral person or persons, systematically isolate disputed issues in order to develop options, consider alternatives, and reach a consensual settlement that will accommodate their needs.” In his emphasis on the importance of mediation, Acland (1990) metaphorically describes mediation as an “adjustable spanner in the dispute-resolution tool-box.”

In the mediation process, the mediator (acceptable third party) intervenes by assisting disputing parties in their efforts to voluntarily reach a mutually acceptable settlement of the issues in conflict. The mediation approach is typically employed in the resolution of interpersonal, intergroup, legal, organizational, community, ethnic, chieftaincy, public and international disputes and conflicts among others.

The mediation approach to conflict resolution or dispute settlement has the benefit of encouraging and promoting trust-building in the relationship of conflicting parties. It can also lead to the termination of the irremediable relationship between disputing parties in a way that could reduce the emotional tension and cost involved and has the benefit of lessening the psychosomatic effects of conflict on disputing parties (Moore 2003, p. 15).

Conflict. Conflict is a phenomenon that exists in every human society, and endeavors. It has been variously defined by many authors. Awedoba (2009, p.5) for

instance describes conflict “as a relationship between two or more parties that centers on differences, disagreement on some issue of common interest or concern, divergence, incompatibilities, clash of wills and the like; it may involve antagonism and opposition” The author explains further that parties in a conflict situation may be individuals or groups or collective entities and could be in physical contact or notionally with one another or may be sharing space. According to Hocker and Wilmot (1995), conflict exists whenever “incompatible activities occur...an action which prevents, obstructs, interferes, or in some way makes it less likely or less effective”.

Thus, from the preceding definitions, conflict emanates from a conscious action by parties involved in it with deliberate intention to oppose one another in pursuit of their perceived interests or felt needs. Conflict can be interpersonal or intergroup and international in character and transpires across all cultures.

Statement of the problem

Conflict has been described and defined in different ways. However, a broader definition of conflict that will aptly be appropriate for this study is the one by Coser (1972: p. 8), when he describes social conflict as "a struggle over values or claims to status, power, and scarce resources, in which the aim of a conflicting parties is not only to gain the desired values but also to neutralize, injure or eliminate their rivals." Coser went further to explain that such conflicts may occur between individuals, and between groups within society. The Dagbon chieftaincy conflict which is under study fits well into the above definition and explanation as it is a dispute over societal values, attainment of status and a power struggle between the Abudu and Andani royal families in Dagbon with the aim of gaining traditional authority, recognition and

being at the helm of affairs in order to control local resources such as land and other natural resources.

A research report on the Dagbon chieftaincy crisis by Ahorsu and Ame, (2011) indicates that the Ghanaian society is a heterogeneous one but "characterized by the internal dualism of formal–informal, urban–countryside, and modern–traditional communities and institutions." The report went ahead to note that modern structures and institutions of society have not been able to completely displace the diverse traditional practices of pre-colonial Ghana as they continue to exist and still play significant roles in governance, security and socio-economic development and at the same time serving as sources of conflict. The authors' argument is that notwithstanding the general relative peace that exists, Ghana is not free from intermittent violent communal conflicts.

Regrettably, northern Ghana has been caught up in that web than any other part of the country, as it has been a breeding ground of conflicts that revolve around land ownership, religious intolerance, and ethnocentrism with chieftaincy disputes and conflicts dominating. The Dagbon chieftaincy conflict in particular is one of such conflicts described as the most protracted chieftaincy conflict within the last five decades in Ghana's post-independence history, with devastating consequences. In 2002, the conflict unexpectedly escalated as a result of renewed clashes in Yendi between the Abudu and Andani royal families that led to an attack on the Gbewaa palace, which in turn resulted in the destruction of considerable property, loss of several lives, including that of the then overlord of Dagbon, Ya-Na Yakubu Andani II and 30 others and displacement of many people.

In the words of a renowned author, "Ghanaians are intensely proud of their ethnic identity and of the chiefs who represent it (MacGaffey, 2013: p. 164)". In

effect, people adore and pay much reverence to their traditional customary practices and culture, and when it comes to such matters, it is the chief who is the symbol of traditional authority and forms an embodiment of the people's culture, customs, and traditions. The respect, prestige, pride and values attached to the institution of chieftaincy and the desire of contesting parties to become chiefs often breed disputes and conflicts of all kinds among some ethnic groups in Ghana, particularly among the people of Dagbon. Boafo-Arthur (2006) cited the “indeterminate lines of succession” as being the cause of “several avoidable disputes that clearly undermined the institution” of chieftaincy.

It must be clearly pointed out that the practice of chieftaincy in Ghana varies significantly from one community to another and cannot be taken for granted to be the same across the country, as accounts of earlier writers inexactly hold it (MacGaffey, 2013). In that vein, the intensity of chieftaincy contests and disputes associated with them also vary in character and impact. The chieftaincy institution and ascendancy to a stool (throne in southern Ghana) or skin (throne in northern Ghana) also varies from one ethnic group to another. This explains why among some ethnic groups in Ghana, conflict over who occupies the chieftaincy throne is not present, whereas in others it exists.

Albert (2008) in his studies used the Owo crisis in Nigeria and the Yendi crisis in Ghana as points of reference to argue that political interference by elites were the causes of the two protracted conflicts in the West Africa sub-region. The two separate chieftaincy conflicts in Nigeria and Ghana were considered by Albert (2008) in finding communalities with respect to undue political influence and interferences dating back to the colonial period which continued in the post-independence era. The writer blamed the occurrences of chieftaincy disputes and conflicts in the two

countries in Africa squarely on the British colonial policy of "Indirect Rule." In the author's view, it was through the policy of "Indirect Rule" that the British colonial authorities directly interfered in the chieftaincy institution by appointing and deposing chiefs where and whenever it suited them. By that, therefore, the institution of chieftaincy in both Ghana and Nigeria was reduced and subordinated to the colonial regimes, which had absolute power to make and unmake African chiefs without regard to customary practices and usages. Consequently, the process of subordinating the chieftaincy institution continued in the post-independence epoch, as governments in both Ghana and Nigeria have continue, as a convention, to unduly interfere in the traditional matters of the chieftaincy institution in a partisan political manner. Albert (2008) contends that such moves significantly led to the succession crisis within the chieftaincy institution in West Africa.

It is also relevant to note that most of the ethnic and chieftaincy conflicts in Ghana occur in the northern part of the country, where conflicts appear to be increasing in amplitude and frequency and their effects getting more and more devastating (Awedoba, 2009). Arguing on a similar line, Tonah (2007), notes that northern Ghana is more prone to violent ethnic and chieftaincy conflicts than the southern part of the country. It is noteworthy to state that, in the northern region of Ghana, it is the Dagbon conflict that has persisted longer than any other conflict without a resolution. There are several rationalizations for the chieftaincy conflict in Dagbon in particular and in the northern region as a whole. However, such explanations cannot be used to justify their occurrences and impact.

The people of Dagbon are indigenously known as Dagbamba and culturally and in their social life attaches greater importance and reverence to the institution of chieftaincy. In that regard therefore, almost all royals in the area aspire and strive

hard to occupy a vacant skin (throne) whenever it occurs. Aspirants, therefore, often throw their support and loyalty behind one of the Yendi royal families (either Abudu or Andani) in anticipation of favor or being rewarded in the future by being selected as a chief by the Ya Na from the gate it has shown and demonstrated loyalty to.

Related to this explanation is the fact that ascendancy to the gateway skins to the Yendi Skin (i.e. Kariga, Mion, and Savelugu) appears to be flexible and allows so many candidates to compete for a vacant skin (throne) any time it occurs. This is to some extent attributable to the practice of polygamy among the people of Dagbon which allows a chief to have as many wives as possible and as such being able to father many sons who are biologically and customarily eligible to aspire to a skin (throne) once occupied by their late father or grandfather in certain cases. It is worth noting that daughters are not eligible to ascend to many skins or thrones in Dagbon especially not to the paramount skins as well as the gateway skins to the Yendi throne and the Yendi skin itself.

Another explanation is that the question as to whether or not ascendancy to the Yendi skin should alternate between the two rival royal families or gates to the Yendi skin, on the one hand, or selected through the customary practice of divination or soothsaying, on the other, has not yet been settled. Whereas the Andanis, on the one hand, are in support of the former, the Abudus on the other side favor the latter. In fact, each of the two royal gates continue to give varying explanations and reasons for their stance on the issue and making references to historical antecedents to justify their claims.

Another explanation is the existence of divergent views and disagreement between the two conflicting parties over the composition of the king makers and the processes involved in the selection of a successor to the Yendi skin as well as to

which particular rite or act in the ceremony for the selection of a Ya Na should be upheld (Tsikata & Seini, 2004: p. 42). All these are but ingredients that could spark and escalate the conflict, and it did in March 2002, when it led to the attack on the Gbewaa palace in which Ya Na Yakubu Andani II and 30 others were gruesomely assassinated.

Thus, Dagbon is in search of peace which has eluded her for long, and the appropriate mechanism to be employed to bring about peace is essential. It is in the light of this that this study is being undertaken to measure perceptions of the Abudu and Andani families on the use of the ADR approach as an option to resolve and transform the Dagbon chieftaincy conflict.

It is pertinent to point out that the ADR mechanism has been employed in the past to resolve conflicts and disputes in some communities. Outside Ghana, the mechanism was effectively employed to reach a peace agreement which became known as the Malino II accord through the mediation efforts of the government of Indonesia and this helped in ending the “Maluku wars” between Christian and Muslim factions in Indonesia between 1999 and 2002 (Cunliffe, Riyadi, Arwalembun, & Tobi, 2009: p. 12).

Similarly, a conflict in the Fodome traditional area, a typical Ewe community of the Volta region of Ghana was in 2008-2009 settled out of court through the mediation process. Indeed, the conflict had persisted since the 1940s and was before the law court, prosecuted upon prosecution and even went to the Appeal Court without a mutual resolution until the mediation process was employed “to mutually settle the conflict (Ahorsu, & Ame, 2011).

The method was also successfully used during the 1994 Dagbamba, Gonja, Nanumba, Konkomba ethnic war in the Northern Region of Ghana. The war, which

became known as the "Guinea-fowl war" and has been described by many as the most violent communal war in Ghana's post independent period and estimated to have caused loss of lives of at least 2,000 and displaced about 170,000 people, was brought to an end through the mediation efforts of national and international NGOs (Bogner, 2009).

The Wungu chieftaincy conflict in the Mamprugu Traditional area of the northern region of Ghana was also resolved in 2002 through the indigenous method of mediation and reconciliation. The conflict occurred in 1997 following the rejection of the newly enskinned Wunaba', (Chief of Wungu) by the overlord of Mamprugu Traditional area, the Nayiri, by a section of the Wungu community (Tonah, 2007).

In Dagbon itself, the method was fruitfully applied to resolve a keenly contested succession Yendi chieftaincy conflict. This was in the 17th century when several candidates competed for a vacant Yendi skin following the death of Ya-Na Gungobili (1627-1648). The matter was then put before the King of Mamprugu, the Nayiri, for an amicable settlement. Indeed, oral tradition has it that the people of Nanun, Mamprugu, and Dagbon consider one another as cousins having traced their ancestral lineages to the three sons of Naa Gbewaa, namely: Tohagu, Mantambo, and Sitobu. Naa Tohagu is said to have founded the Mamprugu Empire, Mantambo, the Nanun Kingdom and Sitobu, the Dagbon State. There is therefore, a bond of good ties existing among these three demesnes. The then Nayiri, therefore, exploited the existing ties between Mamprugu and Dagbon and consequently employed 'mediation' to harmoniously resolve the dispute by settling on Naa Zangina (1648 to 1677) out of many contestants, as Ya Na for Dagbon.

In that regard therefore, ADR is not a new method of conflict resolution to the Yendi chieftaincy crisis, as it has ever been tried and tested. Thus, the lesson learned

from the 17th century Nayiri's mediated settlement is that ADR can be effectively employed to amicably settle chieftaincy conflicts in Ghana and that the Dagbon chieftaincy conflict is of no exception.

From the 21st century up to date however, it seems the Dagbon conflicting parties, made up of the Abudu and the Andani royal families, have not yet perceived the ADR approach as a mechanism that could be employed once again to settle their conflict but rather have heavily depended on government established committees and commissions of inquiry and the law courts for a resolution. Regrettably, none of the afore-mentioned approaches have been able to yield any meaningful results, as the two parties never accepted, respected and complied with the outcomes.

According to Yakubu (2005), the feuding parties involved in the Dagbon conflict and members of the various communities in Dagbon lack adequate knowledge and understanding of the “legal principles of the court system” and as such are reluctant to accept court judgments. The writer attributed this to the foreign and alien nature of the Western court system. Indeed, successive governments over the years overlooked the potency of ADR to be employed to resolve the Yendi conflict but have rather dwelled much on the works of committees and commissions of inquiry which never yielded desired results.

Several authors have variously blamed the lack of resolution of the Dagbon conflict on the meddling in the conflict by the Government which started way back right from the advent of colonization and that the trend continued up to the present day Ghana (Yakubu, 2005; Awedoba, 2009; Ahorsu & Ame, 2011). Indeed, Government interference over time took the form of formal deployment of security personnel into the area any time the conflict turns violent, holding meetings with the conflict parties, conferences and the establishment of committees and commissions of

inquiry as means of resolving the conflict, whilst least attention had been paid to ADR as a conflict resolution mechanism.

Thus, undue interference by succeeding governments in one way or the other in the Dagbon conflict has continued, and almost every government has got involved in the debacle since the colonial era up to date, with either a genuine intention to resolve the conflict or to benefit politically from it. According to Brukum (2001), politicians are considered to be manipulating conflicts in the northern region of Ghana to their advantage and are accused of discouraging chiefs from contributing to the resolution of the conflicts. The politicians have also been criticized for not showing strong interest and commitment towards settlement of the conflict and also for lacking the courage and will-power to implement decisions that would bring about peaceful resolution of the conflict, especially when perceived not to yield any political gain (Amedoza, 2008). In the opinion of many people, the political interference is contributing largely to the conflict not being resolved (Brukum, 2001; Yakubu, 2005).

Related to the political and government interference, the Abudu and Andani elites, since 1945, have aligned themselves with either the United Party (UP) or the Convention People's Party (CPP) traditions of Ghanaian partisan politics. In recent times however, the Andani royal family have completely shifted camp by supporting the National Democratic Congress (NDC) as CPP is no longer a power to reckon with in Ghanaian partisan politics. Thus, the Dagbon Chieftaincy succession crisis over time became entangled with national partisan politics with each party pursuing its hidden interests and agenda (Fox, 2011).

The upsurge of the conflict is also blamable on machinations by “conflict entrepreneurs or contractors”. These are persons who are gaining material and monetary benefits from the conflict (Collier & Hoeffler, 2003; Yakubu, 2005). Some

elites in Dagbon and beyond, particularly lawyers, successful businessmen and businesswomen, religious leaders, non-titled royals, among others, are said to be benefiting from the conflict and as such are scheming for its continuity and perpetuation. The machinations of the elite in the conflict have contributed to the entrenched positions of the two parties in the conflict. It has often been said that when there is a conflict over a common resource such that gaining it by one group will be at the expense of the other, there is the tendency for each of the parties to adopt entrenched positions inimical to the resolution of their conflict. In such a situation, each party will try to eliminate, neutralize or injure the other or continue to maintain a negative relationship with one another (Rosati, Carroll, & Coate, 1990)

Additionally, most of the paramount skins (thrones) in Dagbon have been vacant for years now, and regents are serving as caretakers with the right to act as if they were substantive chiefs and kings. The benefits derived from acting as regents and for that matter as substantive chiefs or kings coupled with the desire to continue to be in power, and if possible, eventually occupying the skin (throne), is making regents unwilling to support any moves that would ultimately lead to a peaceful settlement of the conflict (Tonah, 2007).

The media reportage of the conflict also leaves much to be desired, according to some analysts. The media is blamable for being interested in the sensational process of telling news about the conflict that has the tendency to inflame passions of the people rather than sensitizing the people on the need for peace and on genuine efforts by stakeholders to resolve the conflict (Yakubu, 2005).

The problem of this study is that efforts to resolve the Dagbon chieftaincy conflict between the two royal families have proved futile due mainly to the politicization of the conflict, as the two leading political parties in the country,

namely; the NDC and the NPP have vested interest in the conflict. Apart from the politicization of the Dagbon conflict, the use of commissions and committees of enquiry by government coupled with the use of the court system have also yielded results in terms of resolution of the conflict. In this regard, Alternative Dispute Resolution (ADR) becomes an option for resolution of the Dagbon conflict. However, as to whether the two royal families will embrace ADR as a conflict resolution strategy is a test case, hence the need for this research. There is also the need finding out as to whether the conflict is “ripe” (i.e. arrival of the right moment) for resolution and transformation.

This study is therefore a step in the right direction as it seeks to gain insight into the Dagbon conflict situation and also to seek opinions and views of individuals from the two royal families on the use of ADR to resolve the conflict. The study is also conducted to gather information from members of the two royal families as to whether the conflict is ‘ripe’ enough for resolution under ADR.

Research objectives

The following constitute objectives of the research:

1. To examine the knowledge of Abudu and Andani families on the Dagbon conflict.
2. To ascertain the known practices of conflict resolution in Dagbon.
3. To establish as to whether the conflict is “ripe” (arrival of right moment) for a resolution under the ADR method.
4. To assess the perceptions of Abudu and Andani on the use of alternative dispute resolution.

Research questions

The research questions are framed as follows:

1. What knowledge do the Abudus and Andanis have on the conflict in Dagbon?
2. What are the known practices of conflict resolution in Dagbon?
3. Is the Dagbon conflict “ripe” (i.e. arrival of right moment) for a resolution under the ADR?
4. Do the Abudus and Andanis perceive ADR as a better option to other conflict resolution mechanisms that have been employed in the past to resolve their chieftaincy conflict without a resolution?

The Dagbon chieftaincy conflict

The Dagbon chieftaincy conflict other wise known as the Yendi crisis has existed for many decades and has now reached a protracted level. Intractable conflicts, it is said, have extremely damaging and negative impact. Indeed, the core of most of the protracted and intractable conflicts of the World hinges on deep-rooted divisions affecting parties' basic needs, interests, and values such as “irreconcilable moral values, matters of justice and human rights, high-stake distributional issues, unmet human needs, and issues of identity”(Maiese, 2003).

The Yendi chieftaincy conflict has devastating consequences on the people and the social and economic development of the area. It is indeed responsible for the loss of many lives and destruction of properties worth millions of Ghana Cedis (Ghana’s currency) within an already deprived and impoverished society. The consequences are even greater on women and children, the aged and the disabled, who in the event of an outbreak of violent clashes cannot easily escape. Social cohesion has also suffered greatly as various traditional chiefdoms and communities engaged in the conflict are divided and polarized. The disunity has diverse "political, social, religious and even economic connotations" (Awedoba, 2009, p. 199), for Dagbon in particular and for Ghana as a country. Kinship and kingship relations of

the conflicting parties are fast diminishing, interdependence gradually waning out as the level of intolerance and hatred is on the rise. The situation has also created parallel traditional authorities in most communities and on record time, regents are in charge of thrones (skins) for years, without recourse to the practice of customary succession. Illustrating a point on the Yendi crisis, MacGaffey, contended that "...lack of a solution to the succession crisis in Yendi means that more than fifty titles are vacant, while the related tension continues" (MacGaffey, 2013: p. 165).

Residents in the Dagbon area continue to live in a state of insecurity and fear, as no one can tell when and where the next violent confrontation can occur in the area. The scarce resources meant for socio- economic development are rather being channeled into maintenance of peace, law and order by the government. A onetime Ghana's Minister of Finance, Hon. Yaw Osafo-Mafo, noted that as at the end of 2002, government had expended C6.3 billion on the maintenance of law and order in the Yendi crisis with an amount of C1.2billion spent within every quarter on 372 soldiers and 240 police personnel (Daily Guide, December 31st 2002). Lamenting on the adverse effects of chieftaincy conflicts in Ghana, a former Vice President of Ghana (2001-2008), Alhaji Aliu Mahama, a native of Dagbon, noted that "...whole communities are displaced, schools closed down, government business comes to a halt, economic activities are stopped, and money meant for development projects are diverted to maintain peace" (Ghanadot/GNA, Accra, July 25, 2008). In effect, the conflict is threatening the unity and the very survival of the people of Dagbon. In consequence, the chieftaincy institution in the area is gradually losing its prestige and reverence as a result of the conflict. MacGaffey (2006) aptly summarized challenges of the Dagbon conflict in the title of his article published in the Journal of Modern

African Studies with a rhetoric question, "Death of a King, death of a kingdom? Social pluralism and succession to high office in Dagbon, Northern Ghana".

The looming question being asked by many is that, for how long can the people of Dagbon continue to engage in chieftaincy conflicts at the expense of social and economic development? The involvement of key stakeholders is therefore required in order to devise the most appropriate method to resolve the conflict. The fact is that all the myriad of problems brought about by the Yendi chieftaincy crisis are issues of concern, which requires an investigative research for an alternative approach to mutually resolve the conflict after several approaches have failed to resolve and transform the conflict.

The antiquity of the conflict in Dagbon is traced back to decades of the Dagbon history. As noted earlier, ascendancy to the Yendi skin is the preserve of all male descendants of all deceased kings of Yendi. By custom, the Ya Na, marries many wives with several sons with each being eligible to succeed the Ya Na following his death. This situation has always made succession to the Yendi skin a keenly contested one, with its attendant disputes and violent clashes.

To reduce the number of aspirants to the Yendi skin, the British colonial government in 1930 and in consultation with prominent chiefs of Dagbon upheld selection of the Ya Na from among the three paramount chiefs occupying the Karga, Mion, and Savelugu skins (thrones) in accordance with customary assortment. The three paramount skins became known as the gate way skins to the Yendi skin. It is worth noting that in the olden days, selection of the Ya Na was done through divination or soothsaying as a convention without due regard to the rotational principle or whether the candidate was an Abudu or an Andani. However, with the passing of time, selection of the Ya Na changed to that of rotation between the Abudu

and Andani families, even though there is no consensus on this between the two royal families.

The rotational arrangement, however, never lasted, as the practice was ignored and the selection reverted back to customary practice of divination and soothsaying. Through the process, the Abudu family succeeded in occupying the Yendi skin time and again from father to son and to grandson consecutively more than the Andani family. The Abudu family from 1948-1972 occupied the 'Yen skin' (Yendi throne) in a row of three successors to the Yendi skin amidst agitations and protests from the Andani family for their removal. This was against the long-standing tradition and principle that Ya Na is never dethroned once selected and installed, even when found to have violated customs and usages. In the olden days, a Ya Na who was not customarily acknowledged was simply eliminated (Ladouceur, 1979).

It has been argued by the Andanis that the Abudus within the period had advantage over them in the succession to the Yendi skin as a result of the fact that both the Dagbon traditional state council and the selection committee for succession to the Yendi skin were largely dominated by Abudus. Indeed, it has been argued that fourteen senior chiefs, including eight out of the eleven-member selection committee, were Pro-Abudus. It should be mentioned that the practice of selecting and installing Ya Na in the past was done solely by four eminent king makers, namely; the Kuga Naa, Zohi Naa, Tugri Naa and Gagbin Dana. However, at the 1930 conference of Dagbon chiefs which was initiated by the British colonial administration and supported largely by elite royals of Dagbon who were mainly Abudus, seven additional paramount chiefs were added to the four eminent elders bringing the number to eleven and then named as 'selection committee'(Yakubu, 2005).

The seven were, Gushie Naa, Yelzoli Lana, Nanton Naa, Gukpenaa, Tolon Naa, Sunson Naa, and Kumbun Naa. Sibidow argues that the selection committee arrangement was adopted to protect the interest of the Abudu royal family and ultimately eliminate the Andani family from the contest (Sibidow, 1970). Tsikata and Seini notes that disagreement and lack of consensus still exist over the composition of the king makers and the procedures involved in the selection of a Ya Na, as well as on the particular rite or act involved in making one a Ya Na (Tsikata & Seini, 2004: p. 42).

The chieftaincy conflict in Dagbon, as earlier on noted, existed during the colonial period. It however started getting worse during Ghana's struggle for independence, when Ya Na Abudulai III (from the Abudu gate) was selected to occupy the Yendi Skin in March 1954 following the death of his father, Ya Na Mahamadu III (Naa Mahambla). This never went down well with the Andani royal family, and it generated a great amount of dissatisfaction among the Andani royal family .

The Andanis had the feeling that they were denied their rightful turn to occupy the Yendi throne (skin) under the rotational principle of succession. The Andani faction in the form of protest refused to recognize Abudulai III as King of Dagbon and used all means available to get the reigning king deposed. This however failed as Ya Na Abudulai III continued to rule Dagbon until his death in 1967 (Staniland 1975; Anamzoya 2004).

As noted, Abudulai III from the Abudu royal family died in 1967, and in 1968, Andani III from the Andani gate was made the Ya Na. This did not also go down well with the Abudus, and they petitioned the National Liberation Council (NLC), that was the then military regime in Ghana (1966–69) in that same year. The government of

NLC then set up the Mate Kole committee to inquire into the Dagbon chieftaincy conflict. The committee in its final report declared Ya Na Andani III's enskinment (installation) as null and void. It further noted that the installation was not in conformity with established Dagbon customary rites and traditional practices. The committee's report went ahead to recommend Boling-Lana, Mahamadu Abudulai IV (the regent of Ya Na Abudulai III from the Abudu gate) to be installed as the new Ya Na.

Subsequently, the NLC handed over power to the government of K.A Busia (1969–1972), and the new civilian regime accepted the recommendations of the Mate Kole committee's report. Within the year, Andani III died and this notwithstanding and in accordance with the committee's report, the Busia's administration declared his enskinment (installation) as null and void based on the recommendations of the Mate Kole committee's report. To implement the decision, the Andani royal family was forcibly removed from the royal Gbewaa palace resulting in the death of about 30 members of the Andani royal family. The then Bolin Lana, Mahamadu Abdulai IV was subsequently installed as the King of Dagbon (Ya-Na) with the support of K. A. Busia's administration (Olawale, 2006).

The Government of the Progress Party (PP) of Prime Minister K. A. Busia was later toppled by the Supreme Military Council 1 (SMC 1) of Colonel I. K. Acheampong (1972–1978). The regime change offered the Andanis an opportunity to petition the SMC 1 against the installation of Ya Na Mahamadu Abudulai IV. The SMC 1 accepted the petition by the Andani family and set up the Ollenu committee to inquire into the case to "ascertain the correct traditional and customary practices for nomination, selection and enskinment of a Ya Na" (Tonah, 2012). The Ollenu committee subsequently came out with its report declaring the enskinment of Ya Na

Andani III as lawful and his consequent removal as illegal. The Ollenu committee's report further recommended the deskinment (removal from the Yendi throne) of Ya Na Mahamadu Abudulai IV and installation of Kampakuya Naa Yakubu Andani II as the new Ya Na. To implement the recommendations, Ya Na Mahamadu Abdulai IV was invited to Accra, detained and forcefully removed from office in 1972 and Ya Na Yakubu Andani II installed as the overlord of Dagbon in the same year. However, the Abudus never accepted him as the Ya Na for Dagbon and vehemently refused to pay allegiance to him and continued without success to agitate for his removal. Since then, parallel traditional authority crept into Yendi and in almost all parts of Dagbon with devastating consequences.

During the military regime of the Provisional National Defense Council (PNDC) from 1981 to 1992, the Abudus took the opportunity and sent a petition to the government on the issue and subsequently took the matter to the appeal court which ruled in their favor by affirming and upholding the Mate Kole Committee's recommendations to the effect that Ya-Na Mahamadu Abudulai IV was legitimately selected in accordance with the Dagbon customary rites and tradition as Ya-Na. The Andanis quickly responded with an appeal against the verdict at the highest court of the land, the Supreme Court, for adjudication.

In December 1986, Ghana's Supreme Court ruled in favor of the Andani family by reverting to uphold recommendations of the Ollenu committee with minor revisions. Indeed, the Supreme Court further "affirmed the principle of the rotation system between the two royal gates as being fundamental to traditional rule in Dagbon" (Tonah, 2012). This final ruling was also not welcomed and accepted by the Abudus, as they continued to defy the authority of Ya Na Yakubu Andani II throughout his reign.

The conflict in later years took a completely new form and dimension, when in January 2001, the administration of the New Patriotic Party (NPP) of President John Agyekum Kufuor, which is widely believed to be sympathetic towards the course of the Abudu royal family, was voted into political office. The Abudus took the opportunity and mounted pressure on the government demanding performance of the final funeral rites of their late Ya Na, Mahamadu Abudulai IV in the Gbewaa palace as custom demands. Indeed, the late Ya-Na Mahamadu IV died in 1988 and his funeral has since not been performed. To back their demand, they resorted to challenging and ruthlessly undermining the authority of Ya Na Yakubu Andani II with impunity. The Abudus demonstrated this by organizing parallel celebrations of important traditional festivals and ceremonies, such as the Bugum, Damba, the Eid-ul Fitr and Eid-ul Adha celebrations just to rival and challenge the authority of Ya Na Yakubu Andani II. It was even reported that unlike before, from 2001 to 2002 the Abudus led by the Bolin-Lana, Abudulai Mahamadu (regent of Ya Na Mahamadu Abudulai IV) were alleged to have appointed chiefs to traditional offices within chiefdoms considered to be their strongholds in disregard to the right of Ya Na Yakubu Andani II, just to undermine and openly defy his authority (MacGaffey, 2006; Olawale 2006). The Andanis in general and Ya Na Yakubu Andani II in particular, considered all these happenings as an affront to the authority of Ya Na Yakubu Andani II. The Andanis were, therefore, determined to stop the happenings and the situation set in motion renewed hostilities and violent clashes. The occurrences generated wariness, uneasiness, and tension in Dagbon at the time. It was just a matter of time for violent clashes to erupt between the two feuding parties. According to Tonah (2012), in March 2002, tension in the town (Yendi) during celebration of the famous Bugum (Fire) festival created suitable conditions for

outbreak of renewed violence in Yendi. On March 25th, 2002, an alleged isolated attack on an emissary of Ya Na Yakubu Andani II by a group of Abudu youth and the destruction of his bicycle ignited a ferocious conflict between the two sides. This set in motion three days of combat between supporters of both factions which culminated in the gruesome murder of Ya-Na Yakubu Andani II and 30 others as well as burning and destruction of 36 houses in Yendi (Macgaffey, 2006; Wuaku Commission, 2002).

The Government of the New Patriotic Party (NPP), after the death of Ya-Na Yakubu Andani II and 30 others on March 27th, 2002, and acting under provisions of the 1992 Republican Constitution of Ghana and on a Constitutional Instrument (C.I.) NO. 36, 2002 appointed a three-man commission of inquiry under the chairmanship of Justice Wuaku, (a retired Supreme Court Judge) to make inquiries into events that led to the Yendi crisis from 25th to 27th March 2002. The commission was also to identify those responsible and to make appropriate recommendations to government for further action (Wuaku Commission Report).

The government accepted the recommendations submitted by the Waku commission and went further to issue a white paper on it and then set out to prosecute two accused persons from the Abudu gate found by the commission's report to have allegedly killed Ya-Na Yakubu Andani II. The two were subsequently acquitted and discharged one after the other by an Accra High Court for lack of evidence from the state prosecution team (Ghana News Agency, July 24, 2003). A report carried by the Heritage Newspaper on the 10th of July, 2004 issue noted that notwithstanding the acquittal of the two accused persons for lack of evidence, the New Patriotic Party (NPP) government insisted that the discharge of the two suspects never meant an end to the search for the perpetrators of the heinous crime and that the police were still investigating the matter.

The government of the New Patriotic Party (NPP) under President John A. Kufuor took a step further towards settlement of the Yendi chieftaincy crisis following the death of Ya Naa Yakubu Andani III and 30 others at the Gbewaa Palace in 2002. Aside the Waku commission, a committee of three (3) eminent Kings comprising the Asantehene (Otumfo), the Nayiri (King) of Mamprugu and the Yogbon-Wura of the Gonjaland traditional area was established and charged with the task of dialoguing with the two parties to find a solution to the protracted Yendi chieftaincy conflict. The committee was to do this through organizing and facilitating peace and reconciliatory talks with the Abudus and the Andanis. The committee after series of personal contacts and meetings with the two feuding parties mainly in Kumasi, facilitated crafting of a “Road map to peace” in Dagbon. The “Road map to peace” in Dagbon was presumed to have come into effect on Thursday, 30th March 2006 after three years of reconciliatory talks and dialoguing with the two opposing parties. Indeed, crafting of the “Road map to peace” in Dagbon was coordinated by the committee of three eminent Kings and its features included the following:

1. A council of elders comprising three (3) representatives from the Abudu and three representatives from the Andani families respectively to be constituted immediately to act in consultation with the Kuga-Naa to handle all traditional matters until a new Ya-Na was enskinned.
2. The burial of the late Ya-Na Yakubu Andani II was to take place on the 10th of April 2006 with consultation and active participation of the council of elders, and his regent appointed and installed shortly thereafter in accordance with Dagbon customary practice and tradition.

3. Performance of the final funeral rites of the late Ya Na Mahamadu Abdulai IV was to follow suit after the installation of the regent of Ya Na Yakubu Andani II
4. Performance of the final funeral rites of the late Ya Na Yakubu Andani II was to follow suit after the performance of the final funeral rites of the late Ya Na Mahamadu Abudulai IV
5. Finally, a new Ya Na was to be selected and installed for Dagbon in accordance with customary practice and usage.

Unexpectedly, both the Abudus and the Andanis pledged to abide by the "Road-map to peace in Dagbon" which was initiated by the government of Ghana and to encourage their supporters to respect the terms and conditions therein and also to continue to live in peace and harmony with one another. Regrettably, sixteen (16) years down the lane after signing of the government of Ghana's initiated peace agreement of the "Road map to peace in Dagbon", only the second article of the agreement out of the five had been implemented. Speaking on "Eyewitness news", on Ghana's Citi 97.3 FM radio news, the former Executive Director of West Africa Network for Peace building (WANEP), Mr Emmanuel Bombande, noted that the only best alternative to resolve the protracted Dagbon chieftaincy conflict was for negotiations to be held between the chiefs involved. The Professional Mediator noted that "...there is only one alternative and that is to sit down and talk for a rigorous satisfaction between the two royal families, that will lead to a long lasting solution".

In a similar perspective, one of the prominent spokespersons of the Abudu royal gate, the Regent of Tolon, Major (Rtd.) Abubakari Sulemana noted that the Otumfuo-led committee of eminent kings cannot resolve the protracted Dagbon chieftaincy dispute. He therefore recommended to government to consider facilitating

a resolution on the conflict by using the Dagbon traditional methods of conflict resolution to settle the conflict (Ghana's Citi 97.3 FM radio news of Monday, 12th January, 2015).

The conflict, notwithstanding all the initiatives, remained unresolved for years. In 2008, the government of the New Patriotic Party (NPP) was voted out of political office and it subsequently handed over power to the administration of the National Democratic Congress (NDC) in January 2009 with Prof. J.E.A. Mills as the president. In 2011, the state, under the government of President Mills, used evidence from the Wuaku commission's report once again to put Iddrisu Iddi (Mbadugu) and 14 other suspects from the Abudu family before an Accra High Court with charges of conspiracy and with acting together with a common purpose to murder Ya Na Yakubu Andani II "contrary to sections 23 (1) and 46 of the Criminal Offenses Act, 1960 (Act 29) as amended in count one". An Accra High Court on March 29, 2011, acquitted and discharged all the 15 accused persons once again for lack of evidence from the prosecution team.

It should be pointed out that the move to prosecute the suspects was seen by many to be a fulfillment of the 2008 electioneering manifesto promise of the National Democratic Congress (NDC) to find the killers of Ya Na, Yakubu Andani II and 30 others (See NDC 2008 Manifesto, page 34). According to Tonah (2012), the NDC from 2002 and 2008 "left no opportunity unutilized to castigate the ruling NPP government for complicity in the murder of Ya Na Yakubu Andani". Throughout the period, the issue continued to linger on as it was being highlighted by the media establishments closely linked to the NDC, "despite attempts by the ruling NPP government to resolve the problem through the Wuaku Commission, the Committee of eminent Chiefs, and other interventions by civil society groups (Tonah, 2012)."

From the foregoing, the two disputing parties to the Yendi throne (skin), the Abudu and the Andani families have been in search of appropriate approach for the resolution of the conflict, at one time or the other, appealed to various governments for intervention and government usually responded by establishing committees and commissions of inquiry and in certain instances the parties themselves resorted to the law courts for adjudication. Regrettably, none of these initiatives have been able to produce an amicable settlement of the conflict. The ADR method, when employed could be a better approach that could help in bringing about a desirable peaceful settlement of the conflict.

It is worth noting that the outcomes of these government initiated interventions and adjudications at the law courts had been based on judging who was right or wrong instead of resorting to the reconciliatory settlement approaches of the ADR, which have the advantage of resolving and transforming the conflict situation between the two conflicting parties and promoting trust and confidence that will set in motion the willingness to forgive one another in the spirit of truth and reconciliation. Thus, all recommendations by the various committees or commissions of inquiry and rulings by the courts never provided any mutually acceptable settlement in the Dagbon chieftaincy conflict. The fact is that each of the two royal families, when not in agreement with a recommendation or a ruling, will continue to protest and agitate against the ruling or settlement while bidding for an opportune time to take advantage of the coming into political power of a government that is sympathetic to its cause.

In consequence, the Yendi chieftaincy conflict continues to persist and is far from being resolved by the law courts or by the government-established commissions and committees of inquiry. The formal structures and public institutions have completely failed to address the main issues of the conflict. Other options and means

of settlement of the conflict are therefore required to bring about total peace in Dagbon. The ADR approach, which is an informal conflict resolution mechanism, has assumed prominence as an appropriate conflict resolution method which offers the greatest opportunity to disputing parties to amicably address their conflict situation. As a process, ADR employs the informal structures and bodies to settle, resolve or transform a conflict instead of the strict intervention by the government-established committees, commissions of inquiry and adjudication at the formal law courts. Indeed, the technique has the ability to resolve, transform and produce mutually satisfactory and lasting settlement outcomes of the conflict. This is because parties voluntarily submit their conflict to the ADR process and also select their own mediator or arbitrator or accept a recommended one by a trusted third party. Conflicting parties are therefore able to open up and share their most inherent concerns leading to a speedy and agreeable resolution of their conflict. In effect, conflicting parties own both the process, decisions and the settlement outcomes of their conflict through the ADR approach.

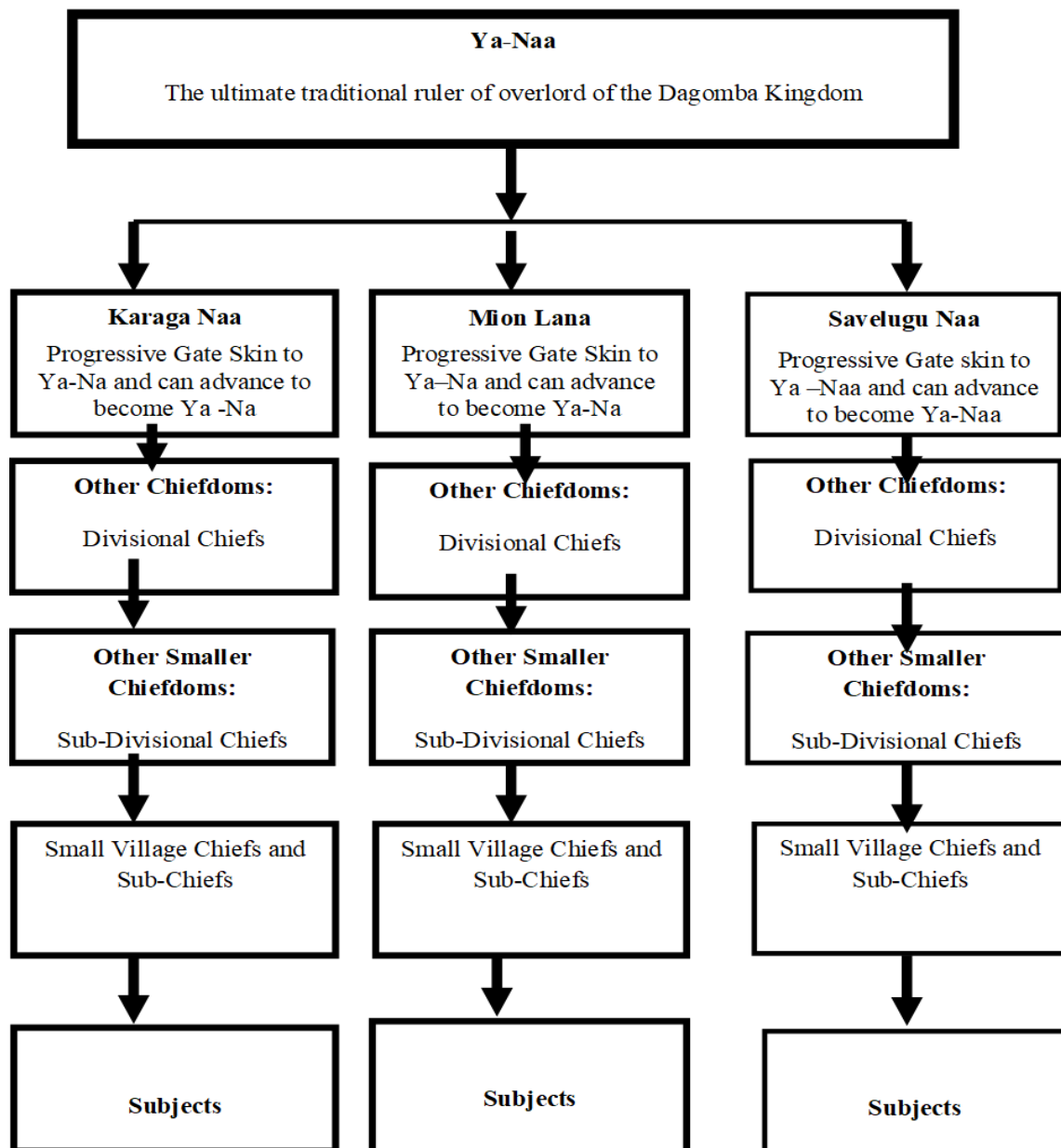


Figure 3. The existing traditional hierarchy of the Dagbon Kingdom. *Note.* Courtesy: Ebenezer Atosu Asiedu - Examining the State's Capacity in the Management of the Dagbon Crises in Ghana: African Leadership Center (ALC) Report № 1. August 2008

Structure and organization of the study

This study is organized into five chapters in structure, content, and order. The first chapter is on the introduction and background of the study while chapter two deals with the theoretical perspectives and review of literature. The third chapter is on the research methodology and chapter four centers on data analysis and presentation

of findings. The fifth and final chapter is on the presentation of results and implications of the study. A list of references and appendices have also been provided.

Chapter 2: Theoretical perspective and review of literature

Introduction

Theories give explanations to different aspects of social interactions and go further to provide testable propositions about society and social phenomena.

Dahrendorf (1959) states that, a theory is "the net which we throw out in order to catch 'the world' to rationalize, explain, and dominate it". Dahrendorf went further to describe scientific theory with the metaphor of "searchlight" and that what the searchlight makes visible depends on its position and upon what it is directed and on its intensity, color, among other things and it also depends largely on things illuminated by it. Scholars and researchers in the humanities and social sciences have therefore developed scientific theories in order to use them to explain social phenomena and social actions: how they occur, why they do happen and what the outcomes and likely consequences could be. In effect, the process of theorizing involves the study and analysis of social phenomena, social actions, social interactions, and social contacts. Every theory is selective and specific on a particular social issue and is by that able to provide direction for analysis based on relevant facts within a particular context while excluding others (Dahrendorf, 1959: p. 100).

On the basis of the above explanations, therefore, a theoretical perspective provides justification to an expressed opinion or viewpoint about a social phenomenon or social action. It considers features of a social phenomenon in a particular discipline and then makes definitive assumptions about it. Theoretical perspectives also establishes the foundation on which an explanation is provided for a better understanding of the social phenomenon. A theoretical perspective therefore, enables social science researchers to provide explanations in a clarified manner to human behavior, attitudes and actions and on other issues of society.

In this study, three significant theories have been employed to aid discussions and understanding of the thesis of this study and these are the ripeness theory of conflict resolution, Hobbes inherency theory and the group identity theory.

The ripeness theory of conflict resolution

The “ripeness” theory of conflict resolution is one of the known Alternative Dispute Resolution (ADR) theories which has been conceived and publicized by Zartman (2001). The concern of the theory is on the procedures in which decision-makers turn to ADR processes such as arbitration, negotiation, mediation, and reconciliation, among others, for mutual settlement of conflicts. The “ripeness” theory lays more emphasis on correct timing as being necessary in order for a conflict to be resolved through the process of ADR. According to Zartman (2001), when “... parties find themselves locked in a conflict from which they cannot escalate to victory, and this deadlock is painful to both of them.....they seek an alternative policy or a way out" (Zartman, 2001: p8). On the correct timing or moment for the resolution of a conflict, the theory explains with an analogy that, just like when“...apples need to be ripe in order to be ‘good’ for consumption” (Klieboer, 1994), only a ripe conflict is conducive for ADR mediated or negotiated settlement.

Zartman (2001) goes on to prescribe two conditions which ought to be present, but of course not sufficient, in a conflict for it to be “ripe” for conflicting parties to open up to mediation or negotiation, either bilaterally or through mediation by a third party. Firstly, both parties in conflict or dispute must foremost be in a hurting stalemate (i.e. in an impasse) even though the degree and effects of the stalemate on the parties may not necessarily be of the same scale or content and context. Secondly, the parties in a conflict ought to be optimistic about a successful

ADR approach to be employed and also be positive about the possible outcome before accepting to embark on it.

When the hurting stalemate is reached, parties find themselves in a painful state and cannot move out of such a position and for that matter will ultimately be in the grips of a hurting stalemate. The conflicting parties will then have to come to terms with the reality that their conflict situation is affecting them negatively and that protracting it further will lead to no benefit or realization of one party's perceived interest at the expense of the opposing party. It is when parties find themselves locked up in a conflict this way and in a painful deadlock and cannot escalate to victory that they turn to seek an alternative way out of the conflict (Pruitt, 2005).

All "ripe" moments in conflict resolution under the ADR approach are usually identified by parties as an opportunity and seized for negotiation, mediation, arbitration or facilitation (Zartman, 2003). Thus, the "ripe" moment for conflict resolution according to the "ripeness" theory, refers to the instance and state of "mutual hurting stalemate and a mutually perceived way out" (Coleman, 2008a). In that regard therefore, speakers or representatives of conflicting parties planning for the ADR process have the responsibility to make assessments and pronouncements as to whether the conflict situation is 'ripe' for ADR or not. They will then proceed further to seize and make use of the opportunity, if identified to be 'ripe' enough. It was on the basis of this that Prime Minister Ehud Barak on the Middle East peace talks was cited to have said in 2002 that the Bush Administration had "concluded that circumstances were not ripe for a high-level effort to restart peace negotiations" in the Israeli-Palestinian conflict (Zartman, 2003). President Obama was also quoted to have stated in January 2009 that "the moment is ripe" to renew Israeli-Palestinian peace

talks (Holbrook, 2002). Zartman (2000) added that the “ripeness” of a conflict also encourages continuation of negotiation or mediation, once it starts.

One other feature of the “ripeness” theory is that, it is a necessary condition but not a sufficient one for the ADR (Arbitration, Negotiation, Mediation, etc.) process to start. The situation must, therefore, be carefully studied and the opportunity seized by the conflicting parties. A trusted third party such as a government, a state institution, a statutory body, a NGO or an international body can also intervene to persuade conflicting parties to put their conflict before ADR for an amicable settlement if the conflict situation is actually “ripe” for a resolution. Therefore, with a genuine belief that a third party can assist in a mutually agreed settlement that could help eliminate parties' hurting stalemate, parties may go in for ADR to resolve their conflict. Acceptance of the involvement of a neutral third party that will help to conjointly resolve a conflict through the ADR mechanism is also a necessary condition for a conflict to be ‘ripe’. Consequently, the above conditions leading to “ripeness” of a conflict for a resolution, as envisaged by the “ripeness” theory, are of immense importance when it comes to conflict resolution using the ADR approach.

From the foregoing, the “ripeness” theory by Zartman (2003) can be employed to make an assessment as to whether the Dagbon chieftaincy conflict is ‘ripe’ enough or not for settlement using the ADR mechanism. Subjecting the conflict under study to test under conditions pertaining to the “ripeness” theory, produces outcomes that are clearly inherent in the history of the conflict. At one time, a particular royal family emerges victorious in the dynamics of the conflict, then the other royal family gets frustrated, at another time the frustrated royal family comes out winning, then the previously triumphant one becomes agitated. The conflicting parties in the Dagbon chieftaincy conflict (the Abudu and Andani royal families) are in the state of a vicious

cycle of “mutually hurting stalemate”, and it is only a neutral trusted third party that can help remove the hurting stalemate which they are currently experiencing. The fact is that both parties have been affected by the conflict in one form or the other. Simply put, the Abudu and Andani factions are in a ”hurting stalemate” and they dependently requires a third party intervention to help them out of their predicament. The Abudus and the Andanis have reached the realization that all channels that are necessary for each party's group interest to be met are completely blocked, and this has kept them in a tongue-tied position, which is hurting each group concerned in a very costly manner. This will ultimately propel them to move towards acceptance of a neutral trusted third party intervention for the mutual resolution and transformation of their conflict situation through the use of the ADR method. There is, however, more to this than one can imagine, and this study hopes to have shed more light on the perception of the conflicting parties and their supporters on the suitability of using ADR method to resolve the Dagbon chieftaincy conflict as the right moment sets in.

The “ripeness” theory has been criticized for lacking “political dimension” (Haass, 1990; Hancock, 2001; Stedman, 1991) and for focusing absolutely on decisions made by group leaders. Thus, the theory fails to pay attention to internal political processes and individual group members ability to influence as they often do influence or even could change or displace decisions by leaders. This is more especially so when decision making is decentralized or when sharp differences of positions occur between and among stakeholders who could influence the course of the conflict.

Hobbes' inherency theory

Thomas Hobbes (1588-1679) is one of the renowned English philosophers concerned with the political and social order of society. The philosopher's attention

has been on how human beings can live together peacefully devoid of the fear of social conflict. The philosopher's argument in *Leviathan* (1651) is that "the condition of anarchy is a condition of violent conflict." He goes on to state that "...the state of nature is a state of "warre" as is of every man, against every man." According to Hobbes, man lives in "continual fear, and danger of violent death" and by that live a potentially short and miserable life. This is because man requires security, the absence of which results in no industry, no agriculture, no commerce and no science or arts. By interpretation therefore, and in accordance with Hobbes view, the life of man is "solitary, poor, nasty, brutish and short" (Hobbes 1991: chp. 13, p.88–89).

Thomas Hobbes, in effect, tries to show the World that even though man rationally prefers peaceful coexistence to conflict, the circumstance of the state of nature in which he lives is such that hostile behavior progresses and enhances an individual's aim and motive more than peaceful deeds. According to Hobbes' view, is man by nature violent and seeks power upon power in order to be secured. In the nature of man, Hobbes explains further, three things can be found necessitating conflict, namely; competition, diffidence, and glory. In pursuit of any of these three things, it is impossible to suppress any aggressive tendencies of human hostility and violence. However, before proceeding to discuss Hobbes' assertion, it can be argued that the perception of man as being insistent and violent falls short of taking into account environmental and other factors that could influence man to act aggressively or violently.

Competition, which is the first cause of war, according to Hobbes, "maketh" human beings to invade one another in order to achieve their felt needs, desires and interest. The competition does not arise just from the general scarcity of natural resources, as some commentators consider it (Malnes, 1993). According to Hobbes,

the competition is not as a result of scarcity of resources that are not sufficient for all, but rather the resources are "necessarily insufficient for the satisfaction of everyone's unceasing drive to increase and maximize one's instrumental power". The competition leads men to be much concern with power, which Hobbes defines as man's "present means to obtain some future apparent good". Power is not absolute and whatever aspect of "natural power" one may lack, it may be compensated by an increase in 'instrumental power', such as the acquisition of wealth or reputation and friends or allies (Sorell 1986, .p.100–101).

Power in itself is considered to be inflationary, as it is relative to other people's power in Hobbes's explanation (Gauthier 1969). For instance, the power of a person to acquire and hold on to a particular thing in life may be sufficient only when it is comparatively superior to the power of others who desire the same thing and insufficient only when it is relatively inferior to the power of others who desires the same thing. Therefore power seekers must necessarily acquire more power as a result of its inflationary nature if they are to safeguard the future of the power that has been attained (Lav. Ch. 11, P. 70). Consequently, man has the inclination and "a perpetual and restless desire for power after power that can only be ended by death" (Lav. Ch. 11, P. 70).

This offers an understanding of why human beings are always in competition for resources upon resources and consequently for power after power. The first cause of conflict, as stipulated by Hobbes' inherency theory, which is competition and the struggle for power is a key feature of the Dagbon conflict. This is because for the past five decades, there have been immense competition between the Abudu and Andani royal families as to who is to become the next Ya Na and hence rule over Dagbon. These power struggles have resulted in violent clashes bringing about scores of deaths

and destruction of property. The power struggles continue to exist because none of the royal gates wants to give up on gaining control over the Dagbon territory and resources.

Hobbes considers the second cause of conflict to be “diffidence” or lack of trust in others. He explains that “diffidence” arises as a result of man being in search of security and safety. Indeed, this view of Hobbes on the second cause of conflict, which is ‘diffidence’ or what he explains to mean lack of trust in other people, is of utmost concern. Hobbes argues that the human being in the nature of man is of the belief that his or her life is premised on two essentially grounded conditions. The first being that human beings are natural competitors in pursuit of power and other resources will always aim or aspire to increase and sustain power. Secondly, the human being is of the conviction that not any other person or group of persons should claim natural superiority over the other in the competition. These two conditions ultimately leads to the emergence of social unrest in society as parties and their opponents consider each other as having the ability to eliminate the other, either by secret maneuvering or by collaborating with a third allied party that is in similar danger, if not the same in pursuit of conflict. Thus, a situation of this in the nature of man ultimately creates an environment of mutual fear, which compels “people to attack one another by the logic of the situation, no matter what their motives” may be (Ryan, 1996, p. 220). The issue of diffidence manifests itself in the Dagbon chieftaincy conflict. Efforts by successive governments and other stakeholders to intercede and find lasting solutions to the conflict have failed because of the problem of mistrust. The parties are always suspicious of one another and have not been able to have faith and genuine belief, either legitimate or otherwise, of the opponent’s moves towards resolution of the conflict. The suspicion and mistrust are also extended

to any stakeholder perceived by any of the parties to be an ally of the opponent. For instance, as the Abudu royal family members are seen to be ardent supporters of the New Patriotic Party (NPP), any interventions by the NPP government to bring an end to the conflict invites suspicion and mistrust from the Andani royal family members and the initiatives often prove futile due to the suspicion and mistrust of the intention by the Andani royal family members who are mainly followers of the National Democratic Congress (NDC). In a similar vein, any moves or interventions by the NDC government to resolve the conflict are often met with suspicion and mistrust by the Abudu royal family and the ideas are often resisted. In that regard therefore, the diffidence prolongs the conflict since each of the royal families are suspicious and cannot trust one another.

The third cause of conflict in the opinion of Hobbes, in the nature of man, is man's desire for glory which is typical and characteristic of every person. The purpose of true glory is to help provide safety and security which is inherent in every person for the opponent to place value on him or her up to his or her own expectation. In that regard therefore, seeking glory is a rational passion and natural endeavor of all people in the state of nature, and man will exert all that it takes to achieve it. The value of man, according to Hobbes, is the price that others will pay for the use of his power (Lav. Ch. 10; Gauthier, 1969, P.16).

Glory seekers want some amount of value to be placed on them and the value "is the price that others would pay for the use of his glory (power)" (Gauthier, 1969, P.16). Glory relates to reputation and creates a social environment in which people places high value on power that is being possessed by others. Lack of glory or value, therefore, threatens the safety and security of the affected person. There is therefore, the greater tendency for people to have conflict with those deemed not to have

appreciable value, and in the nature of man is such that people lack the capacity and ability to defend the group they belong to and are therefore always vulnerable (Hampsher-Monk, 1992, p.25).

In glory seeking, the effort of man is geared towards building a reputation by being aggressive and resorting to actions that could be damaging to those deemed to be inferior and having lesser value. On the other hand, if a person can be resistant to attacks and cannot be easily subdued in a conflict situation, then his safety and security cannot be threatened. There are however, realistic and unrealistic seekers of glory. The realistic seekers of glory are those that have been explained in the preceding discussions. The unrealistic or vain glory seekers pursue glory, not based on their actions or on what they can do, but rather "...on the flattery of others, or only supposed by (themselves)" unrealistically. When a difficult situation or danger is geared towards these people, they lack the will power and courage to confront the danger and may simply give up or sacrifice their honor and reputation (i.e. glory) with excuses (Lav ch. 11, p.72).

Thus, when glory is not backed by glorious deeds, then the glory is referred to as vain glory. By its nature, vain glory does not provide safety and security for its claimant(s) which is the purpose of realistic glory. The concept of power by aggressors is not consistent with the concept of glory as put by Hobbes. This is because their efforts to achieve glory are based on their "acts of conquest." The acts of violent behavior of aggressors are deemed by them to be sending signals to others, especially those likely to attack them, of their power to resist and defend themselves. By their nature, aggressors cherish glory to such an extent that they are always prepared to risk their lives in order to achieve glory.

The claim for glory is a key characteristic of the Dagbon conflict. Both the Abudu and the Andani royal families regard the groups they belong to be dominant, and hence, in order to exhibit their superiority over one another, they have to engage one another in the conflict which leads to violent clashes in order to gain what Hobbes refers to as “realistic glory”. The claim for realistic glory between the Abudus and Andanis is one of the major causes of the conflict which existed for decades.

Theory of group identity and conflict

The theory of group identity and conflict has it that a person does not have just "one, personal self," but rather possesses "several selves" which eventually corresponds to widening of the scope of group membership and distinctiveness. This in turn, necessitates the existence of different social contexts which ultimately influences the individual to perceive, think, experience and do things on the basis of his or her personal, family, community, or national "level of self" (Turner, Hogg, Oakes, Reicher, & Wetherell, 1987). Indeed, the individual concept of social identity is derived from his or her idea of belonging to a social group (Hogg & Vaughan, 2002). Consequently, it is an individual-based perception of group belongingness what defines the “We” which is associated with any internalized group membership which can be distinguished from the idea of personal individual identity and by that refers to self-knowledge that is derived from the individual’s distinctive attributes.

The assumption of the group identity theory is that group membership creates in-group or self-distinctiveness in ways that favor the inner-group at the expense of the outer-group. Turner and Tajfel (1986) in their “Minimal Group Studies” show that the simple act of individuals categorizing themselves into group membership is enough for them to display favoritism for the inner-group and discrimination against the outer-group. Thus, after being classified into a group membership, the individual

then tries “to achieve positive self-esteem by positively differentiating” their inner-group in comparison to an outer-group based on some group values. Consequently, positive distinctiveness based on group identity and values sets in, with people being conscious of whom their group members are and defined in terms of “We” rather than “I”.

Still on the group identity theory of conflict, Tajfel and Turner (1979), for a better understanding of the theory, identified three important variables, contributing to the emergence of inner-group favoritism of its members and discrimination against the outer-group members. Firstly, the extent to which individuals identify themselves with an inner-group and then accepting that group membership as an aspect of their self-concept is relevant. Secondly, there is the need for the emergence and the extent to which the prevailing situation will provide basis for comparison between the inner-group and the outer-group. Thirdly, the relevant perception of the comparing inner-group ought to be shaped by the relative and absolute status of the inner-group. Under such situational context, individual group members are likely to display favoritism and discrimination, if an inner-group presence is vital to their self-definition, and a meaningful comparison of the contest could be made.

Writing on ethnicity and ethnic relations in Ghana, Ametewee (2007) describes an ethnic group as being "socially distinct people that is seen as different by members of the group and by others, primarily on the basis of a common cultural heritage and ancestry". Thus, the group members' sense of ethnic belongingness is inherently embedded in their shared cultural values, customary practices, past experience, their understanding of things and group consciousness. This consciousness of a kind "drives ethnic groups to maximize their corporate, political, economic, and social service interest" (Tonah, 2007) to such a level that inter-ethnic

group relations develop to become competitive and then conflict-prone rather than cooperation. The relationship of competing groups when based on prejudices and stereotypes begets conflict. A particular group will conceive and nurture a perception and goes on to express and unleash negative attitudes towards members of a targeted competitive "other group." The feeling of group belongingness which is based on differences in social and cultural arrangements, negative attitudes, perceptions and discrimination against other competing outer groups, among others, serves as an emotional mechanism in conflict relations and can manifest itself into violent conflicts of all kinds. Thus, the division of a social environment into "We" and "They" groups cannot be downplayed when it comes to group conflict.

Group identity, which relates to self-awareness and self-consciousness of group members, manifests itself in the Dagbon conflict and for that matter serves as one of the root causes of the conflict. The Dagbon chieftaincy conflict has been impacted largely by the phenomenon of group identity and the opposing interests that exists between the conflicting parties. Common interest and collective grievance exist among the group members, and these certainly form the pivot on which the inner-group members rally around in pursuit of the cause of the inner-group.

Even though the two parties, (i.e. the Abudus and Andanis), first and foremost belong to the same Dagbamba ethnic group, their loyalties are more to the sub inner-group (Abudu or Andani) they belong to than to the larger outer-group as a result of perceived common interest and collective grievances of members of each of the two groups. Indeed, an individual in Dagbon will have to belong to either of the two groups before contributing meaningfully towards resolving or escalating the conflict. The mere mentioning of the group a particular Dagbana belongs to (Abudu or Andani) is enough to conclude on what that person's interest or grievances are with

regards to the chieftaincy conflict. Persons belonging to either of the two groups when looking for a favor will not hesitate to identify themselves to members of the group they belong to. Thus, the conflict persists without a resolution because none of the opposing groups is content with the status of the group they belong to and as such are in conflict and by that working to raise the status and glory of the group they belong to. Thus, the conflict is within a context in which group identity takes precedence over ethnic identity such that being Abudu or Andani takes antecedence over being a Dagbana.

Review of literature

This section reviews literature relevant to the thesis of the study. The first section reviews literature on the concept of conflict. The second section of the literature looks at chieftaincy and inter-ethnic conflicts in Ghana, while the third section explores how ADR has been utilized in different cultures and country contexts.

The concept of conflict

Conflict is said to exist between two or more parties in a situation in which each one of the parties seeks to attain an outcome that the other opposing party is apparently unwilling to agree to. That is to say, conflict leads to a belief by the conflicting parties that their current aspirations are incompatible (Pruitt & Kim, 2004) in the sense that if one party gets what it wants, the other opposing party will not be able to get what it wants. Thus, conflict is mostly based on perceptions, which usually have an immediate impact on behavior and degenerates into conflict at a faster rate with greater consequences, than expected.

Conflict exists when and wherever incompatible activities occur "...an action which prevents, obstructs, interferes, or in some way makes it less likely or less

effective” (Hocker & Wilmot, 1995). The two authors maintain that all conflicts are built upon the parties’ perception of incompatible goals. From the onset, parties assume that the other opponent wants the same thing that both desire. However, as conflict builds up the parties then become aware of differences in their goals and interests and may consider the other party as an obstacle to the attainment of its own goals or interests. Conflict resolution can then be obtained if both parties are able to find common ground and are able to work together (Hocker & Wilmot, 2013)

Bolton (1986), on conflict, notes that there are two different and distinct types of conflicts, namely; realistic and nonrealistic conflicts. The explanation given is that in realistic conflicts, there are opposing needs, goals, or values, while in nonrealistic conflicts “ignorance, error, historical tradition and prejudice, poor organizational structure, displaced hostility, or the need for tension release” exist (Bolton, 1986). Technicomp (1995), on his part, classifies conflict into three categories, namely; relational, task-related, or mixed. relational issues are highly personal and revolve around individual or group differences, work habits, and communication styles. Tasks-related issues are impersonal and refer to ideas, meanings, issues, and procedures. Mixed conflicts on the other hand, include both task-related and relational issues.

In the opinion of others, conflict exists where incompatibilities exist "...an action which prevents, obstructs, interferes, or in some way makes it less likely or less effective" (Hocker & Wilmot, 1995). These two authors maintain that all conflicts are built upon the parties’ perception of incompatible goals, assuming that the other party wants the same thing. However, as conflict occurs and builds up, the parties will then become aware of the differences that exist in pursuit of their goals and interest. Consequently, one of the parties will now perceive and consider the other as an

opposing party and for that matter, an obstacle to the attainment of its goals or interests. It is at this stage that conflict resolution can be pursued, provided both parties are determined to find common ground to work together to mutually reduce, or if possible, completely eliminate their perceived differences and thereby allow peace harmony to prevail.

Weeks (1992), in his writing notes that, conflict is a “complex phenomenon of human interactions” and an outgrowth of the diversity that characterizes people’s thoughts, attitudes, beliefs, perceptions, social systems and structures (Weeks, 1992, p.7). The author maintains that conflict is as much part of human existence as evolution (Weeks, 1992. p, 7). It occurs in situations where incompatibilities exist “...an action which prevents, obstructs, interferes, or in some way makes it less likely or less effective (Hocker & Wilmot, 1995).

Weeks’ explanation buttresses the point that the occurrence of conflict is inevitable in every human endeavor and it is neither positive nor negative. It is however, the conflicting parties that have the influence and power to determine whether or not a conflict becomes negative or positive, and this is contingent on the way people in conflict handle their conflict situation (Weeks, 1994: p.7). Indeed, conflict, when characterized by violence and destruction, impacts negatively on the people in that conflict. For Weeks, conflicts have the potential to create opportunities for mutual benefits of conflicting parties if they are able to “develop and make use of positive, constructive conflict resolution skills” to amicably address the issues in conflict. Weeks maintains that such a situation depends largely on how the conflict has been handled. In that regard, Weeks (1994) sees conflict as something that can promote “personal development and social evolution” and has the tendency to generate opportunities for conflicting parties to “learn from and adapt to the

diversities and differences” that characterizes society by creating alternative ways of thinking and acting (Weeks, 1994, P2. 7). In that regard, therefore, understanding the positive elements inherent in all conflict situations is very essential in conflict resolution (Weeks, 1994).

Weeks goes on to note that conflict is inevitable and that it is part of human existence, just like an evolution and that it is neither positive nor negative. In that regard, therefore, the chances of dealing with conflict effectively could be harmed if the conflict is feared and perceived to be negative. For Weeks, a lot of conflicts can be translated into opportunities for mutual benefits of the conflicting parties and for society in general. If positive, constructive conflict resolution skills are crafted and adopted in dealing with the conflict; conflicts have the ability to challenge members of society on how to manage their differences by utilizing the diversities that are natural and the diverse characteristics of society for mutual benefits of the conflicting parties.

There is therefore, the need to take steps to resolve conflicts whenever and wherever they occur. This brings us to conflict resolution and transformation as a means of addressing conflicts, and that is reaching mutual agreement and settlement. The overall objective of reaching a mutually acceptable agreement and settlement is to improve the overall relationship of parties in conflict for better interactions between and among parties and for continuous inter-dependence on one another. It is, however, worth noting that conflict resolution or transformation may not yield positive results unless it is based on a "conflict partnership approach." In pursuance of conflict resolution or a transformation process, parties reach three main levels of settlement, namely; top, middle and lower levels of conflict settlement. The middle level is the product of the conflict partnership approach. The explanation is that the

lower level of conflict resolution sets in when one of the parties defeats the opposing party in a win-lose situation. The conquered party then submits to the demands of the vanquished. This results in causing “mutual damage” to the relationship that exists between the parties and thereby spelling doom of the relationship. The middle level of conflict resolution is pursued mainly through the Alternative Dispute Resolution (ADR) method of mediation, negotiation and arbitration among other approaches to conflict resolution. It develops when two asymmetrically opposing parties come to a mutually acceptable agreement in settling an aspect of the conflict but do little to consolidate gains made to better the relationship beyond the immediate needs. The top level results in what conflict partnership is designed to achieve. It is attained when conflicting parties arrive at a settlement in which certain felt needs and desires of the parties are met with mutual benefits leading to the transformation of the conflict situation and an improvement in the existing relationship.

The conflict partnership approach is based on the “realistic principles of human behavior and communication” (Salinas & Abu Rabi, 2009, p.35) and has to do with the skills to “unblock disagreements” and to paving the way for parties to be able to recognize each other and what they are out to achieve (Salinas & Abu Rabi, 2009, p.35). By this approach, the concealed perceptions of the conflict by parties, and the shared needs of parties are discovered, and a plan is drawn for execution in order to establish a better relationship in future rather than blaming the past for everything. According to Weeks (1992), the approach also allows parties to identify what could be done and the processes to be followed in arriving at a mutually agreed settlement.

Weeks further argues that for parties to transform their conflict situation for mutual benefit, there is the need for change of perception by parties involved on what the conflict is all about. As a first step, the perception that "conflict is always a

disruption of order, a negative experience, an error or mistake in a relationship" ought to be changed completely. The perceptual transformation can explain better differences and diversities of parties in a relationship, and this can further help in unearthing additional ways of thinking and of providing alternative options in order to accommodate one another in an interdependent manner (Weeks, 1994, P.7-8).

Weeks (1994) notes further that, the perception of conflict as “a battle between competing and incompatible self-interests or desires” of parties needs to be changed as well, if conflicts are to be resolved and transformed. Perceiving conflicts this way has the tendency of “eating” away the chances of reaching a win-win conflict settlement situation. In such circumstances, parties tend to block what each other wants while pursuing their own desires, needs or goals and at the same time ignoring those of their opponents in the conflict. The third perception that must be altered is using a particular conflict to determine the entire relationship that exists between conflicting parties and thereby side-stepping the overall long-term relationship. For Weeks (1994), “conflict punctuates the long-term relationship” by bringing to the fore, issues that need to be addressed for the attention of parties in conflict resolution partnership. Weeks (1994, p.9) finally advocates for the avoidance of perceiving conflict as involving a “struggle between absolutes, such as right and wrong, and good and evil” tags to conflict. In that regard, the writer recommends “exploring the possibilities that a particular conflict may be over subjective preferences rather than values” as there are other features of the relationship on which to build on.

Thus, conflict is part of human society and it occurs in order to stimulate “new thoughts, for promoting social change, for defining our group relationships” (Schellenberg ,1996: 9) and for helping human beings to be able to make meaning out

of their personal and group identity as well as many other things taken for granted in their everyday lives (Schellenberg, 1996).

The approach of conflict resolution is based on “realistic principle of human behavior and communication” (Salinas & Abu Rabi, 2009, p.35) and has to do with the skills to unclog differences and entrenched positions of parties and paving the way for parties to be able to recognize each other and what they are out to achieve (Salinas & Abu Rabi, 2009, p.35). By the approach, the concealed perceptions of the conflict by parties and the shared needs of parties are discovered, and a plan is drawn for their execution in order to establish a better relationship in future rather than blaming the past for everything. According to Weeks (1992), the approach also allows parties to identify what could be done and the processes to be followed in arriving at mutually agreed settlements.

Miall (2004) identifies three moves towards conflict intervention, namely; conflict management, conflict resolution and conflict transformation. According to him, the three do not only distinguish varying approaches to conflict intervention but additionally explain different ways in which conflicts are conceptualized. Miall (2004) further argues that the philosophers of conflict management see “violent conflicts as an ineradicable consequence of differences of values and interests within and between communities”. The possibility of violent conflict, according to Miall (2004), has the tendency of occurring “...from existing institutions and historical relationships that exist between the conflicting parties...” and out of established structures through which the distribution of power occurs. For Miall (2004), it is unrealistic to resolve conflicts that fall into such a category. That, the best intervention approach is to manage and contain conflicts of this type and gradually

attain a historic compromise within which the violence may be laid to rest and give way for normalcy to resume.

Miall (2004) then goes on to define conflict management as an art of an appropriate intervention approach which aims at “achieving political settlements, particularly by those powerful actors having the power and resources to bring pressure on the conflicting parties in order to induce them” to pursue the course of settlement. The definition of conflict management by Bloomfield and Reilly (1998) aptly throws more light on the conflict situation of this kind as it considers conflict management as being “the positive and constructive handling of differences and divergences that exist between conflicting parties”. Indeed, the approach does not support any method that will remove or resolve conflict but rather concerns itself on how to manage conflict in a positive manner and that is, how to bring opposing parties together in an accommodating mode, how to design a practical, achievable and mutually cooperative arrangement for the shared beneficial execution of differences (Bloomfield & Reilly, 1998, p.18).

Miall (2004) contrasts the view of conflict management theorists to that of conflict resolution philosophers. He reiterated that the latter rejects the "power political view of conflict management by the former." According to him, proponents of the conflict theory argue that in collective and identity conflicts, people do not cooperate on issues bordering on their fundamental needs. This aptly describes the Dagbon conflict and the stalemate that has characterized it for decades now. Miall (2004) explains further that parties in conflict may be more than prepared to resolve their conflicts if helped to "explore, analyze, question and reframe their positions and interests". Thus, for advocates of conflict resolution theory, the emphasis is on ADR and that is intervention by skillful and less powerful third-parties working informally

with parties in conflict to promote fresh opinions, views and ideas for the establishment of renewed relationships (Miall, 2004). The Abudu and Andani factions by this assertion ought to put their conflict before ADR for a resolution.

From the forgoing, the notion of conflict resolution tries to discover the real root causes of the conflict and then identifies a creative resolution approach which the parties have not been able to unearth in their commitment to entrenched positions in a stalemate. It is about how parties can move from the negative in combination with destructive prototypes of conflict to positive and productive outcomes. Thus, the aim of the conflict resolution concept is to develop processes and procedures for conflict resolution that will be mutually acceptable to parties and effective in conflict/dispute settlement (Azar & Burton, 1986, p.1). Conflict resolution, when successfully pursued and in which the parties are committed to and respect the terms of the settlement could ultimately lead to the transformation of the conflict.

According to Miall (2004), conflict transformation theorists' arguments are that modern conflicts "require more than the reframing of position and the identification of win-win outcomes." Therefore, contemporary conflict intervention requires a conflict transformation approach to engaging parties with the aim of "transforming the relationships, interests, discourses and, if necessary, the very constitution of society that supports the continuation of violent conflicts" (Miall, 2004).

Thus, conflict transformation entails comprehensive and wide-range intervention strategies in which relevant stakeholders are involved and have various roles to play in order to bring about long and everlasting peace building and that may include people within the conflicting parties, those within society or affected geographical area, as well as third party persons with significant human and material

resources. In effect, the transformational approach emphasizes support for relevant groups within society in which conflict occurs. Miall (2004) further emphasizes the need for conflict transformation to ensure that the conflict at stake is transformed steadily, through series of minor to bigger interventions as well as through a step by step course of progression involving various stakeholders with specific significant roles to play.

According to Lederach (1995), "conflict transformation must actively envision, include, respect, and promote the human and cultural resources from within a given setting". For Lederach, conflict transformation has to do with a new set of lenses with which people do not primarily see "the setting and the people in it as the problem" and "the outsider as the answer." Thus, understanding of the long-term goal of conflict transformation has to do with corroborating and building on both human and material resources within the setting in order to bring about an everlasting peace in a conflict situation (Lederach 1995).

From the above literature review, it could be inferred that the Dagbon chieftaincy conflict is still under the auspices of conflict management and that the use of ADR could help in the achievement of conflict resolution and transformation. Thus, management of the conflict can bring about cessation of hostilities and violence at one time or the other but will not translate into total peace in Dagbon. As earlier on noted, the Dagbon conflict has historical roots and that is a contributory factor to the difficulty in finding lasting solutions to it. The use of the court system and governmental interventions through the work of committees and commissions of enquiry only help to bring about temporary halting of hostilities and violence. However, with the use of ADR, the entire conflict will get to the resolution stage and then to transformational point where the focus will be on finding a lasting solution by

involving all relevant stakeholders from the two royal families. ADR practices, such as arbitration, customary arbitration, or mediation, could serve the right purpose of ensuring that no stone is left unturned in ensuring complete conflict resolution and transformation of the Dagbon chieftaincy conflict.

Chieftaincy and inter-ethnic conflicts in Ghana

In a Ghana Country Report (Working paper 11), Hughes (2003, p.18) notes that in Ghana “traditional leadership and chieftaincy occupies a paradoxical position...” whereas in certain cases it can be a source of stability, in others, it can exacerbate, escalate or even intensify conflict. The author argues further that most violent conflicts in Ghana directly or indirectly have chieftaincy dispute elements in them. For Hughes, there are historical and primordial dimensions to chieftaincy conflicts or disputes which make them very complex and complicated to mediate or even adjudicate (Hughes, 2003). He identified group distinctiveness, competition over scarce resources, and manipulation by politicians, especially during electioneering periods as well as the traditional practice of presenting gifts and copious supply of modern weapons to chiefs by the affluent in society as branded elements which makes chieftaincy disputes complex and complicated to mediate or adjudicate (Hughes, 2003).

Lettering on the chieftaincy and ethnic conflicts in the northern region of Ghana from 1980 to 2002, Brukum (2007) laments on the intermittent outbreaks of intra-ethnic and or inter-ethnic conflicts as a worrying occurrence in the social and political landscape of the Northern Region and further attributed the causes of the conflicts in the region to chieftaincy and land issues. Brukum (2007) further indicates that there has been twenty-two intra-ethnic conflicts and inter-ethnic conflicts occurring in the Northern Region alone from 1980-2002. The toll of all these conflicts

in terms of “lives lost and injuries to residents, destruction of property, including loss of critical social and economic infrastructure” is amazing, not forgetting the use of scarce national resources by the government to maintain peace and ensure that law and order prevail in the region.

In the opinion of Brukum (2007), various ethnic and chieftaincy conflicts in the Northern Region has led to the "militarization of the youth". This, in turn, has created some level of insecurity and distrust among the various community members. This consequently has affected all social and economic activities of the Northern Region and adversely interrupted the normal functioning of the various societal groups in the region. The Dagbon Youth Association (DAYA), which was once known for its vibrant progressive role and exciting contributions towards the development and advancement of Dagbon, in partnership, with other Youth Associations in the Northern Region, for instance, has died a natural death as a result of the Dagbon chieftaincy conflict. According to Brukum (2007), wherever and whenever peace and security of the people are disturbed, government needs to respond and becomes concerned, and the case of the Dagbon conflict is no exception. The government usually intervenes by deploying security personnel and logistics to halt and restore normalcy, impose curfews and declares a state of emergency to maintain peace, law and order just to put the conflict situation under control. Government goes further to set up committees and commissions of inquiry to investigate the underlying causes and to make appropriate recommendations. In almost all conflict cases in the country, the government lacks the courage, the will power and the zeal to fully implement recommendations from these government-established committees and commissions of inquiry (Brukum, 2007).

In an inter-faculty lecture entitled, “The Guinea Fowl, Mango and Pito (locally made alcoholic beverage from guinea-corn) Wars: Episodes in the History of Northern Ghana, 1980-1999” delivered at the University of Ghana on March 23, 2000, Brukum again indicated that government action and response to outbreaks of conflicts have always been belated (Brukum, 2000. p. 13). The author went on to blame various governments for their failure to implement recommendations of the committees and commissions of inquiries they themselves put in place, often failed to issue white papers on findings and recommendations, let alone to implement them. Brukum (2000) did not hesitate to make a reproachful accusation of some government officials and political appointees for taking sides when conflict erupts in order to make political gains out of it. The author went on to criticize various governments for failing to take “decisive steps to punish or reprimand leaders of any groups that start an aggression” (Brukum, 2000. p. 14). On that premise, he argues that by not being punished, instead of regretting their actions, the perpetrators rather attach a sense of heroism to their accomplishments and may consequently engage in acts that could worsen the existing conflicts.

The Northern Region of Ghana is accommodating approximately 17 different ethnic groups (Pul, 2003) and each considers itself as natives. For almost two decades now, from 1980 to 2002, about 22 ethnic conflicts have been recorded in the Northern Region alone (Brukum, 2000). Some of these disturbances were intra-ethnic and inter-ethnic in nature. There were conflicts caused by long-standing traditional chieftaincy succession disputes, disagreements over land ownership and perceived marginalization of one ethnic group by the other. The conflicts in the Northern Region of Ghana are inter and intra-ethnic in nature, and even though they have not assumed national dimension in character as have happened in other closer-by neighboring

countries in West Africa, their protracted and destructive character has become increasingly worrisome. The Dagbon conflict is over a long standing chieftaincy succession dispute and thus falls into those that have been described by Brukum (2000) and Tonah (2005).

When discussing peaceful coexistence, the general opinion of many people is that Ghana is a relatively peaceful country when compared to other nations in Africa. However, several parts of Ghana, especially in the northern portion, have experienced one form of conflict or the other, mainly on land and chieftaincy related issues. Indeed, conflicts of one form or the other have occurred within each of the ten administrative regions of Ghana, nonetheless, those which have occurred in the Northern Region of the country are averagely higher than any others.

Indeed, conflict is said to be inevitable in social life and it does not occur in a vacuum but rather takes place where a type of relationship of a sort exists or some form of interdependence prevailing among two or more parties, between individuals or groups or collective entities, as well as within a social arrangement in which differences over perceived mutual interest exist. Related to this is the fact that every type of conflict has a cause, and identifying the cause and understanding the nature and the varying interests of the conflicting parties is relevant for the conflict to be managed, resolved or even transformed. In the Northern Region of Ghana, the numerous conflicts have varying causes and include competition for chieftaincy positions and litigation over rights of land tenure (Tsikata & Seini 2004, p. 4).

Other Scholars have explained inter-ethnic conflicts within the framework of the struggle for autonomy, litigation over land tenure system, chieftaincy disputes, competition for power and the demand for representation on local and national government bodies (Tonah, 2005, p.101).

Some of these conflicts in the region and other parts of the country have degenerated into violent ones and attracted the attention of many people at both the national and international arena. The Dagbon chieftaincy conflict, the Nanumba chieftaincy conflict, the Nkonya-Alavanyo ethnic conflict, the Tuobodom and the Winneba chieftaincy conflict are but examples of some of these conflicts Skalnik (1996) having researched into some ethnic conflicts in the Northern Region of Ghana asserts that the economic and political weakness of democratically elected civilian governments in Africa is often the cause of local, ethnic or regional political conflicts and of a lesser degree during the authoritarian, military regimes (Skalnik, 1996). The author went further to note that the failure of the Ghanaian Government to pay adequate attention to the resolution of conflicts is the main cause of conflicts in the country. In the author's work on the Konkomba-Nanumba ethnic conflict in 1994, Skalnik (1996) he argued that the killings in that violent conflict points to the fact that the Ghanaian government never paid enough attention to resolution of the 1994 Konkomba Nanumba conflict.

The institution of chieftaincy in some communities has brought about stability and peaceful co-existence whereas in others it has been bedeviled by conflicts Hughes (2003). Indeed, chieftaincy succession is the main cause of the Dagbon conflict. There are however other factors underpinning the conflict. Geographically, Dagbon is situated within the center of the Northern Region and its people share similar customary and cultural practices with her neighboring ethnic groups who unfortunately at one time or the other experienced conflict of one kind or the other. The conflicts in the region with time could have exerted some form of influence on Dagbon and its conflict.

The Dagbon conflict also continue to exist because of the failure of governments to pay adequate attention to its resolution by considering the ADR approach but instead dwelt much on works and recommendations of committees and commissions of inquiry which never yielded the desired result.

How ADR has been used in conflict resolution in different cultures and countries

ADR, over the decades, has grown to witness an expansion and lends itself appropriately for use by almost all cultures and in almost all types of conflicts resolution or settlement “including divorce and child custody, educational setting, sexual harassment cases and small claims court (Wall & Dewhurst, 1991). It is also being used to resolve international conflicts and in certain jurisdictions criminal justice cases (Bercovitch & Houston, 2000) as well as employment arbitration, workplace disputes, among others.

According to Adrian (2014), ADR has religious roots as well. The major religions of the World played a major role in the evolution and development of ADR, especially during its early practices “including negotiation, mediation, arbitration, and ecclesiastical courts”. The writer added that the main purpose of the religious adherence to the practice of ADR was to establish a relationship based on harmonious and peaceful coexistence within communities of their followers.

The Christian religion, for instance, has a long history of using ADR in settling conflicts and disputes of all kinds and avoiding litigations and violence. The community priests played a vital role of a mediator or arbitrator when it comes to the amicable resolution of disputes and conflicts without litigation or resorting to violence. The ancient story of King Solomon using arbitration to settle a dispute between two women claiming ownership of a newly born baby has been cited in the Old Testament of the Bible. Conflict and dispute cases administered by the Christian

Reverend Ministers and leaders abound and went far beyond the spiritual life and regarded more materialistic everyday needs of their followers and dispute issues emanating out of their interaction. (Barrett & Barrett, 2004). Indeed, both the Catholic and the Orthodox Churches are known to have engaged themselves in ADR practices and "making justice," as a substitute or more often as an annex of state courts.

Judaism is another major world religion that subscribes to the use of ADR in conflict resolution, settlement, and transformation. In accordance with the teachings of the Torah and Talmud, according to Goldstein (1981), Judaism strongly upholds compromise in conflict resolution and also encourages disputing parties to consider resolving their disputes or conflict informally in *bitzua* (mediation) or *p'sharah* (arbitration), "before appearing in front of a rabbinical judge". The Jews per their belief system during the early years in history "avoided Christian courts of law" and preferred not to give evidence "under an oath identifying Jesus Christ" (Barrett & Barrett, 2004).

In the Islamic religion, ADR has a significant place as well as within the Arab culture and tradition. It has been established that during the early days of Islam, Prophet Mohammed encouraged the practice of "tahkim," which is a type of arbitration (Moussalli, 1997). It is on record that at the early period, there were no formal courts in Arabia and the Muslim World as a whole. Prophet Mohammed, therefore, assumed the role of a judge, an arbitrator, and a mediator in accordance with divine inspiration and specific revelations from Allah (Azad, 1994).

There are verses in the Holy Qur'an and "Hadith" (traditions of Prophet Mohammed) that permits the use of arbitration and mediation, for instance. Famous, authentic stories about the Prophet's early upright life won him the name "Al-amin," meaning, the trustworthy one, and this made feuding parties and tribes that had

disagreements choosing him to arbitrate or mediate in their conflict and dispute cases. For instance, the vital issue of the reconstruction of the Holy Ka'aba between disputing parties ended up being put before the Holy Prophet for a resolution. The Prophet successfully arbitrated and essentially a win-win solution was reached for the parties (Adrian, 2014).

Thus, the ADR practices of Prophet Mohammed and those of his companions were based on Islamic scriptures and teachings. As time went on, it developed and still remained in practice today, even though with some form of modifications. The Islamic law or the Sheria and other formal legal institutions still recognize ADR practices, especially arbitration (Moussalli, 1997).

Thus, Islam and Arab tradition developed a large array of ADR mechanisms across the Muslim World. Indeed, most of the processes have been cited in studies by Rashid (2004) to include "nasihah (counseling), sulh (good faith negotiation, mediation, conciliation, compromise of action), mushawarah (consensus building through deliberation), tahkim (arbitration), Med-Arb (hybridized mediation and arbitration), muhtasib (Ombudsman), mazalim (special tribunals for redress), fatwa al-mufti (expert determination or non-binding evaluative assessment), and qada (court adjudication)" (Oseni, 2012).

In the United States as far back as in the 1600s, colonialists who arrived began sharing their experiences in ADR practice mainly in the area of arbitration, mediation, and negotiation. On arrival, basic development matters were being tackled, and human rights issues started emerging, and at the same time, ADR concerns started growing greater than ever (Barrett & Barrett, 2004). Indeed, during the colonial period in the US, the European influence was greater, and the ADR practice was not left out. According to Barrett and Barrett (2004), "commercial arbitration experiences

and skills were brought to the New World". In both the Dutch colonial period (1624-1664) and the British colonial period (1664-1776) in New York City, commercial arbitration was widely used.

The Pilgrim colonists saw lawyers and the courts as a "threat to Christian harmony" and carefully avoided lawyers and the courts, but instead resorted to the use of their own mediation processes to deal with conflicts within their communities. Both the Dutch and the Swedish colonies used similar ADR processes to resolve community conflicts (Barrett & Barrett, 2004).

Within the period between 1725 and 1825, three forms of ADR emerged in Plymouth County in Massachusetts, and these were the Court, Town, and the Church processes. The court and the Town processes had serious implementation challenges and limitations. The Court procedures were for instance too formal for conflict resolution and "at a higher cost in money, inconvenience and time". The Town process could also handle only limited cases as it was grounded in "a highly public setting that might bring embarrassment to the parties".

The Church on the other hand provided an avenue for the resolution of many disputes and conflicts. According to Nelson, what the Church exercised during the process was "censure, public confession, repentance and restitution backed up by the ultimate sanction of excommunication" (Nelson, 1981. p. 42). With the process, disputing parties were, first of all, asked to attempt resolving their conflict on their own without a third party involvement. It was only when they are not able to do so that it could be brought to the Church for settlement. Indeed, the Church was to ensure that conflicts were resolved harmoniously without a clear winner or loser (win-win). The Church, therefore, encouraged disputants "to lay aside contention...forgive

one another for Christ's sake," and "come to a mutual agreement respecting their old differences" (Nelson, 1981.p.39).

In the US, during the early days, ADR was considered to be more or less as an alternative to litigation as a mechanism to deal with civil unrest, strikes, and untold hardships brought about by the unfavorable economic distractions. Thus, ADR was expressed in some submissions to deal with the concerns across many States shortly after the attainment of independence and formation of a new government. Congress responded by passing the Patent Act of 1790 and provision made in it for arbitration practice. Indeed, the Patent Act provided for the creation of an adjudicative body made up of a member to be appointed by every patent applicant and one other by the Secretary of State. A decision by the panel so constituted was binding on disputing parties. Specifically, when an applicant decides to opt out of the arbitration process, the other applicant's exclusive rights would be instantly approved (McManus & Silverstein, 2011).

This development notwithstanding, the ADR process did not receive formal institutionalization until the late 19th Century. However, by early 20th Century, states started to express interest in the system as a litigation alternative. For instance, from this period onwards, the US states "passed modern arbitration laws" and Congress enacted the Federal Arbitration Act. Indeed, the laws passed to strengthen and give recognition to arbitration, in particular, consequently improved the nature of the U.S. arbitration process.

The ADR approach and practice in the US were being developed systematically and gradually became popular with the avowed aim of resolving disputes and conflicts having to do with industrial unrest, inter-racial disputes, and conflicts out side the court system following the emergence of the civil rights

movements in the 1960s. It was necessitated by the waning interest and hope of the people in the formal court system in providing fair and just adjudication. The promulgation of the Civil Rights Act in 1964 also led to the creation of the Community Relations Services (CRS). The CRS relied on the methods of mediation and arbitration.

In North America in general, the ADR practice was common among the Native Americans and the Aboriginal Peoples of Canada (Okharedia, 2011). Mareschal (2002) notes that the Federal Government of the United States for the first time recognized mediation which is a form of ADR as a method of handling labor disputes by the passing of the Erdman Act of 1898.

According to Harrell (1936), among the ancient Greeks, the city-state introduced the position of “public arbitrator” as early as 400 B.C. The arbitration was carried out by Athenian men above sixty years of age and of sound mind and unquestionable character. By an arrangement, the public arbitrator’s work was to listen to civil cases put before it in which the parties preferred not to present their issues in dispute to the formal court system (Harrell, 1936). The arbitration process was formally and officially instituted. Selection of the arbitrator was done through a lottery process for a given case with the responsibility to resolve the dispute before him amicably. Giving of evidence in writing and calling of witnesses was part of the ADR process, and parties reserved the right to challenge the decision of the arbitrator. Aggrieved parties on settlement cases they did not agree_with or accepted still had the right to appeal.

According to Barrett and Barrett (2004), during the middle ages, the use of arbitration, mainly in commercial circles, increased in Europe and was referred to in many cities as “law merchant”, as a result of the fact that the type of the ADR process

was crafted and used by merchants. Arbitration at the time was given the needed attention as a result of the state of affairs that in commercial matters, mutual benefits, fairness, and reciprocity must exist for all parties involved. This earlier attempt in arbitration established various rules and regulations that are still relevant and in use up to date. For instance, parties could choose their own arbitrator. Results of arbitration "were recorded in a state court, and the court was involved in enforcing the arbitrated outcome" (Barrett & Barrett, 2004). Still, in Europe, other forms of ADR, such as negotiation and mediation emerged during the period and was developed and used as an alternative option to war by the early diplomats, especially following the establishment of permanent embassies (Barrett & Barrett, 2004). As Barrett and Barrett notes, "making the peace in 1648 would require patience, a willingness to compromise, and a conciliatory attitude" (2004, p. 25).

Adrian (2014), reports that during the modern ages, permanent negotiations emerged in Europe and succeeded to maintain "balance of power" among the European nation states. He argues further that the peace brokered after the World War I was as a result of fruitful discussions and mutual agreements reached and this subsequently brought about the establishment of an environment favorable for the development of the Woodrow Wilson's dream, the "League of Nations".

The use of ADR for settlements of disputes has long existed in the Chinese culture and Chinese communities. Indeed, the ADR method is embedded in the unique Chinese culture and has "been prominent in China and developed rapidly during the post-Mao reform era." Within the Chinese cultural and traditional practices, preference is given to informal and non-confrontational means of conflict resolution rather than litigation. The practice seeks to promote conciliation in the

ADR process, and this helps to explain the existence of various forms of conciliation in litigation and arbitration processes.

Chen (2016), argues that litigation is the last resort in any culture or country, and particularly so in countries like China where historically “preference has always been given to informal rather than adversarial methods for the resolution of disputes”. The ADR practice in China revolves mainly around mediation. The primary goal of mediation in China is to avoid disputes and conflicts and not to wait for these to emerge before getting in to resolve them. Jia, (2002) notes that mediation in China "is a continuous process of being vigilant against any potential threats to harmony, even after the harmony has been built".

According to Jia, mediation in China culturally consists of the “trinity of *lianmian* (i.e. face – mixture of the symbolic and material resources that constitute social statuses and moral identities of the members), *renqing* (giving favor–humanizing feelings), and *guanxi* (interrelation-interdependence among members is the precondition or human communication), and the concepts of compromise, tolerance, pardon, and gentle manhood” (Jia, 2002).

It is also worth noting that in China, several informal conflict resolution mechanisms have been combined with litigation and arbitration to produce a hybrid ADR approach. With the process, settlement outcomes, if agreed upon by the disputants, are legally binding on both parties, unlike in the West and other parts of the World. What this means is that any agreement entered into and "expressed in whatever form", is enforceable by a court of competent jurisdiction if an application is filed by any of the parties.

In China, a third party's role in dispute resolution is a major and an essential feature of the ADR process. What this implies is that, minus the third party in dispute

resolution, then it is another form of dispute resolution and not ADR. Indeed, the practice has been recognized and accepted to the highest degree, the mediation approach as the appropriate ADR mechanism in practice. Therefore, negotiating devoid of a third party's intervention is not considered to be an ADR approach in China at all. When it comes to arbitration, and notwithstanding its similarities to other forms of ADR methods such as mediation, as a result of "its intrinsic nature of ultimately leading to a legally binding outcome imposed on the parties in the form of enforceable arbitral award" is also never considered as a form of ADR in China. Thus, ADR in China is seen as mediation and as an alternative dispute resolution mechanism to litigation and arbitration.

Societies in Africa since time immemorial and their social structural arrangements recognized the inevitability of conflict in society. In order to handle, manage, resolve and transform disputes or conflicts, customary practices, rules and regulations have been instituted to deal with conflicts (Ahorsu & Ame, 2011). According to Nukunya (1997), African societies consider conflict as an abnormal occurrence which contradicts societal norms and as such has harmful effects on the general wellbeing of parties that engage in conflict, on the community in which they live, on the land, the ancestors, the gods and God (Nukunya, 1997). Thus, in African societies, all efforts are made to resolve conflicts whenever they occur.

In an unpublished dissertation submitted to the University of Ghana for the award of Master of Arts degree in International Affairs in March 2015 on "Alternative Dispute Resolution as a Tool for Conflict Resolution in Africa – Ghana as a Case Study", Affrifah notes that since the beginning of time, people on the continent of Africa had indigenous traditional approaches to resolving conflicts and disputes other than through the formal court system that was later introduced into Africa along with

colonization. The resolutions and settlements were based on the customary rulings of the various ethnic groupings and sub-groupings. Resolving disputes of all kinds amicably was the preferred option by communities, and as such, conflicts were rapidly resolved so as to ensure the peaceful coexistence and harmony in society (Affrifah, 2015).

Affrifah (2015) further argues that under the traditional conflict resolution mechanism or ADR, it was the chiefs, elders, clan and family heads that used to consult and discuss with relevant parties for the resolution and settlement of disputes. By the position and experience of these people in society, Affrifah explains, they commanded the unquestionable respect of their community members as people who are trusted to be neutral, unbiased, and fair in the amicable settlement of disputes and conflicts between parties in dispute.

Writing on ADR in Sub-Saharan Africa, Amadou (2010), notes that “any disputes between two parties not only involve the actual opposing actors” but also members of the entire group or groups that the various conflicting parties belong to. Indeed, the “traditional indigenous African societies were organized on the basis of clan or family relationships and leadership” and as such, dispute resolution mechanisms respected and mostly made use of the arrangement (Ingen-Housz, 2011). The process of traditional dispute resolution involves the use of “dialogue, discussion and debate” so as to “...preserve the community’s interests and integrity” (Ingen-Housz, 2011). Thus, the existence of the extended family system in Africa in itself aids the practice of ADR to an appreciable degree as it provides an avenue for the first “third party” intervention in dispute or conflict resolution. It is therefore in the light of this arrangement that in most of the African cultures, “parties in dispute more often than not prefer to resolve disputes through the intervention of a third party usually an

elder or a respected member of the society." The process involves employing a number of approaches and making several attempts, involving relevant parties at various stages until a mutual settlement is reached (Ingen-Housz, 2011).

Under the indigenous process, the neutral third party makes incessant efforts to systematically isolate issues in dispute and help parties to come out with better alternatives and options. At the tail end of the settlement, offending parties are made to offer an apology, make promises not to repeat the offense or asked to pay a ransom or compensation to the aggrieved party depending on the nature of the conflict (Ingen-Housz, 2011).

Barrett and Barrett (2004) indicate that the Yoruba ethnic group of Nigeria has a rich culture with a well-developed indigenous ways of handling conflicts. In line with Yoruba custom and tradition, putting a dispute before the law court is "a mark of shame" and means that the disputing parties are not good people and do not favor reconciliation (Barrett & Barrett, 2004). In reality, the Yoruba ADR process centers on the "agba," which refers to an elderly person within the Yoruba community. The "agba" is a respected person and a replica of the community who occupies a leadership position within the Yoruba society and is expected to have qualities such as being courageous, kind, tolerant, selfless, steadfast, shrewd, have integrity, and be wise.

Bamikole (2013, p. 146) observes that, "As an attribute, 'agba' suggests the quality of being reflective in the sense that data presented are not just accepted hook and eye but put into the square of reasoning, looking at the pros and cons and asking questions about the motive of the person who presents the case and the possible consequences which the information might have for the person or other persons or the society at large. By extension, the Yoruba community regards their ancestors as

'agba' and these are deemed to be evolved into the conflict resolution process, as they are considered to be wiser, having experienced the knowledge of both the living's world and thereafter (Bamikole, 2013)".

The Yoruba ADR process involves the head of the family and the head of the village jointly inviting each party to the conflict to present their case without an interruption from the opposing party. The belief is that the persons involved will speak the truth and nothing but the truth. However, when in doubt, the people involved could be asked to swear an oath on certain deities or divine being. The parties concerned present themselves before the elders because of "their confidence in the elders for their steadfastness, shrewdness, integrity, and the length, breadth, and depth of their wisdom" (Bamikole, 2013, P. 147).

According to Bamikole, the process of ADR among the Yoruba begins with the elders sitting in Council followed by the introduction of the disputants and this is followed by the presentation of cases. Every member of the Council of Elders, starting from the "junior elders" who will review the case before them in turn until it reaches the most "senior elder". The elders in their interrogation use "proverbs, wise-sayings, and other artistic expressions" that are relevant to explain issues during the dialogue. The most senior elder who is, of course, the village chief, is the last to review the case and his concluding statement contains what will be the resolution. The Council of elders, according to Bamikole, does not lay responsibility on any disputant but rather tries to strike a balance in the case before it in order to reconcile and unite them (Bamikole, 2013).

Adrian (2014), notes that "the elders have an arsenal of techniques for reaching a settlement: proverbs, persuasion, precedent, subtle blackmail, and even magic. "The power behind the decisions of the elders is culturally strong with which

uncompromising disputants can be threatened with social excommunication or use emotional blackmail” (Barrett & Barrett, 2004). In case any of the parties is not satisfied with the resolution by the elders, then the Council of Elders will be reconstituted, and this time the ancestors will be invited to preside over the resolution and “their decision is always regarded as final by both parties to a conflict” (Achebe, 2002).

Ahorsu and Ame (2011) are of the view that if ADR is to become an effective conflict and dispute resolution mechanism in Africa, there is the need for blending of both the Western-style approach of ADR and the indigenous African approach, bearing in mind the social and cultural underpinnings; differences in ethics, values, and norms of the people of Africa.

The two authors further argue that communities in Africa are fast changing as a result of modernity and social change. In its wake therefore, new ways of doing things have emerged, and lifestyles are changing faster, but at the same time the peoples’ lives are still being influenced and affected by traditional institutions, norms, and customary practices. In that regard, elements of both traditional and modern society should not be overlooked in an attempt to amicably resolve disputes and conflicts through the ADR approach (Ahorsu & Ame, 2011).

The ADR concept is not a new idea in Ghana and has been able to withstand the test of time in the country’s conflict resolution and settlement history, even though it has gone through some forms of modification. The fact is that majority of the people continue to have hope and trust in its practice and the benefits to be derived from it. Indeed, the idea of ADR fits well into the African traditional features of forgiveness and reconciliation. According to Uwazie (2011), the average Ghanaian disputant would prefer to have the traditional chief as an arbitrator, just as the average

Ethiopian would prefer having the traditional ‘Shimangele’ (elder) for reconciliation of most civil or family disputes. The ADR mechanism has the advantage of impacting positively on peaceful coexistence and good neighborliness as it centers on cordial and mutual resolutions of conflicts. To the contrary, the outcomes of law court settlements of conflicts may even escalate the conflict. After all, the core functions of the courts are to interpret the law and issue judgments and not to resolve and transform conflicts. It is an established fact that litigations at the law courts are often grounded in adversarial processes and by their nature are limited in their functions and may not even bring about satisfaction and promotion of good neighborliness. There are certain conflict cases pending at the law courts in which if rulings are made in favor of a particular party, these could even escalate the conflict the more and worsen the already fragile relationship.

Summing up review of the literature on the use of ADR in different cultures and country specific contexts, it could be rightly inferred that the practice of ADR in both Islam and Christianity makes its applicability in the Dagbon conflict appropriate. This is because Dagbon is predominated by the Islamic faith and the fact that ADR approaches such as arbitration and mediation were used by Prophet Mohammed as it has been provided in the Islamic doctrines, gives the indication that there is a higher level of awareness on the use of ADR from an Islamic religious perspective. Again, the people of Dagbon trace their roots to Nigeria and since ADR has also been established to be used within the Yoruba culture, then it can be utilized in the present-day Dagbon, if the right ADR procedures are pursued.

Chapter 3: Methodology

Introduction

Research methodology is an important component of any study as it provides the foundation upon which the research process depends. This chapter outlines the methodology adopted to empirically study perceptions of respondents on the use of Alternative Dispute Resolution (ADR) in addressing the protracted Dagbon chieftaincy conflict. The section therefore, highlights the research design, data requirements and sources, tools and methods for data collection, sampling techniques, and plan for data handling and processing. To provide the necessary background of the empirical study, the chapter also covers detailed description of the analysis plan.

Research design

In research, once the research objectives, research questions and hypotheses have been established, the issue of how these research objectives and research questions can be answered leads to consideration of which research design will be appropriate. According to Ogula (2005), a research design is a plan, composition and strategy for an investigator to get answers for research questions and control variance. Kerlinger (1973) refers to a research design as a plan of action which the researcher employs in order to be able to answer the research questions and sets up a framework for a research. According to Nardi, a “research design serves as a blueprint for the project and spells out in clear terms procedures relevant to measure and to observe by engaging in the methodical step-by-step procedures that make scientific thinking more systematic and deliberate than every day thinking” (Nardi, 2014, p.45). A research design thus provides a framework for the collection and analysis of data and subsequently indicates which research methods are appropriate for a study.

The overall objective of the survey research was to measure the perceptions of respondents on the use of Alternative Dispute Resolution (ADR) to resolve and transform the protracted Dagbon chieftaincy conflict which is also known as the Yendi chieftaincy crisis. In that view, the survey method, which is a quantitative research approach, has been employed for data collection, analysis and interpretation.

In their discussion of the suitability of survey research, Salant and Dillman (1994, p.9-10), observe that if a researcher's goal is to establish the percentage of a study population that has a particular attribute or opinion, and the information cannot be obtained from secondary sources, "then survey research is the only appropriate method". The authors further assert that if properly carried out, survey research will provide information on "what is; what are the characteristics, behavior, or opinions of a particular population".

Since the study was a survey one, the cross-sectional design was adopted using the quantitative methods to describe and classify variables. The cross sectional design uses a snapshot approach where the data is collected at a point in time (Gray, 2007) and help researchers to describe the pattern of relationship that exists between two sets of variables (Bryman & Bell, 2007).

Sampling

The sample plan is an integral component of social science research and comprises of different sample units or sample population to be contacted for primary data collection. The sampling plan addresses three questions; who to survey (i.e. the sample unit), how many to survey (i.e. sample size), and how to select respondents (i.e. sampling procedure). The sample unit is a proportion or a fraction of the total population and comprises the type of respondents or people to be contacted for the survey. The sample size of a population sample is the number of observations that

makes it up. The sample size is always a positive integer which is typically denoted by 'n'. There are two major sampling procedures used in social science research and these are probability and non-probability sampling. In this survey, it is the non-probability sampling procedure that has been employed.

Target population

Population refers to the complete set of subjects, objects or events that have common observable characteristics which the researcher is interested in studying (Agyedu, Donkor, and Obeng, 2010). This study was undertaken among the Dagbamba ethnic group of the Northern Region of Ghana which is therefore the target population of interest out of which the sample size was determined. The Dagbamba ethnic group was estimated by the Joshua project projection of 2016 to have a population of 1, 215, 000 people (https://joshuaproject.net/people_groups/11470/GH).

Sample size

The sample size for this study is determined using the minimum sample size table (Figure 4). With a ± 5 margin of error and a confidence level of about 95%, a sample size (N) of 384 respondents (N=384) was arrived at. For convenience sake, the figure was rounded up to a sample size of 400 respondents. Hence the sample size (N) is 400 respondents. However, since the research looks at the two factions in the Dagbon chieftaincy conflict, respondents were selected to include 50% Abudu respondents and 50% Andani respondents, representing 200 Abudus and 200 Andanis respectively and residing in Tamale and Yendi only. By that, Dagbamba in other parts of Dagbon and those in diaspora were exempted from the survey.

Required Sample Size [†]								
Population Size	Confidence = 95%				Confidence = 99%			
	Margin of Error				Margin of Error			
	5.0%	3.5%	2.5%	1.0%	5.0%	3.5%	2.5%	1.0%
10	10	10	10	10	10	10	10	10
20	19	20	20	20	19	20	20	20
30	28	29	29	30	29	29	30	30
50	44	47	48	50	47	48	49	50
75	63	69	72	74	67	71	73	75
100	80	89	94	99	87	93	96	99
150	108	126	137	148	122	135	142	149
200	132	160	177	196	154	174	186	198
250	152	190	215	244	182	211	229	246
300	169	217	251	291	207	246	270	295
400	196	265	318	384	250	309	348	391
500	217	306	377	475	285	365	421	485
600	234	340	432	565	315	416	490	579
700	248	370	481	653	341	462	554	672
800	260	396	526	739	363	503	615	763
1,000	278	440	606	906	399	575	727	943
1,200	291	474	674	1067	427	636	827	1119
1,500	306	515	759	1297	460	712	959	1376
2,000	322	563	869	1655	498	808	1141	1785
2,500	333	597	952	1984	524	879	1288	2173
3,500	346	641	1068	2565	558	977	1510	2890
5,000	357	678	1176	3288	586	1066	1734	3842
7,500	365	710	1275	4211	610	1147	1960	5165
10,000	370	727	1332	4899	622	1193	2098	6239
25,000	378	760	1448	6939	646	1285	2399	9972
50,000	381	772	1491	8056	655	1318	2520	12455
75,000	382	776	1506	8514	658	1330	2563	13583
100,000	383	778	1513	8762	659	1336	2585	14227
250,000	384	782	1527	9248	662	1347	2626	15555
500,000	384	783	1532	9423	663	1350	2640	16055
1,000,000	384	783	1534	9512	663	1352	2647	16317
2,500,000	384	784	1536	9567	663	1353	2651	16478
10,000,000	384	784	1536	9594	663	1354	2653	16560
100,000,000	384	784	1537	9603	663	1354	2654	16584
300,000,000	384	784	1537	9603	663	1354	2654	16586

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Figure 4. Minimum sample size required

Sampling procedure

Sampling is a procedure or technique of choosing a sub-group from a total population to participate in a social science research; it is the process of selecting a number of individuals for a study in such a way that the individual respondents selected signify the larger group from which they were selected (Ogula, 2005). The non-probability sampling procedure has been employed in this study. The principal reason for using the non-probability sampling procedure was that it is less expensive compared with probability sampling procedure and can also be used quickly (Harwell,

2011) to produce results within the shortest possible time. Specifically, the snowball sampling technique, which is a type of purposive or judgmental sampling procedure, was used to select respondents for the survey. The technique enabled the researcher to choose the sample after interacting with the gate keepers and based on who the researcher considered to be appropriate for the survey. Indeed, the main objective was to arrive at a sample that can adequately answer the research questions and objectives.

Thus, the researcher initially made contact with a smaller group of respondents experienced enough to provide relevant information on the research area. The information received was in turn used to establish further contacts with other people with relevant information. With this technique, primary data was collected on both Abudus and Andanis (male and female) in Tamale and Yendi to form the sample of 400 respondents. This was done with the help of 'gate keepers' who were approached and who then recommended potential respondents for the study. The participants, in turn, recommended additional respondents, and so on the number of respondents built up until the required number was attained.

Tamale is the regional administrative capital of the Northern Region of Ghana, and it is more cosmopolitan in nature when compared with Yendi and it has a population of 223, 252, according to Ghana's 2010 Population and Housing Census Analytical Report. On the other hand, Yendi has a population of 117, 780 according to Ghana's 2010 Population and Housing Census Analytical Report and serves as the seat of the overlord of the Dagbon traditional area, the Ya-Na and accommodates the two regents locked up in the Dagbon conflict: the Bolin-Lana of the Abudu family and the Kampakuya-Naa of the Andani family respectively. Out of the total sample size of 400 respondents, 240 respondents were selected from Tamale and 160 from Yendi respectively for the survey.

Unit of observation

In social science research, observations are made and then primary data collected for interpretation and analysis. The observations forms the nucleus of research study and as such must “be systematic, objective and replicable” (Nardi 2010). The observation unit, also known as the unit of analysis, is the entity on which a measurement is taken. Kumekpor (2002) defines unit of analysis as the actual empirical units, objects, occurrences etc. which must be measured in order to study a particular phenomenon. According to Marlow (2000), a unit of analysis can be categorized into three, namely: the individual, the groups and the social artifacts. In this study, individuals in the study area are the observable units, as their perceptions on the use of ADR to settle the Dagbon conflict were assessed.

Questionnaire

A questionnaire is made up of a written list of questions, the answers of which are provided by the respondents. In a questionnaire, respondents read the questions, interpret what is expected and then write down the answers (Kwabia, 2006). Laws (2003) argues that a questionnaire is an efficient and useful research tool on the grounds that it enables collection of information from a large number of respondents who are geographically scattered. It is also less expensive, as the researcher may not necessarily administer the questionnaire to literate respondents. In this regard, it helps to save time as well as financial resources. The use of a questionnaire is therefore comparatively convenient and inexpensive. Motivated and convinced by the above strengths and desirable features, the study relied heavily on questionnaires as the main research instrument for data collection. Hence, questionnaires were used to collect information from respondents for this study.

Collection of data

Data was obtained from primary sources. Primary data are those which are collected for the first time and thus happen to be original in character. For this study the primary data comprises of responses recorded in the questionnaires. Of the four hundred (400) questionnaires, one hundred and twenty two (122) were administered by the researcher to the respondents, since they had not attained any formal education. However, for the remaining two hundred and seventy eight (278) questionnaires, they were distributed to the respondents and for which they were given an appropriate time frame to complete. Indeed, the 278 respondents whom the questionnaires were distributed to attained different levels of formal education such as primary, vocational, senior high school and tertiary. These respondents could read and understand the content of the consent forms and the questionnaires; hence there was no need for administration of questionnaires to them by the researcher.

Data handling and management

After the data collection, the information was coded and entered into a computer for further analysis. For quality control, data was checked in the field to ensure that the information collected was accurately recorded. Before and during the data processing, the information was cross checked again to ensure completeness and internal consistency.

Data analysis

Tools used in the analysis were mainly descriptive statistics and chi-square analysis. While the descriptive statistics were used to describe the socio-demographic characteristics (mainly in the form of frequencies, tables and graphs for the purpose of visual expression), the chi-square analysis was used to test the stated hypothesis. .

Validity and reliability of the research instrument

Validity. Validity has to do with the level of evidence that supports the analysis and understanding of test scores involved in testing findings. The validity of the research instrument has to do with the extent to which it does measure what it is supposed to measure. Validity refers to the accurateness and correctness of deductions or inferences, which are specifically based on the research findings (Mugenda & Mugenda, 1999).

The research instrument went through two validation steps. First, the survey was examined by the committee members. After the questionnaire was designed, opinions of committee members were sought with regards to the appropriateness of the content of the research instrument in measuring what it seeks to measure. After feedback was attained from committee members with necessary corrections effected, the instrument then given to three ADR experts in Ghana to seek their candid opinions regarding the content of the questionnaire to be used for data collection. There and then, the draft research proposal together with the questionnaire was forwarded to the Navrongo Health Research Center in Ghana, a collaborated IRB research institution in Ghana for expert opinions, ideas and suggestions regarding the research proposal and the questionnaire.

Finally, eight questionnaires were then sent to the field for pre testing and this generated additional input which resulted in corrections being made to the questionnaire

After all these assessments of the questionnaire, it was sent back to the committee members for their final approval before it was used for the data collection on the field.

Reliability. The ability of a research instrument to systematically and consistently measure characteristics of interest with accuracy all the time is what is termed as

reliability. Indeed, reliability refers to the extent to which a research instrument is able to provide unfailing results or data after several trials (Mugenda and Mugenda, 1999).

According to Nachmias and Nachmias (1996), reliability is “concerned with consistency, dependability or stability of a test”. In order to assess the reliability of the research instrument, a pilot study was conducted whereby fifty (50) of the questionnaires were administered to respondents in both Tamale and Yendi.

Reliability statistics was conducted using the SPSS software. According to Sekaran (2003), a research instrument is deemed statistically reliable if its cronbach alpha values are greater than 0.7. The reliability statistics of items on the questionnaire are therefore presented in table 1 below:

Table 1

Questionnaire

Variable	Number of Items	Cronbach Alpha
Perceptions about the suitability of ADR	8	0.586
1. Are you aware of the Dagbon chieftaincy conflict? <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> somehow <input type="checkbox"/> I don't know		
2. Who are the main conflict parties in the Dagon chieftaincy conflict? <input type="checkbox"/> the Abudus <input type="checkbox"/> the Andanis <input type="checkbox"/> others (specify)..... <input type="checkbox"/> I don't know		
3. Is the Dagbon chieftaincy conflict a worry to you? <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> somehow <input type="checkbox"/> I don't know		
4. Has there ever been an attempt to resolve the Dagbon chieftaincy conflict in the past? <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> somehow <input type="checkbox"/> I don't know		
5. If yes, which of the following conflict resolution methods has ever been used to resolve the Dagbon conflict? If No skip questions #10 and #11 & proceed to question #12. <input type="checkbox"/> Gov't. established-committees <input type="checkbox"/> Gov't. established-commission of inquiry <input type="checkbox"/> the Law court <input type="checkbox"/> ADR (i.e. Arbitration, Mediation & Negotiation) Specify.....		
NB: ADR is a conflict resolution method use outside the law court to settle disputes/conflicts.		
6. Was the outcome acceptable to the two parties involved in the conflict? <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> somehow <input type="checkbox"/> I don't know		
7. Who do you perceive as being primarily responsible for resolution of the conflict? <input type="checkbox"/> Gov't <input type="checkbox"/> Abudu <input type="checkbox"/> Andani <input type="checkbox"/> both Abudus and Andanis <input type="checkbox"/> I don't know		
8. Please kindly tick below which of the following conflict resolution methods you perceive to be suitable to settle the Dagbon chieftaincy conflict.		

<input type="checkbox"/> Gov't established-commission of inquiry <input type="checkbox"/> Gov't established-committees <input type="checkbox"/> the Law court <input type="checkbox"/> ADR (Arbitration, Mediation & Negotiation).....		
Use of ADR in conflict resolution	5	0.773
<i>Please, kindly tick below how you feel about the statements in question 14 to 16</i>		
9. The Dagbon chieftaincy conflict has reached a point for a resolution. <input type="checkbox"/> strongly-agree <input type="checkbox"/> agree <input type="checkbox"/> slightly-agree <input type="checkbox"/> slightly-disagree <input type="checkbox"/> disagree <input type="checkbox"/> strongly-disagree		
10. How confident are you about your response to question #14 above? <input type="checkbox"/> extremely confident <input type="checkbox"/> quite confident <input type="checkbox"/> moderately confident <input type="checkbox"/> slightly confident <input type="checkbox"/> not confident		
11. When applied, there is the greatest likelihood of the ADR approach to succeed in the resolution of the Dagbon conflict. <input type="checkbox"/> strongly-agreed <input type="checkbox"/> agreed <input type="checkbox"/> slightly-agreed <input type="checkbox"/> strongly-disagreed <input type="checkbox"/> disagreed <input type="checkbox"/> slightly-disagreed		
12. The ADR (Arbitration, Mediation & Negotiation) method should be recommend as suitable to parties in a conflict similar to the Dagbon chieftaincy conflict. <input type="checkbox"/> strongly-agreed <input type="checkbox"/> agreed <input type="checkbox"/> slightly-agreed <input type="checkbox"/> strongly-disagreed <input type="checkbox"/> disagreed <input type="checkbox"/> slightly-disagreed		

From the reliability statistics, the cronbach alpha value on the perceptions of respondents on the suitability of ADR was 0.587 which makes it moderately reliable. The lack of consistency in the scale used in measuring perceptions about the suitability of ADR could account for this moderate reliability. On the other hand, the use of ADR in conflict resolution had a cronbach alpha value of 0.773 which gives the implication that items used in that regard were highly reliable.

Dependent and independent variables

A variable refers to any “factor, trait, or condition” that may exist in several forms, amounts or types. Variables in social science research help the researcher to establish the relationship existing between two or more variables.

The dependent variable is what the researcher focuses his or her attention on in order to be able to scientifically draw conclusions by stating how the research population responds to the change that has been made to the independent variable. In effect, the dependable variables are what the researcher observes and measures in quantitative research. Indeed, the variable is called "dependent” because its value is contingent on the value of the independent variable. A direct correlation between the

two variables gives the indication that they have influences on each other but do not mean causality or cause-effect relationship. The relationships between the two variables could either be positive or negative, but that does not mean cause-effect relationships (Tabachnick & Fidell, 2006). Thus, the researcher ought to observe the dependent variable carefully in association with the independent variable so as to be able to establish the type of relationship (positive or negative) between the two variables.

Indeed, the variables in this study are numeric in the sense that their values are measurable and quantitatively yield themselves to counting as numbers such as "how many, how much." The dependent variable is the conflict situation in Dagbon, and the independent variable is the ADR method. It is worth noting that there are several means by which variables can be illustrated according to the ways in which they can be considered, calculated, and presented by a researcher based on the objectives of the study.

Ethical clearance

Ethical considerations are very critical for the successful conduct of every social science research (McNamara, 1994). This is especially important for studies that involve the use of human subjects. Therefore measures were put in place to ensure that subjects that participated in these research activities were ethically handled.

Respondents were provided with consent forms in which they were supposed to have indicated as to whether they were willing and wanted to participate in the study or not. The consent form stated reasons for the research and also assured respondents of confidentiality of information that they were to provide. Respondents were also advised that they could withdraw from the study before and during the

process of administering the questionnaire. The consent forms were the first to be given to the respondents before the questionnaires were administered to them. For the one hundred and twenty two (122) respondents who had no formal education, the content of the consent form was interpreted to them in the local language. Upon their acceptance to participate in the study, the questionnaires were administered to them by the researcher. On the other hand, for the respondents who could read and understand the English Language, the consent forms were given to them to read and understand the content. Upon their agreement to participate in the study willingly, the questionnaires were accordingly distributed to them to administer.

Specifically, the significant ethical issues that were considered in the research process were consent and confidentiality. To secure the assent of selected participants, the researcher relayed all important details of the study including, but not limited to, the aims and purpose of the study while confidentiality and anonymity of the participants was also assured. For instance, they were not to disclose their names among other relevant personal information in the research. Only relevant details that helped in testing the hypotheses and answering the research questions were captured by the research instrument.

Software

The Statistical Package for Social Science (SPSS) version 19 was used for data analysis. The SPSS software provides tools for both specialized and enterprise-wide analytical needs. Indeed, SPSS provides a comprehensive range of statistical methods that are applicable in businesses, research organizations and the public sector. The SPSS software has two types of visual interfaces, namely; the “data view” and “variable view”. The variable view is where items on the questionnaire are coded by assigning numerical values to them. For instance, with an item like gender, the

numerical value of “1” represents males while a numerical value of “2” represents females. In this regard, with the “variable view” all the items on the questionnaire were assigned with appropriate numerical values. The “data view” on the other hand provides the interface for data entry. All the responses from the four hundred (400) respondents were entered during the data view stage after they had been coded appropriately with the variable view of the SPSS software. Further analyses were conducted using descriptive statistics and chi-square analysis which are all commands in the SPSS software package.

Chapter 4: Data presentation and analysis

Introduction

The object of this chapter is to present empirical results on perceptions of respondents on the use of alternative dispute resolution (ADR) to address the Dagbon chieftaincy conflict. The results are presented in line with four main analytical themes. The four themes comprise the following; socio-demographic features of respondents, knowledge of respondents of the conflict situation in Dagbon, current practices of dispute resolution in Dagbon, and perceptions on the use of Alternative Dispute Resolution (ADR). A total of four hundred and sixty (460) survey questionnaires were administered. Out of the 460 questionnaires distributed, a total of four hundred (400) was attained which gives a response rate of 86.9%.

Theme 1: Socio-demographic features of respondents

The study considered views of respondents from both sides of the chieftaincy divide; the Abudu and Andani royal gates. It can be observed from Table 2 that equal numbers were selected from both the Abudu and the Andani gates in the survey.

Table 2

Age, occupation, and royal gate respondents belong

Characteristics	Frequency	Percentage (%)	Mean
Royal gate:			
Abudu	200	50.0	N/A
Andani	200	50.0	
Age:			
10-19 years	2	0.5	
20-29 years	116	29.0	
30-39 years	126	31.5	37.2
40-49 years	98	24.5	
50-59 years	38	9.5	
60+ years	20	5.0	
Occupation:			
Civil servant	53	13.3	
Public servant	38	9.5	N/A
Self employed	199	49.7	
Unemployed	110	27.5	

From table 2 above, in terms of age, majority of the respondents (31.5%) were between 30 to 39 years old. Only 0.5% of the respondents were between the ages of 10 and 19 years while 5% of them were over 60 years old. The average age of the respondents was 37.2 years. In terms of occupation, majority of the respondents, i.e. 49.7%, were self-employed (basically made up of traders and farmers), while 27.5% of them were unemployed. Only 22.8% of the respondents were employed in the formal sector as either civil or public servants.

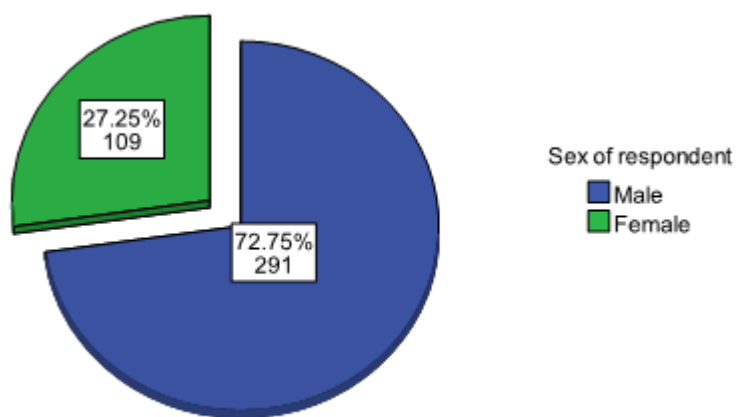


Figure 5. Sex of respondents

Figure 4.1 shows the sex distribution of respondents. It is observed from the figure that an overwhelming majority of the respondents (72.75%) were male, while only 27.25% of them were female. This indicates the enthusiasm among men in expressing their views on the chieftaincy conflict, whereas their female counterparts usually shy away from commenting on such issues.

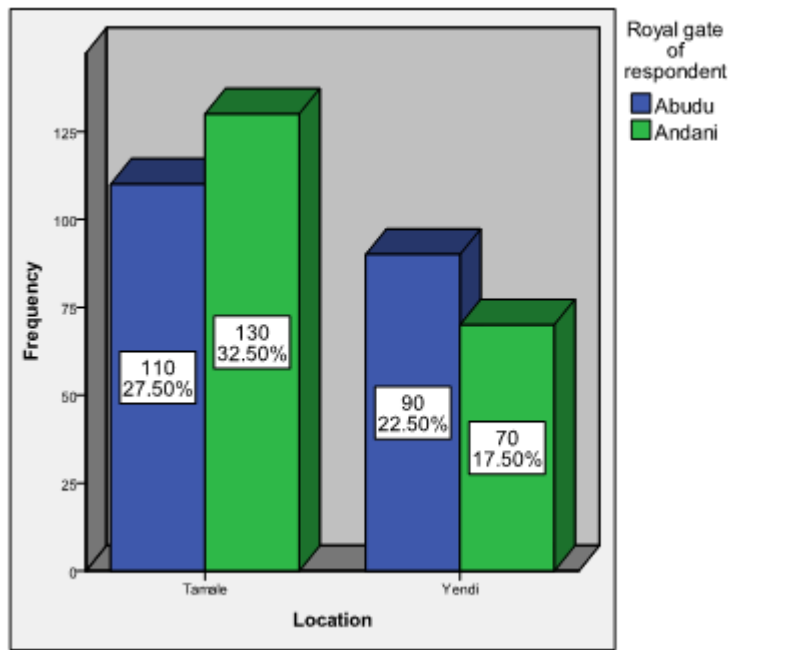


Figure 6. Location of respondent

It was observed from figure 6 that, out of the 240 respondents selected from Tamale, 130 were Andanis while 110 were Abudus. On the other hand, 90 out of the 160 respondents selected from Yendi were Abudus while 70 were Andanis.

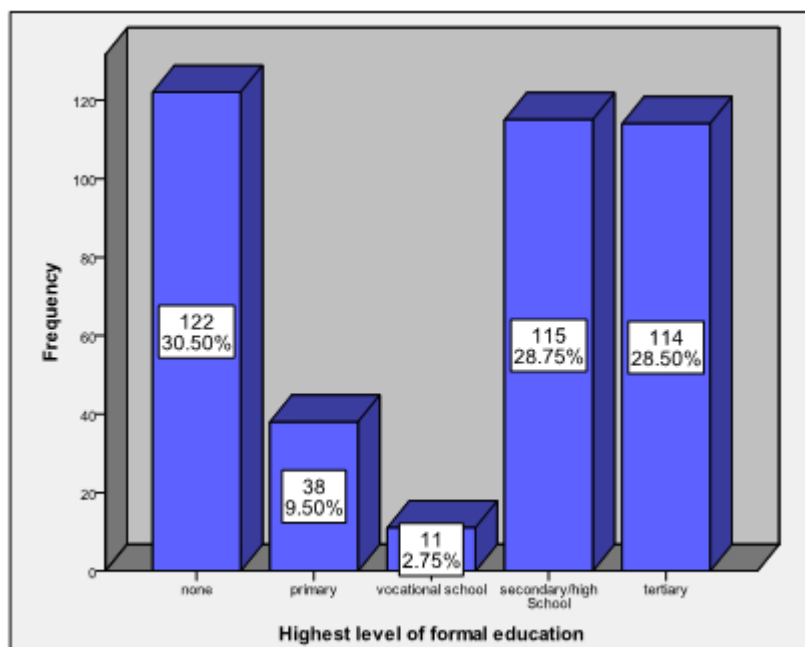


Figure 7. Highest level of education attained

The highest level of formal education attained by the respondents is presented in figure 7 Out of the 400 respondents, 122, which represents 30.50% did not have

any formal education, 11, which represents 2.75% had some level of vocational education, 38, representing 9.50% had completed primary school, 115, representing 28.75% had completed secondary school (Senior High School), and 114, representing 28.50% had tertiary level educational qualification. This indicates that the sample was representative of all sections and various backgrounds of respondents in the study area.

Respondents' knowledge and awareness of the conflict situation in Dagbon

Respondents' knowledge and awareness of the conflict situation in Dagbon were investigated, since these are crucial in deciding whether the selected respondents are in the position to provide appropriate responses to the questions on current practices of conflict resolution and perceptions on the use of ADR in addressing the Dagbon chieftaincy conflict. Table 3 below summarizes the findings:

Table 3

Level of awareness of the Dagbon chieftaincy conflict among respondents

Royal gate of respondent	Are you aware of the Dagbon chieftaincy conflict?		
	Yes	No	Total
Abudu	200	0	200
	100.0%	.0%	100.0%
Andani	200	0	200
	100.0%	0.0%	100.0%
Total	400	0	400
	100.0%	0.0%	100.0%

Table 3 shows the level of awareness of the Dagbon chieftaincy conflict among respondents. It is clear from the table that all the 400 respondents selected for the study were fully aware of the Dagbon chieftaincy conflict and were therefore in a good position to provide realistic responses to the main research questions.

Table 4

Main conflict parties in the Dagbon chieftaincy conflict (by royal gate)

Who are the main conflict parties in the Dagbon chieftaincy conflict?			
Royal gate of respondent	The Abudu and Andani royal families	Supporters of the Abudu and Andani royal families	Total
Abudu	39 19.5%	161 80.5%	200 100.0%
Andani	102 51.0%	98 49.0%	200 100.0%
Total	141 35.3%	259 64.8%	400 100.0%

Table 4 represents views of respondents on the main conflict parties in the Dagbon chieftaincy conflict. An overwhelming majority (80.5%) of the respondents from the Abudu gate were of the view that it is the supporters of the two royal gates that are involved in the conflict, while only 19.5% of them are of the belief that it is members of the two royal families who are involved in it. Among the respondents from the Andani gate, nearly half (49.0%) believe it is the supporters of the royal gates who are involved in the conflict while a little over half (51%) believe it is members of the royal families who are the main parties to the conflict.

Table 5

Main conflict parties in the Dagbon chieftaincy conflict (by location)

Who are the main conflict parties in the Dagon chieftaincy conflict?			
Location	The Abudu and Andani royal families	Supporters of the Abudu and Andani royal families	Total
Tamale	68 28.3%	172 71.7%	240 100.0%
Yendi	73 45.6%	87 54.4%	160 100.0%
Total	141 35.3%	259 64.8%	400 100.0%

Table 5 reveals that, while 172 of the respondents from Tamale, representing 71.7% believe the main conflicting parties in the Dagbon chieftaincy conflict are the

supporters of the Abudu and Andani royal families, only 28.3% trust that the main parties in the conflict are the Abudu and Andani royal family members. On the other hand, 87 respondents from Yendi representing 54.4% agreed that the main parties in the conflict are the supporters of the Abudu and Andani royal families, whereas 73 of the respondents representing 45.6% were confident that the main parties are the Abudu and Andani royal family members.

Results from table 5 provides background information on the main parties involved in the Dagbon conflict. From the results, it could be rightly inferred that the opinions of respondents from both Tamale and Yendi indicate that, the main parties involved in the chieftaincy conflict are the supporters of the Abudu and Andani royal families and not members of the royal families. However, from a comparative standpoint, most respondents in Tamale (71%) as against (54.4%) in Yendi opined that supporters of the Abudus and Andanis royal families are the parties involved in the Dagbon conflict. This gives the indication that, although supporters of the Abudus and Andanis are the main parties involved, respondents view on that differ based on their geographical location (Tamale/Yendi). In Yendi, as much as 45.6% of the respondents were of the opinion that the parties involved in the conflict were members of the two royal families as against the belief of 28.3% respondents from Tamale.

Table 6

Views of respondents on whether the conflict has reached a point of resolution (by royal gate)

Royal gate of respondent	The Dagbon chieftaincy conflict has reached a point for a resolution						Total
	strongly-agree	agree	slightly-agree	slightly-disagree	Disagree	strongly-disagree	
Abudu	46	101	44	4	2	3	200
	23.0%	50.5%	22.0%	2.0%	1.0%	1.5%	100.0%
Andani	49	93	45	5	5	3	200
	24.5%	46.5%	22.5%	2.5%	2.5%	1.5%	100.0%
Total	95	194	89	9	7	6	400
	23.8%	48.3%	22.3%	2.3%	1.8%	1.5%	100.0%

In order to establish statistical deduction on whether the Dagbon conflict has reached a point for a resolution, a six-point Likert scale was utilized. The use of the six-point Likert scale enabled the respondents to express their opinions on the subject matter by choosing from options ranging from strongly agree, agree, slightly agree, slightly disagree, disagree and strongly disagree. Generally, 23.8% of the respondents from the two royal gates (Abudu and Andani) strongly agreed that the Dagbon conflict has reached a point for resolution while 48.3% agreed on the subject matter. A little over 22% also slightly agreed that the Dagbon conflict has reached a point for resolution. A minority of respondents were of the opinion that the Dagbon conflict hadn't reached a point for resolution (Slightly disagree=2.3%, disagree=1.8%, strongly disagree=1.5%). This suggests how serious the situation has become and how urgent a workable conflict resolution method is required to resolve the conflict.

Table 7

Views of respondents on whether the conflict has reached a point of resolution (by location)

Location	The Dagbon chieftaincy conflict has reached a point for a resolution						Total
	strongly-agree	agree	slightly-agree	slightly-disagree	Disagree	strongly-disagree	
Tamale	79 32.9%	115 47.9%	33 13.8%	3 1.3%	5 2.1%	5 2.1%	240 100.0%
Yendi	16 10.0%	79 49.4%	56 35.0%	6 3.8%	2 1.3%	1 .6%	160 100.0%
Total	95 23.8%	194 48.3%	89 22.3%	9 2.3%	7 1.8%	6 1.5%	400 100.0%

By location, in Tamale and Yendi respectively, majority of the respondents agreed that the Dagbon conflict has reached a point of resolution (Strongly Agree=23.8, Agree=48.3%, Slightly Agree=22.3%). On the other hand, minority respondents were of the opinion that the conflict has not reached a point of resolution (Slightly disagree=2.3%, disagree=1.8%, strongly disagree=1.5%).

In Table 7, the revelation is that, whilst 94.6% of the respondents from Tamale are of the view that the Dagbon chieftaincy conflict has reached a point of resolution, only 5.5% believe otherwise. Also, 94.4% of the respondents from Yendi believe that the Dagbon chieftaincy conflict has reached a point of resolution while 5.7% stated otherwise.

Table 8

Views of respondents on whether the conflict is a worry to them (by royal gate)

Royal gate of respondent	Is the Dagbon chieftaincy conflict a worry to you?		Total
	Yes	No	
Abudu	200 100.0%	0 .0%	200 100.0%
Andani	198 99.0%	2 1.0%	200 100.0%
Total	398 99.5%	2 .5%	400 100.0%

Respondents were also asked to indicate whether the Dagbon chieftaincy conflict is a worry to them. Their responses are represented in table 8. Almost all respondents, 398 (99.5%) answered in the affirmative which is to be expected, considering the destructive nature of the conflict and the desire of many to get it resolved.

Table 9

Views of respondents on whether the conflict is a worry to them (by location)

Location	Is the Dagbon chieftaincy conflict a worry to you?		Total
	Yes	No	
Tamale	238	2	240
	99.2%	.8%	100.0%
Yendi	160	0	160
	100.0%	.0%	100.0%
Total	398	2	400
	99.5%	.5%	100.0%

Table 9 reveals that, whilst 99.2% of the respondents from Tamale agreed that the Dagbon chieftaincy conflict is a worry to them, only 0.8% believe otherwise. On the other hand, all the respondents (100.0%) from Yendi are of the opinion that, the Dagbon chieftaincy conflict is a worry to them.

Theme 2: Current practices of conflict resolution in Dagbon

Table 10

Views of respondents on whether there have ever been attempts to resolve the conflict (by royal gate)

Royal gate of respondent	Has there ever been an attempt to resolve the Dagbon chieftaincy conflict in the past?			Total
	Yes	No	Somehow	
Abudu	157	37	6	200
	78.5%	18.5%	3.0%	100.0%
Andani	162	26	12	200
	81.0%	13.0%	6.0%	100.0%
Total	319	63	18	400
	79.8%	15.8%	4.5%	100.0%

From Table 10, while more than three-quarters of respondents from both gates (78.5% from the Abudu gate and 81.0% from the Andani gate) believe that there have been attempts in the past to resolve the conflict, only 15.8% believe otherwise, and 4.5% were skeptical. The implication therefore is that, although respondents from the two royal gates (Abudus and Andanis) do speak to attempts that have been made to resolve the conflict; the interventions have not been successful as the conflict still ranges on, which therefore makes the use of Alternative Dispute Resolution (ADR) worth considering.

Table 11

Views of respondents on whether there has ever been an attempt to resolve the conflict (by location)

Location	Has there ever been an attempt to resolve the Dagbon chieftaincy conflict in the past?			Total
	Yes	No	Somehow	
Tamale	198	27	15	240
	82.5%	11.3%	6.3%	100.0%
Yendi	121	36	3	160
	75.6%	22.5%	1.9%	100.0%
Total	319	63	18	400
	79.8%	15.8%	4.5%	100.0%

Table 11 reveals that, whilst 82.5% of the respondents from Tamale trust there have been attempts in the past to resolve the conflict, only 17.6% believe otherwise. In addition, 75.6% of the respondents from Yendi noted there have been attempts in the past to resolve the conflict while 24.4% believe otherwise. Based on the findings, it could be rightly deduced that the proposition of ADR for conflict resolution is relevant since other methods that have been previously used have not yielded the expected results.

Table 12

Responsibility of the conflict resolution (by royal gate)

Royal gate of respondent	Who do you perceive as being primarily responsible for resolution of the conflict?					Total
	Gov't	Abudu	Andani	both Abudus and Andanis	I don't know	
Abudu	14 7.0%	20 10.0%	55 27.5%	111 55.5%	0 .0%	200 100.0%
Andani	10 5.0%	33 16.5%	14 7.0%	142 71.0%	1 .5%	200 100.0%
Total	24 6.0%	53 13.3%	69 17.3%	253 63.3%	1 .3%	400 100.0%

When respondents were asked to indicate who they perceive as being primarily responsible for resolution of the conflict, as presented in Table 12, 253 out of the 400 respondents, which represent 63.3% were of the view that the responsibility for the resolution of the conflict lies squarely with both the Abudus and the Andanis. On the other hand, 24 respondents representing 6.0% stated that it is the government that has the primary responsibility of resolving the conflict. The implication of this result is that, the root cause of the problem regarding the Dagbon conflicts has to do more with the Abudus and the Andanis and as such the resolution remains with the two royal families.

Table 13

Responsibility of the conflict resolution (by location)

Location	Who do you perceive as being primarily responsible for resolution of the conflict?					Total
	Gov't	Abudu	Andani	both Abudus and Andanis	I don't know	
Tamale	15 6.3%	20 8.3%	24 10.0%	181 75.4%	0 .0%	240 100.0%
Yendi	9 5.6%	33 20.6%	45 28.1%	72 45.0%	1 .6%	160 100.0%
Total	24 6.0%	53 13.3%	69 17.3%	253 63.3%	1 .3%	400 100.0%

Table 13 reveals that, 181 out of the 240 respondents from Tamale which represents 75.4% were of the view that the responsibility for the resolution of the conflict remains with both the Abudus and Andanis, while 24 of them representing 10.0% believe it is only the Andanis who have the responsibility of resolving the conflict, 20 of them representing 8.3% believe it is only the Abudus who have the responsibility of resolving the conflict, and 15 of them representing 6.3% stated that it is the government that has the primary responsibility of resolving the conflict.

On the other hand, 72 out of the 160 respondents from Yendi which represents 45.0% were of the view that the responsibility for the resolution of the conflict remains with both the Abudus and Andanis, while 45 of them representing 28.1% accepted the fact that it is only the Andanis who have the responsibility of resolving the conflict, 33 of the respondents representing 20.6% believe it is only the Abudus who have the responsibility of resolving the conflict, and only 9 respondents representing 5.6% stated that it is the government that has the primary responsibility of resolving the conflict.

Based on the results, it could be well inferred that respondents from both Yendi and Tamale share the believe that the two royal gates have the key responsibility of ensuring that the Dagbon conflicts is resolved. In this regard, the proposition for ADR to be used as an option by the two parties has the potential of serving the right purpose should the royal families decide to resort to the use of the ADR mechanisms to resolve the conflict.

Table 14

Conflict resolution methods that have been used so far (by royal gate)

Royal gate of respondent	Which of the following conflict resolution methods has ever been used to resolve the Dagbon conflict?					All	Total
	Gov't. established-committees	Gov't. established-commission of inquiry	The law court	ADR (i.e. Arbitration, Mediation & Negotiation)			
Abudu	41	84	59	13	3	200	
	20.5%	42.0%	29.5%	6.5%	1.5%	100.0%	
Andani	36	78	68	10	8	200	
	18.0%	39.0%	34.0%	5.0%	4.0%	100.0%	
Total	77	162	127	23	11	400	
	19.3%	40.5%	31.8%	5.8%	2.8%	100.0%	

Table 14 presents the conflict resolution methods that have been used so far in attempting to address the Dagbon chieftaincy conflict without success. According to the respondents, the common methods of conflict resolution that they have witnessed in the conflict are government established committees, the government established commissions of inquiry and also the law courts. Only a few of the respondents (5.8%) mentioned ADR. The results therefore give the implication that respondents from the royal gates are very much aware that the courts and the use of government established committees and commissions of enquiry have been the existing conflict resolution methods, while ADR has not been considered. This result therefore confirms the initial information provided by the researcher in the background to the study regarding the use of courts, committees and commissions of enquiry by the government as the conflict resolution approaches.

Table 15

Conflict resolution methods that have been used so far (by location)

Which of the following conflict resolution methods has ever been used to resolve the Dagbon conflict?						
Location	Gov't. established-committees	Gov't. established-commission of inquiry	The law court	ADR (i.e. Arbitration, Mediation & Negotiation)	All	Total
Tamale	37 15.4%	77 32.1%	98 40.8%	20 8.3%	8 3.3%	240 100.0%
Yendi	40 25.0%	85 53.1%	29 18.1%	3 1.9%	3 1.9%	160 100.0%
Total	77 19.3%	162 40.5%	127 31.8%	23 5.8%	11 2.8%	400 100.0%

Table 15 reveals that, almost half of the respondents (40.8%) from Tamale mentioned the law courts as the conflict resolution method that has been used to address the Dagbon chieftaincy conflict, while majority representing 53.1% of the respondents from Yendi stated government established commission of inquiry as the conflict resolution method that has been used to address the Dagbon chieftaincy conflict.

The result thus, confirms conclusion of earlier studies reviewed in the background to the study on the methods utilized in resolving the Dagbon conflict. Clearly, respondents from Tamale and Yendi respectively have also given empirical evidence to the effect that that the courts and commissions of enquiry have been used instead of ADR.

Table 16

Acceptability of the outcome of the methods that have been used previously (by royal gate)

Royal gate of respondent	Was the outcome acceptable to the two parties involved in the conflict?				Total
	Yes	No	Somehow	I don't know	
Abudu	107	78	12	3	200
	53.5%	39.0%	6.0%	1.5%	100.0%
Andani	93	82	22	3	200
	46.5%	41.0%	11.0%	1.5%	100.0%
Total	200	160	34	6	400
	50.0%	40.0%	8.5%	1.5%	100.0%

Table 16 reveals that, as to whether those methods yielded acceptable outcomes to the two parties involved in the conflict, half (50.0%) of the respondents believed the outcome was acceptable to both parties while the other half responded otherwise. The implication of this result to the current study is that neither the use of the court system nor the committees and commissions of enquiry have yielded the expected result of resolving the Dagbon conflict completely. The response rate gives the indication that the interventions only brought about temporary solutions to the conflict and that they are ineffective to completely resolve the conflict as a whole. There is therefore the need for the use of ADR as a proposed intervention mechanism that can bring about a lasting solution to the conflict.

Perceptions on the use of Alternative Dispute Resolution (ADR)

Table 17

Suitable methods for the resolution of the Dagbon conflict (by royal gate)

Royal gate of respondent	Which of the following conflict resolution methods do you perceive to be suitable to settle the Dagbon chieftaincy conflict?				Total
	Gov't established-commission of inquiry	Gov't established-committees	The law court	Arbitration, Mediation & Negotiation	
Abudu	58 29.0%	17 8.5%	33 16.5%	92 46.0%	200 100.0%
Andani	41 20.5%	36 18.0%	52 26.0%	71 35.5%	200 100.0%
Total	99 24.8%	53 13.3%	85 21.3%	163 40.8%	400 100.0%

The general observation from Table 17 is that the respondents perceive arbitration, mediation and negotiation as the most effective mechanism to be employed to resolve the Dagbon chieftaincy conflict. . Indeed, only 24.8%, 21.3%, and 13.3% favor a government established commission of inquiry, the law courts, and the government established committees.

Table 18

Suitable methods for the resolution of the Dagbon conflict (by location)

Location	Which of the following conflict resolution methods do you perceive to be suitable to settle the Dagbon chieftaincy conflict?				Total
	Gov't established-commission of inquiry	Gov't established-committees	The law court	Arbitration, Mediation & Negotiation)	
Tamale	42 17.5%	20 8.3%	59 24.6%	119 49.6%	240 100.0%
Yendi	57 35.6%	33 20.6%	26 16.3%	44 27.5%	160 100.0%
Total	99 24.8%	53 13.3%	85 21.3%	163 40.8%	400 100.0%

Table 18 reveals that majority of the respondents (35.6%) from Yendi held that a Government established commission of inquiry is the most suitable method for

the resolution of the Dagbon conflict, while majority (49.6%) of the respondents from Tamale held that ADR is the most suitable method to resolve the Dagbon chieftaincy conflict.

Table 19

Likelihood of the ADR approach to succeed in the resolution of the Dagbon conflict (by royal gate)

Royal gate of respondent	When applied, there is the greatest likelihood of the ADR approach to succeed in the resolution of the Dagbon conflict						Total
	strongly agree	Agree	slightly-agree	Slightly disagree	disagree	strongly disagree	
Abudu	25 12.5%	113 56.5%	33 16.5%	0 0.0%	14 7.0%	15 7.5%	200 100.0%
Andani	32 16.0%	102 51.0%	37 18.5%	2 1.0%	16 8.0%	11 5.5%	200 100.0%
Total	57 14.3%	215 53.8%	70 17.5%	2 0.5%	30 7.5%	26 6.5%	400 100.0%

According to results from table 19, majority of the respondents by royal gate (Abudus and Andanis) assert that the ADR approach has the greatest likelihood to succeed in the resolution of the Dagbon conflict (Strongly agree=14.3%, agree=53.8%, slightly agree=17.5%). A minority of the respondents thought otherwise on the subject matter (Slightly disagree=0.5%, disagree=7.5%, strongly disagree=6.5%).

Consequently, when the views of respondents were sought on the likelihood of the ADR approach to succeed in the resolution of the Dagbon chieftaincy conflict, an overwhelming majority of both the Abudu and Andani respondents (85.5%) from Table 4. were in agreement (at various levels) that there is the greatest likelihood of the ADR approach to succeed. Only 15% of the respondents thought otherwise.

Table 20

*Likelihood of the ADR approach to succeed in the resolution of the Dagbon conflict
(by location)*

Location	When applied, there is the greatest likelihood of the ADR approach to succeed in the resolution of the Dagbon conflict						Total
	strongly-agree	Agree	slightly-agree	slightly-disagree	Disagree	strongly-disagree	
Tamale	41 17.1%	132 55.0%	36 15.0%	2 5.0%	17 7.1%	12 5.0%	240 100.0%
Yendi	16 10.0%	83 51.9%	34 21.3%	0 0.0%	13 8.1%	14 8.8%	160 100.0%
Total	57 14.3%	215 53.8%	70 17.5%	2 0.5%	30 7.5%	26 6.5%	400 100.0%

According to results from table 20, most of the respondents by location affirm that there is the greatest likelihood that the ADR approach will succeed in the resolution of the Dagbon conflict when applied (Strongly agree=14.3%, Agree=53.8%, slightly agree=17.5%). On the contrary, minority of the respondents think otherwise on the subject matter (slightly disagree=0.5%, disagree=7.5%, strongly disagree=6.5%).

Indeed, Table 20 reveals that an overwhelming majority of the respondents (83.2% and 87.1%) from both Yendi and Tamale believe there is the greatest likelihood of the ADR approach to succeed in the resolution of the Dagbon conflict when applied.

Table 21

Recommendation of ADR method for chieftaincy conflicts (by royal gate)

Royal gate of respondent	The ADR (Arbitration, Mediation & Negotiation) method should be recommended as suitable to parties in a conflict similar to the Dagbon chieftaincy conflict						Total
	strongly-agree	agree	slightly-agree	slightly disagree	disagree	strongly disagree	
Abudu	22	114	25	0	20	19	200
	11.0%	57.0%	12.5%	0.0%	10.0%	9.5%	100.0%
Andani	32	97	36	0	24	11	200
	16.0%	48.5%	18.0%	0.0%	12.0%	5.5%	100.0%
Total	54	211	61	0	44	30	400
	13.5%	52.8%	15.3%	0.0%	11.0%	7.5%	100.0%

According to results from table 21, it could be inferred that majority of respondents from the two royal gates (Abudu and Andani) assert that the ADR methods such as arbitration, mediation and negotiation should be recommended as suitable to parties in a conflict similar to the Dagbon Chieftaincy conflict (strongly agree=13.5%, agree=52.8%, slightly agree=15.3%). A small number of the respondents did not regard ADR methods as suitable to be recommended to parties involved in a conflict similar to the Dagbon Chieftaincy conflict (slightly disagree=0.0%, disagree=11.0%, strongly disagree=7.5%).

It is interesting to further observe the presentation in Table 21 which indicates that more than three-quarters of both the Abudu and Andani respondents (80.5% and 82.5% respectively) agreed (at various levels) to recommend the ADR method as a suitable method for the resolution of chieftaincy conflicts in general.

Table 22

Recommendation of ADR method for chieftaincy conflicts (by location)

The ADR (Arbitration, Mediation & Negotiation) method should be recommended as suitable to parties in a conflict similar to the Dagbon chieftaincy conflict							
Location	strongly-agree	Agree	slightly-agree	slightly disagree	disagree	Strongly disagree	Total
Tamale	40 16.7%	116 48.3%	45 18.8%	0 0.0%	24 10%	15 6.3%	240 100.0%
Yendi	14 8.8%	95 59.4%	16 10.0%	0 0.0%	20 12.5 %	15 9.4%	160 100.0%
Total	54 13.5%	211 52.8%	61 15.3%	0 0.0%	44 11.0%	30 7.5%	400 100.0%

From table 22, majority of respondents by location (Tamale and Yendi) affirmed that ADR methods such as arbitration, mediation and negotiation should be recommended as suitable to parties in a conflict similar to that of the Dagbon chieftaincy conflict (Strongly agree=13.5%, Agree=52.8%, slightly agree=15.3%). A minority of respondents thought otherwise on the subject matter (slightly disagree=0.0%, disagree=11.0%, strongly disagree=7.5%).

Table 22 also depicts that an overwhelming majority of the respondents (78.2% and 83.8%) from both Yendi and Tamale agreed (at various levels) to recommend the ADR method as a suitable approach for the resolution of chieftaincy conflicts in general.

Test of hypothesis

To test the hypothesis that both the Abudus and Andanis perceive ADR to be a suitable mechanism to resolve their chieftaincy conflict, the appropriate null (Ho) and alternative (HA) hypotheses have been used. The null hypothesis (Ho) is the primary hypothesis of interest in the social science research (Urdan 2010, p.65). The null hypothesis always implies that there will be an absence of effect. Urdan further notes that “the null hypothesis suggests that a sample mean will not be different from

the population mean, or that two population means will not differ, or that two variables will not be related to each other in the population” (Urdan 2010, p. 65). On the other hand, with the alternative Hypothesis (HA) the variables do not equal one another. In this study, therefore, the Hypotheses that have been framed and tested are as follows:

Null Hypothesis (H₀). Both Abudus and Andanis do not perceive ADR to be a suitable mechanism to resolve their chieftaincy conflict.

Alternative Hypothesis (H_A). Both Abudus and Andanis perceive ADR to be a suitable mechanism to resolve their chieftaincy conflict.

Table 23

Chi-square tests

Statistics	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	16.683 ^a	3	.001
Likelihood Ratio	16.895	3	.001
Linear-by-Linear Association	.061	1	.806
N of Valid Cases	400		

a. 0 cells (.0%) have expected count less than 5. The minimum expected count is 26.50.

The chi-square test of independence was performed to examine the differences on how Abudus and Andanis perceive ADR as a suitable method to resolve the Dagbon conflict. From the results, the hypothesis that both Abudus and Andanis perceive ADR as a suitable mechanism to resolve the Dagbon conflict was accepted, $X^2(3, N=400) = 16.683, p < .01$. Hence, the null hypothesis has been rejected and the conclusion is that both the Abudus and the Andanis perceive Alternative Dispute Resolution (ADR) to be a suitable mechanism that can be employed to resolve their conflict at a 95% level of confidence.

Chapter 5: Summary of findings and recommendations

Introduction

The idea of this survey research surfaced out of the desire to gauge perception of the people of Dagbon on the use of ADR to resolve the protracted chieftaincy conflict in the area, as other conflict resolution strategies have not been able to deal with the issues in conflict. The background of the study, the theories and literature materials that have been considered and the survey carried out presented significant insights into the works that have been carried out in the subject area as well as what the views of respondents were on the use of ADR to resolve the conflict.

Thus, the objective of the study was to significantly measure the perception of respondents on the use of alternative dispute resolution (ADR) to resolve and transform the Dagbon chieftaincy conflict in Ghana. The empirical results of the survey have been obtained with the use of a questionnaire as the research instrument. The survey sampled views of an equal number of respondents from both sides of the chieftaincy divide, and the data gathered were statistically analyzed, results attained and presented. Consequently, this chapter discusses and summarizes results obtained from the survey and its implications in accordance with the research objectives.

Summary of findings

Current knowledge of Abudus and Andanis of the chieftaincy conflict in Dagbon

The outcome of the investigation revealed that respondents have adequate knowledge of the conflict situation in Dagbon and what the repercussions have been. The people of Dagbon within the two study sites expressed their worry about the conflict situation and its negative effects. This was to be expected considering the protracted and destructive nature of the conflict over the years, from one generation to another. It should however, be noted that there were a smaller fraction respondents

who remained skeptical or indifferent about the conflict situation and its effects.

Respondents (about 80%) were of the belief that the cause of the conflict could be blamed on the followers of the two conflicting parties locked up in the conflict. This notwithstanding, there were those respondents who put the culpability of the conflict squarely on the two royal families.

A majority of the respondents perceive the conflicting parties and their supporters as being primarily responsible for the resolution of the conflict. For instance, from Table 13, 253 out of the 400 respondents which represents 63.3% of the respondents were of the view that the responsibility of the conflict resolution rests with the supporters of both the Abudu and Andani families. Contrary to this assertion, 24 people representing 6.0% think it is the government's responsibility to resolve the conflict. This notwithstanding, a small fraction sees the Andani and the Abudu families as being responsible for the resolution of the conflict.

The implications of the findings are that supporters of both royal families play a vital role in the conflict and cannot be left out in an effort to resolve the conflict through any process, including ADR. In effect, the supporters are critical for the two conflicting parties to be involved in any form of ADR process that is to be employed to mutually resolve the conflict.

Views of respondents on whether the conflict has reached a point of resolution

From table 4:5, an overwhelming majority of both the Abudu and Andani respondents (23.8% strongly agreed, while 48.3% agreed and 23.3% slightly agreed) are of the view that the Dagbon chieftaincy conflict has reached a point for a resolution. This is an indicative of the arrival of the right moment for the resolution of the Dagbon conflict.

Known practices of conflict resolution in Dagbon

From the findings, the respondents gave accounts of their experience of various government initiatives, interventions and rulings by the courts to resolve the conflict without success, while the protracted conflict rages on. Consequently, the Abudu and Andani royal families are trapped in a vicious cycle of conflict stalemate. This notwithstanding, there were some respondents who were not even aware of attempts by various stakeholders in the past to resolve the issue and this is indicated in table 11 where a total of 63 (15.8%) claimed to be ignorant of attempts to resolve the conflict.

From table 7, an overwhelming majority of the respondents in both Tamale and Yendi strongly agreed (95 people representing 23.8%) and 194 people (48.5%) were of the view that the conflict is now “ripe” for a resolution and transformation. Right (“ripe”) moment in ADR conflict resolutions is usually identified by parties in conflict as an opportunity that ought to be seized for negotiation, mediation, arbitration, and facilitation (Zartman, 2002). The ‘ripe’ moment in this respect refers to the state of “mutual hurting stalemate and a mutually perceived way out” by the parties for the conflict to be resolved (Hollis, 2005).

As to whether the Government Committees and Commissions of inquiry and rulings by the courts yielded acceptable outcomes for the two parties caught up in the conflict, half (50.0%) of the respondents believed the outcome was acceptable to both parties while the other half believed otherwise (Table 16). From table 16, 53.5% and 46.5% of the respondents from Yendi and Tamale respectively believed the methods that have been used in addressing the conflict in the past yielded the desired outcome which was acceptable to both parties. As to whether the Government Committees and Commissions of inquiry and the court rulings yielded acceptable outcomes for the two

parties caught up in the conflict, half (50.0%) of the respondents believed the outcome was acceptable to both parties, while the other half believed otherwise (Table 16). From table 16, 53.5% and 46.5% of the respondents from Yendi and Tamale respectively believed the methods that have been used in addressing the conflict in the past such as court rulings, works and recommendations of Government established committees and commissions of inquiry yielded the desired outcome acceptable to both parties. This could be interpreted to mean that for those that the outcome favored at one time or the other then the court rulings and recommendations were acceptable, even though it might have been disagreed upon and not accepted by the opponent. In any case, if any of the past initiatives were successful, how come that the conflict continues to persist without a resolution? The perception is therefore subjective rather than objective and therefore far from reality.

Perceptions of Abudus and Andanis on the use of Alternative Dispute Resolution

On the possibility of the ADR approach to be employed to successfully address the Dagbon chieftaincy conflict, 14.3% of respondents (Abudus and Andanis) strongly agreed and a total of 53.8% agreed to the success as well (Table 19). In a different perspective, 13.5% respondents strongly agreed and 52.8% agreed to recommend the ADR method as a suitable method for the resolution of chieftaincy conflicts similar to the Dagbon chieftaincy conflict. This is a demonstration of the respondents' trust and belief in the ADR process. In that regard, the method is largely going to be embraced by the two conflicting parties to address their conflict situation (Table 21).

The study contributed to research on conflict and conflict resolution through the ADR process and serves as additional resource to the existing literature in the area of ADR in particular, and conflict resolution studies in general .

Thus, the recommendations of the study when adopted would certainly benefit the people of Dagbon in their efforts to address their current protracted conflict. Lessons learned would serve as a guide in tackling future conflicts or even prevent conflicts from escalating or even occurring in the first place.

Test of hypothesis

In testing the hypothesis that both the Abudus and the Andanis perceive ADR as a suitable mechanism to resolve their chieftaincy conflict, the outcome was positive. From the results of the hypothesis, the perception of both the Abudus and the Andanis was that ADR is a suitable mechanism that could be used to resolve the Dagbon conflict. Indeed, it was overwhelmingly accepted by the respondents. The null hypothesis was rejected and the conclusion is that both the Abudus and the Andanis perceive Alternative Dispute resolution (ADR) to be a suitable mechanism to resolve their conflict at a 95% level of confidence ($\chi^2 (3, N=400) = 16.683, p < .01$).

Thus, the chi-square test for the hypotheses produced a 95% level of confidence. The null hypothesis was rejected and the conclusion arrived at was that both the Abudus and the Andanis perceive ADR to be a suitable mechanism to resolve their chieftaincy conflict at a 95% level of confidence. Precisely from the results of the hypothesis testing, the main research question (Do the Abudus and the Andanis perceive ADR as an option preferable to other conflict resolution mechanisms that have been employed in the past to resolve the Dagbon chieftaincy conflict without a resolution?) has been answered. Indeed, there was a significant 95% level of confidence, which suggests that both the Abudus and the Andanis perceive ADR as a more desirable option than other conflict resolution mechanisms to resolve the Dagbon chieftaincy conflict.

Conclusion

The question worth asking is: “Has the Dagbon chieftaincy conflict now reached a ‘ripe’ moment for settlement using the ADR mechanism?” Subjecting the conflict under study to test under conditions pertaining to the ‘ripeness’ theory, produces outcomes that are clearly inherent in the history of the conflict. The fact is that both parties have been affected by the conflict in one way or the other and are in a “hurting stalemate” and tired of the conflict. Indeed, both the Abudu and Andani factions require an intervention under the ADR (arbitration, customary arbitration and mediation) method to help them out of their predicament with the anticipation of a positive outcome. The study reviewed existing literature and research materials by various authors and researchers relevant to the subject matter of the research area. This comprehensibly aided the discussions and understanding of the thesis of the study.

The methodology of the study outlined the procedures and processes involved by highlighting the research design, data requirements and sources, data collection tools and methods, sampling techniques, and plan for data handling and processing. To provide the necessary background, the methodology also included a detailed description of the plan for data analysis. Motivated and convinced by the strengths and desirable features of a questionnaire and its use, the study relied heavily on the use of a questionnaire as a main research instrument for data collection. Hence, questionnaires were used to collect primary information from respondents from the two study sites; Tamale and Yendi respectively for analysis and interpretations.

This study contributes and provides significant insights into the Dagbon conflict and on the need for the ADR method for resolution and transformation of the conflict. The conflict has affected and continues to affect unity of Dagbon, social

justice and cohesion, interdependence and has indeed tremendously affected the social and economic development of the area. It is being hoped that the theories used and the existing literature reviewed and employed for the discussions may ignite the kind of needed initiatives and growth of interest towards an amicable resolution and transformation of the Dagbon chieftaincy conflict through ADR.

In the conclusion of this study, the assumption is that the protracted Dagbon chieftaincy conflict in Ghana was inevitable; it was just a matter of time for it to happen. This is because since the colonial period, there have been circumstances dictating and shaping issues of differences between the conflicting parties in a predetermined manner between the two Dagbon royal gates and their supporters with undue manipulation by the Dagbon elites, chieftaincy ‘contractors’ and politicians.

Finally, the evidence and findings of this study shows that both the Abudus and the Andanis are equally guilty in different measures and have contributed in one way or the other to the emergence and perpetuation of the protracted Dagbon chieftaincy conflict, the resolution of which still rests in their realm.

Limitations of the study

The study is limited by the sample size as well as selection of the two sites (Tamale and Yendi) among a host of other communities and settlements. Dagbon is made up of ten administrative local government units which are known as Metropolitan, Municipal and District Assemblies (MMDAs) in Ghana. However, due to limited funding resources, respondents were selected from only two local government units, namely; from the Tamale Metropolis and from the Yendi Municipality. Therefore, results of this study cannot be and should not be used to generalize perceptions of the entire Dagbon area, other than the two surveyed sites.

An additional limitation is that, the focus of the study is on a conflict which still has emerging issues shaping it every now and then with varying implications. Therefore conclusions drawn by this study may not stand the test of time.

The final limitation to this study was that some portions of the scale used in the questionnaire had likert scales which were not consistent in their ordering. In this regard, there is the likelihood of biases to occur if respondents did not recognize the few irregularities in the ordering of the scales used in some portions of the questionnaire.

Contributions to knowledge

In sum, the research study has made the following contributions:

It provided in detail the quantitative survey approach to an understanding of the role of ADR as a conflict resolution approach within the scope of the respondent's perception in a space to address and resolve the Dagbon conflict.

From the findings, some of the people within the conflict area still look up to the government to perform a miracle by resolving the conflict unilaterally. This points out the over- reliance and dependence of the conflicting parties on other parties' initiative and effort to resolve their conflict. Thus, the two royal families have the expectation of a solution from the outside to be brooked by the government. Regrettably, this type of feeling ultimately kills individual and group initiatives towards any efforts of resolution of the conflict and sustainable peace in the Dagbon area.

The kind of recommendations that would be useful in the resolution of the Dagbon conflict is embedded in a workable ADR method within the traditional and cultural milieu of Dagbon and carefully drawing ingredients from best practices elsewhere and from historical lessons.

Perhaps it is important for both the Abudu and the Andani royal families to consider learning to detect improprieties of third parties, particularly Dagbon elites, chieftaincy ‘contractors’, politicians and those who benefit from the conflict and how the various roles they play adversely affect peace initiatives towards resolution and transformation of the conflict.

Finally, the study has contributed immensely to existing literature in the subject area of the study. This is because some of the studies carried out in the past on the Dagbon chieftaincy conflicts focused mainly on the politicization, elite manipulation or institutional weaknesses militating against resolution of the conflict (Anamzoya (2004), the need for conflict resolution using non-state actors like civil society organizations (Ahiave, 2013), politicization of the Dagbon conflict Tonah (2012), social pluralism and succession dispute to high office in Dagbon (MacGaffey,, 2006), the impact of the Dagbon conflict on the economic status of women (Mohammed, 2015), and Islam, politics and development: negotiating the future of Dagbon (Abdul-Hamid, 2011), among others. Indeed, none of these studies considered testing the use of ADR as an alternative mechanism for the resolution of the Dagbon chieftaincy conflict. This study therefore contributes to research on the Dagbon conflict in a unique way as it tested the feasibility and appropriateness of ADR in the resolution of the Dagbon chieftaincy conflict.

Recommendations

As indicated elsewhere in this dissertation, some communities in Africa at one time or the other have used indigenous ADR conflict resolution approaches in resolving conflicts. For instance, the traditional ADR mechanisms such as mediation, arbitration, customary arbitration, reconciliation, negotiation, and confession have been employed to resolve conflicts across Africa resulting in win-win or non-zero

game settlements and these ought to be employed once again to resolve community and chieftaincy conflicts.

The Dagbon conflict has reached its “ripeness” point and that is the right moment for its resolution. In that regard therefore, the conflicting parties and other interested stakeholders especially, the government of Ghana ought to take advantage of the situation to initiate a process to amicably settle the conflict. Thus, a time has come for the traditional ADR mechanisms that have been abandoned for some time now to be invoked once again to resolve and transform the Dagbon chieftaincy conflict. Besides, the conflicting parties ought to chart a vigorous path that will lead them to the use of ADR mechanism as an alternative to good-naturedly deal with the Dagbon chieftaincy conflict in a manner that will guarantee sustainable peace in the area.

It has also been established that previous endeavors which aimed at resolving the conflict such as efforts by committees, commissions of inquiry and rulings by the courts failed to yield meaningful results. The ADR process could be initiated by members of the two parties themselves or by the ethnic groups Dagbon shares common origin, ancestry, culture and traditions with to resolve the conflict. Mention must be made of the Mamrugu, Nanun and Moshi kingdoms in that regard. Indeed, it has been on record, for instance, the role that a particular overlord of Mamprugu, the Nayiri, played in using traditional ADR mechanism to resolve a keenly contested competition to the Yendi skin sometime in the past. Nanun anyway, may not be suitable at this time as it is also unfortunately engulfed in a similar chieftaincy conflict situation.

The study also recommends that, in order to introduce ADR as a mechanism for conflict resolution in the Dagbon conflict, the current government must back the

ADR approach with the strongest political will it deserves and encourage the parties to put their conflict before an ADR for resolution. This is as a result of the fact that governments in the past focused mainly on using commissions and committees of enquiry and the law courts to make propositions as a way of resolving the conflict. It is time for government to adopt the ADR approach as a mechanism for conflict resolution of the Dagbon conflict. In doing so, the two royal gates must be rightly involved from the onset in the process of using ADR to resolve the conflicts in Dagbon.

The findings of the study will offer significant lessons for conflict resolution practitioners from which ADR could be used as the best alternative conflict resolution option to address similar conflicts elsewhere, more especially those that are Ghanaian in nature and character.

Suggestions for further research

The belief is that similar studies have to be conducted with a larger survey sample size by involving all the ten MMDAs in Dagbon. Thus, it would be helpful to look at the perception of respondents on the use of ADR to resolve the Dagbon chieftaincy conflict across the entire Dagbon Kingdom since the conflict cuts across all communities in Dagbon.

Additionally, it will be interesting to have this research replicated by other researchers in other parts of Ghana where ethnic and chieftaincy conflicts are irresolvable in order to get a feel of what the perceptions and views of respondents on the use of ADR to resolve conflicts would look like as well as delving into other elements that were not considered.

The optimism is also that the study will impel other research projects in the area of conflict resolution and transformation whereby future studies could center on

other elements of the conflict. In that regard therefore, adequate funding should be secured for future studies so as to reach out to as many respondents as possible in a survey in which a larger sample size could be considered for a greater picture of the conflict to be formed.

In sum, the study is a significant one and could not have been undertaken at a better time than now. This is because the conflict parties, the government of Ghana and other interested stakeholders are in search of appropriate conflict resolution mechanism that could be employed to amicably settle the Dagbon conflict. Indeed, the findings and recommendations centers on ADR as the best option available for adoption to address and settle the Dagbon conflict.

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NB: ADR is a conflict resolution method use outside the law court to settle disputes/conflicts.

- 23. Was the outcome acceptable to the two parties involved in the conflict?
 yes no somehow I don't know
- 24. Who do you perceive as being primarily responsible for resolution of the conflict?
 Gov't Abudu Andani both Abudus and Andanis I don't know
- 25. Please kindly thick below which of the following conflict resolution methods you perceive to be suitable to settle the Dagbon chieftaincy conflict.
 Gov't established-commission of inquiry Gov't established-committees
 the Law court ADR (Arbitration, Mediation & Negotiation).....

NB: ADR is a conflict resolution method use outside the law court to settle disputes/conflicts.

Please, kindly thick below how you feel about the statements in question 14 to 16

- 26. The Dagbon chieftaincy conflict has reached a point for a resolution.
 strongly-agree agree slightly-agree slightly-disagree disagree
 strongly-disagree
- 27. How confident are you about your response to question #14 above?
 extremely confident quite confident moderately confident slightly confident not confident
- 28. When applied, there is the greatest likelihood of the ADR approach to succeed in the resolution of the Dagbon conflict.
 strongly-agreed agreed slightly-agreed strongly-disagreed disagreed slightly-disagreed
- 29. The ADR (Arbitration, Mediation & Negotiation) method should be recommend as suitable to parties in a conflict similar to the Dagbon chieftaincy conflict.
 strongly-agreed agreed slightly-agreed strongly-disagreed disagreed slightly-disagreed
- 30. Kindly give one reason below for your response to question #17 above.

 .
- 31. What other recommendation can you make in efforts towards reaching an acceptable resolution of the Dagbon conflict by the two parties?

 .
- 32. What additional information on the Dagbon chieftaincy conflict do you have to share?

---Thank you---

Appendix B: Questionnaire Two

BOHISI GBAŃ

Bɔhilabsira yayili:

Jaande zaŋmi dalinli / ɔ n-wuhi Bɔhilabsira ni nye yay'sheli nira

[] Abudu [] Andani.

Department of Conflict Analysis And Resolution (DCAR), College of Arts, Humanities and Social Sciences, Nova Southeastern University, Fort Lauderdale, Florida.

Yeltoɣikpani: "Dagbaŋ nama zabili maaligu Ghana puuni: Zaŋ jendi so' palli din yuli booni; Alternative Dispute Resolution (ADR) zaŋ maali li"

Bɔhisi gbaŋ ɔ daliri nyela di gbaai lahibali din be bɔhilabsiriba sani, zaŋ chaŋ be tɛha zaŋkpa zaba maalibu so'pala ɔ, zabigoora ɔn nye zuno (Arbitrator/Arbitration), toɣisigu tahibuna (Mediation) nti pahi layimgbaai (Negotiation). Din yen soŋ maali Dagbaŋ nama zabili Ghana puuni. Vihigu ɔ nyela kariŋzɔŋni dini dinzuyu, soli kani ni ti viigi bɔhilabsira daashili n-wuhi so. Ti ku che ka so baŋ a, ti mi ku che ka a ni yen ti ti lahibali sheli ɔ yi polo ni. Dinzuyu, di ni niŋ ti nyayisim pam a yi ni kpaŋ a maŋa n-labisi bɔhisi ɔn dɔli ɔ na a kpaŋ tariga.

Yayili A: Lahibali zaŋ jandi bɔhilabsira ni nye so/ behigu ni nye sham.

Jaande zaŋmi dalinli / ɔ n-labisi bɔhisi ɔn dɔlina ɔ.

1. Doo bee Paya

a. Doo [] b. Paya []

2. Shikuru ni chaŋ paai sham.

a. Bi chaŋ []

b. Piraamari []

c. Sakandari []

d. Koleji []

e. ɔan pahi [] wuhima

Jaande labisimi bɔhisi ɔn dɔlina ɔ.

3. Yuma

4. Talahi tuma

5. Nuuni tuumbaŋsim

Yayili B: Tɛha zaŋ chaŋ ADR (zabigoora ŋun nye zuno, tɔyisigu tahibuna ni layimgbaai) ni ni tooi zaŋ maali Dagbaŋ nama zabili sham.

Jaande zaŋmi dalinli / ɲɔ, m-pii labisibu zaɣ' yini ko bɔhisi ŋan dɔlina ŋɔ puuni.

6. A mi Dagbaŋ nama zabili la yɛla?
 lin Aayi M mi biɛla M bi mi.
7. Yaɣ' dini nima n-lee jɛndi be Dagbaŋ nama zabili maa ni?
 Abudu yilinima Andani yilinima Sheba (wuhima).....
 M bi mi.
8. Dagbaŋ nama zabili ŋɔ nyɛla din muɣisi a?
 lin Aayi M mi biɛla M bi mi.
9. Ka daɣila sheba na min buɣisi Dagbaŋ nama zabili ŋɔ maalibu yuma din garila ni?
 lin Aayi M mi biɛla M bi mi.
10. A labisibu yi nye lin, zabili maaligu so' sheŋa ŋan dɔli ŋɔ na puuni dini ka be na min zaŋ maali Dagbaŋ nama zabili? A labisibu mi yi nye Aayi dindina nyin kpahi yaɣi bɔhisi #10 mini #11 ka chaŋ bɔhigi #12.
 Gɔmnanti ni kpa kɔmitii sheŋa Gɔmnanti ni kpa vihigu kɔmishin sheŋa. Kootu Zaba maaligu soya la (ADR) piimi yini.

Baŋma: ni ADR nyɛla zabili maaligu so' sheli din pa kootuni zaba maaligu soli.
 (zabigoora ŋun nye zuno, tɔyisigu tahibuna ni layimgbaai)

11. Be ni daa ŋmaai zabili maa sham daa nyɛla yaɣa ayi nima ŋɔ zaa ni daa sayiti sheli?
 lin Aayi M mi biɛla M bi mi.
12. ŋuni ka a daa tɛhi ni ŋuni n-tu ni o ŋmaai zabili maa?
 Gɔmnanti Abudu yilinima Andani yilinima Abudu yilinima
 mini Andani yilinima M bi mi.
13. Zabili maalibu so' sheŋa ŋan dɔli ŋɔ na puuni dini ka a tɛhi ni di nyɛla din lun zahim Dagbaŋ nama zabili maalibu maa.

Gõmnanti ni kpa vihigu komishin sheŋa Gõmnanti ni kpa komitii sheŋa
 ADR (zabigoora ŋun nye zuno, tɔyisigu tahibuna ni layimgbaai)

Barŋma: ni ADR nyela zabili maaligu so' sheli din pa kootuni zaba maaligu soli. (zabigoora ŋun nye zuno, tɔyisigu tahibuna ni layimgbaai).

Jaande wuhimi a teha zaŋ kpa bohisi #14 hali ni #16 ŋo polo.

14. Dagbaŋ nama zabili paai luy' sheli-din tu ni di bo maani suŋ n-ti li pumpoŋo.

N sayiti li pam N sayiti li M bi sayiti li biela
 M bi sayiti li M bi sayiti li pam.

15. Wula ka a nini tiyi labisiri sheli a ni zaŋ ti bohigu #14 din do zuɣusaa ŋo.

N nini tiyi li yaɣi N nini tiyi li sayisi N nini tiyi li N nini tiyi li biela
 N nini bi tiyi li.

16. Lala ADR so' pala ŋo yi zaŋ tum tuma vienyela, Dagbaŋ nama zabili ni nye maani suŋ.

N sayiti li pam N sayiti li N sayiti li biela M bi sayiti li pam
 M bi sayiti li M bi sayiti li biela.

17. A sayiti ni ADR so' pala ŋo leemi zabili maaligu sodɔligu zaŋ ti nama zaba ŋan ŋmani Dagbaŋ nama zabili ŋo.

N sayiti li pam N sayiti li N sayiti li biela M bi sayiti li pam
 M bi sayiti li M bi sayiti li biela.

18. Jaande wuhimi daliri din che ka a labisi bohigu #17 din do zuɣu saa ŋo lala.

.....

19. Pahigu dini ka a mali zaŋ chaŋ maani suŋ din ni viela n-ti yaɣa ayi ŋo (Abudu yili mini Adani yili) nima zaa?

.....

20. Milinsi dini ka a mali yaha zaŋ kpa Dagbaŋ nama zabili ŋo polo ni a ti ti?

.....

M puhiya

Appendix C: Research Informational

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SAYITI SODJUGU GBAJ

Vihigu Yeltɔyikpani: “Dagbaŋ nama zabilɔ maaligu Ghana puuni: Zaŋ jendi so’ palli din yuli booni; Alternative Dispute Resolution (ADR) zaŋ maali li”

Vihigu Toondana:

Yuli: Ahmed-Rufai Ibrahim
Degree: BA (Hons) Sociology, MPA, PhD Karimbɔ.
Behigushee Namba: P.O. Box TI 201, Tamale, Ghana (Gbansabila Tingbanni).
Nuchee Baŋa: + 233(0)208164961

Vihigu ni niŋ luy’ sheli:

Yuya:
 1. Yendi Minisipaliti Yayili, P.O. Box 1 Yendi, Ghana
 2. Tamale Metropolis Yayili, P.O. Box 4 Tamale, Ghana.

Vihigu Labivihi Kpamba:

Nova Southeastern University
 Ofiisi din su sɔŋsim ni alikawuli tuma
 (954) 262-5369/866-499-0790
IRB@nsu.nova.edu

Ban tabi sɔŋ Vihigu Labivihi Kpamba:

Dodowa Alaafee vihigu yili.
 P.O. Box DD 1 Dodowa
 Ghana
 Tel: + 233-5013-36172
 Email: irbdodowa@gmail.com

Vihigu Buyisibu: Ahmed-Rufai Ibrahim nyela doɔyite karimbɔ ŋun niŋdi vihigu karinzɔŋ titali din yuli booni Nova Southeastern University la ni, ni be zaŋ li n-ti o Doɔyite shahira gbaŋ din jendi “zaba behisi ni di maliŋ soya”. Vihigu ŋɔ daliri nyela di zahim bohilabisiriba tɛha zaŋ chaŋ zaba maaligu so’ pala (ADR) ŋɔ, zaŋ ŋmaai zaba ka di pala kootu bee gɔmnanti komitii mini vihigu komishinnima, Dagbaŋ din be tudu yayili Ghana puuni la.

Karimbɔ nyela ŋun yen maagi o maŋa n-zaŋ tabibi tuma n-wuhi (ADR) ni ni tooi zaŋ bo suhudoo n-ti nama zabilɔ din be Dagbaŋ zuŋɔ yuma kaɛe la. Ka di nyela yaya ayi (Abuduyili mini Andaniyili nima) ŋɔ zaa puuni niriba ka o gahim ni o deei bi tɛha Tamale mini Yendi bɔbili maa.

Yelmaŋli, vihigu ɗo pala sheli m-pahila karinzɔŋni dini dinzuyu soli kani ni ti vii bɔhilabisira daashili n-wuhi so yaha. Bɔhilabisiriba yuya nti pahi be nuchebansi nambanima ni be yelli kam bi tu ni vihivihira deei bee n-sabi li pa bɔhisi gbaŋ maa ni. Bɔhilabisiriba daashili mini be labisibu sheŋa be ni yen ti zaa nyela din yen be ashiloni ka so ku baŋ li.

A yi sayiti ni a ni ti ti lahibali dindina nyin labisimi bɔhisi ɗan be bɔhisi gbaŋ ɗo n-ti ti ka di sɔŋ karimbia ɗo ka o bo maaligu so' vielli n-ti Dagbaŋ nama zabili ɗo.

Barina/Anfaani zaŋ ti bɔhilabisira: Barina din be vihigu ɗo ni zaŋ ti bɔhilabisira bi yaɣi lala. Di mi daanfaani zaŋ ti bɔhilabisira gba dii bi yi polo. Amaa din tu ni a baŋ sham nyela; a hankali gba nyela din yen zaŋ pahi m-bo maani surɗ n-ti Dagbaŋ nama zabili. A yi mali bɔhigu zaŋ chaŋ Barina/Anfaani ɗan be vihigu ɗo polo nyin bolimi vihigu ɗo lana bee karinzɔŋ (IRB) ɗo kpamba namba sheŋa ɗan do zuyusaa ɗo.

Yori zaŋ ti bɔhilabisira: Yori ka bɔhisi ɗo labisibu puuni. Wuntizobo tuma n-nyɛ li dinzuyu ti bi yen yo so tuma ɗo nyaarɗa.

Tuma ɗo daashili yela: Lahibali sheli ti ni gbaai vihigu ɗo ni nyela din yen be ashiloni. Nayila tingbani fukumsi zaligu (law) n-ti wuhi ni ti yihi li polo. Tuma ɗo gbana zaa nyela din yen kpari niɗ adakabila puuni. A yuli mini a biɛhigu nti pahi a nuchebaŋa namba pala ti ni yen sabi sheli pa bɔhisi gbaŋ ɗo zuɣu, ti mi ku yeli a yeltoɣa lahibali chuyu mini zamaatu layinsi puuni.

Bɔhilasira mali soli ni o pili ka ti zaɣisi bɔhisi labisibu yaha: A mali soli ni a zaɣisi ni a ku ti ti lahibali. A mi lahi mali soli ni yerina n-ti zaɣisi ni a kulahi yeli ka tibidarigibo sheli kani.

Sayiti Yaɣili: N karim gbaŋ ɗo vienyela ka sayiti ni n ni labisi bɔhisi ɗo. N ni mali bɔh' sheŋa zaŋ jandi vihigu nyela din pun labisi zaa. Hali nyevuyani, n yi ti mali bɔhisi zaŋ kpa vihigu ɗo polc, n yen bɔhila karimbia ɗun niɗ vihigu ɗo bee karinzɔŋ ɗo kpamba. M mi ni bɔhisi ɗo yi labisi mani n-sayiti ɗo ka di naanyi labisi.

Jaande, a yi sayiti ni a ni labisi bɔhisi ɗo, nyin sabimi a yuli ka gori n-sɔŋ gbunni ɗo ka di wuhi ni a sayiti li.

Bohilabisira:

Yuli Gøribu..... Dabisili.....2016

Shahira dira:

Yuli Gøribu..... Dabisili.....2016

Vihigu Toondana:

Yuli Gøribu..... Dabisili.....2016

**Nova Southeastern University
Institutional Review Board
Yeltɔyilɛbigirili Sayiti Gban Labivihi Yayili**

Dabisili:

Vihigu Toondana: Ahmed-Rufai Ibrahim (N00755780)

Yihigu Yeltɔyikpani: Dagbanɔ nama zabili maaligu Ghana puuni: Zaɔ jɛndi so' palli din yuli booni; Alternative Dispute Resolution (ADR) zaɔ maali li

Yeltɔya ni lɛbigi bal' sheli ni:

Dagbani (Ghana Balli).

N dihi tabili n suhuni kadama yɛtɔyɔ' shɛɔa ɔan lɛbigi ɔa zaa nyɛla din mini Silimiinsili maa zaa gbunni nyɛ yim ni yelimaŋli.

Gbana ɔan labivihi:

1. Sayiti gbanɔ din lɛbigi Dagbani puuni.
2. Bohisi gbanɔ din lɛbigi Dagbani puuni.

Ŋun Labivihi Yuli Gɔribu

Ŋun Labivihi Yuli.