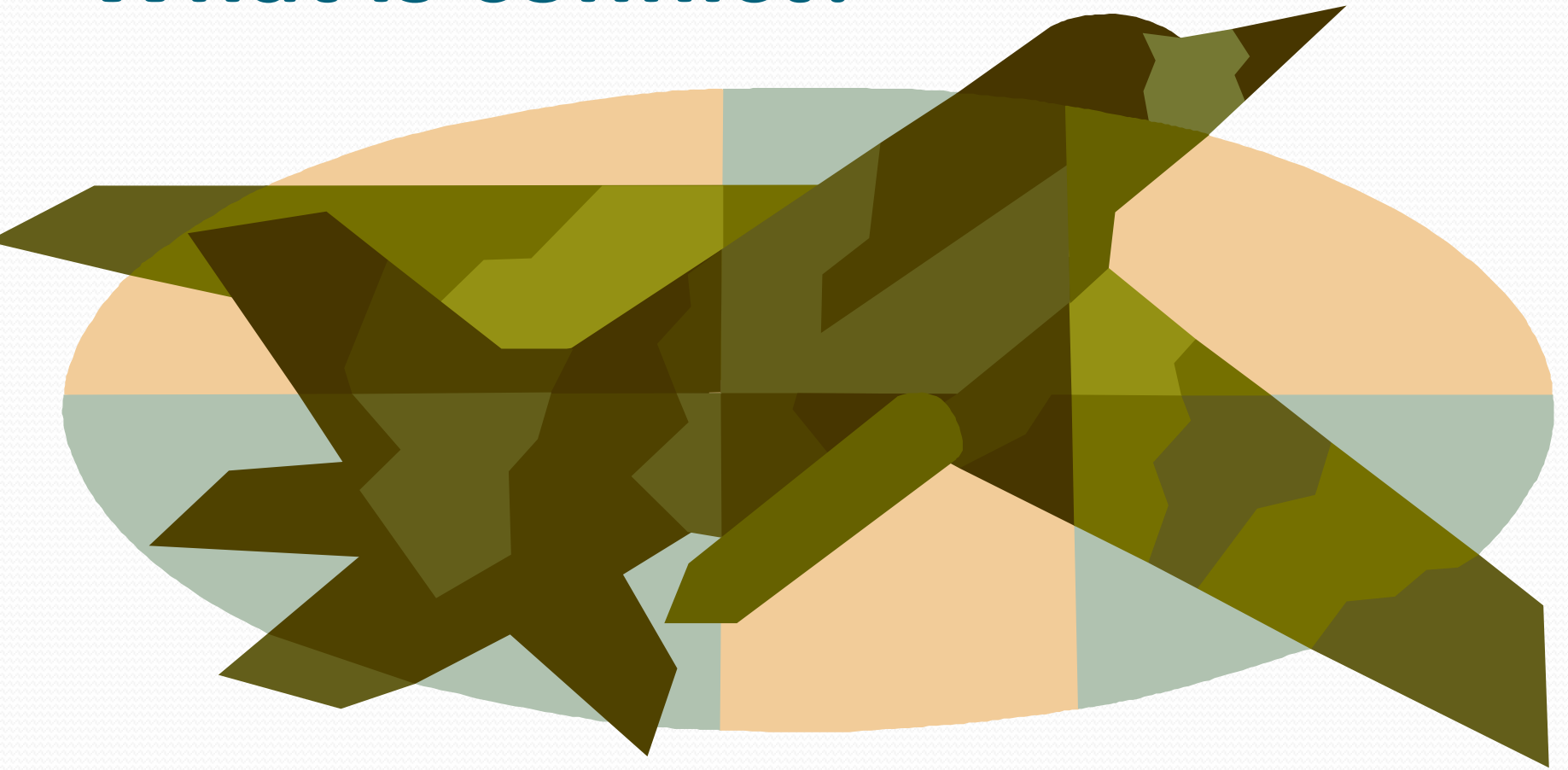


What is conflict?



The concept of conflict

- Conflict refers to some form of
- **friction,**
- **disagreement,**
- **or discord**

arising within a group when the beliefs or actions of one or more members of the group are either resisted by or unacceptable to one or more members of another group.



Cont.

- Conflict can be about a situation or a type of behavior

definitions

- Michael Nicholson defines conflict as an activity which takes place when individuals or groups wish to carry out mutually inconsistent acts concerning their **wants, needs or obligations**.

Definitions cont.

- It may also be defined as a disagreement through which the parties involved perceive a threat to their
- **needs,**
- **interests or**
- **concerns.**

How does conflict manifest

- Manifestations of conflict behavior starts with disagreement, and followed by verbal abuse and interference
- Conflicts can occur between individuals, groups and organizations
- Examples are quarrels between friends or family members, labour strikes, competitive sports, or war.

Types of conflict

- **Content conflict** is where individuals disagree about how to deal with a certain issue or task.
- **Relational conflict** is where individuals disagree about one another. It stems out of interpersonal incompatibility.
- **Process conflict** refers to disagreement over the groups approach to a particular task

Can conflict be beneficial???

- Content conflict can be beneficial, increasing motivation and stimulating discussion, whereas relational and process conflict decreases performance, loyalty satisfaction and commitment, and causes individuals to be irritable, negative and suspicious

Internal conflict

- A limited amount of internal conflict may indirectly contribute to group stability.
- An occasional conflict within a group such as in a school (ALUTA) may keep its leaders alert and its policies up to date.
- If there is no scope for occasional expression, of conflict and if it is deliberately suppressed, the accumulated discontent may explode and cause irreparable damage.

External conflict

- External conflict brings about social unity and ones among the members.
- For example during inter colleges

Personal conflict

- Personal conflicts also have their advantages. It is through constant struggling only that individuals can rise to a higher level.
- The verbal conflicts of friends, married couples and family members, except that they stop short of personal abuse and are restricted to specific issues; often clear the air and permit once again the acceptance of relationship

Negative effects of conflict

- Conflict is the most vigorous form of social interaction and evokes the deepest passions and strongest emotions which can disrupt social unity.
- it is a costly way of settling disputes.
- Conflict causes social disorder, chaos and confusion.

Cont.

- War as a form of conflict often destroy the lives and properties of countless individuals.
- it brings incalculable damage and immeasurable suffering to a number of people.
- Conflict does a lot of psychological and moral damage also. It spoils the mental peace of man which can result in stress related illness.

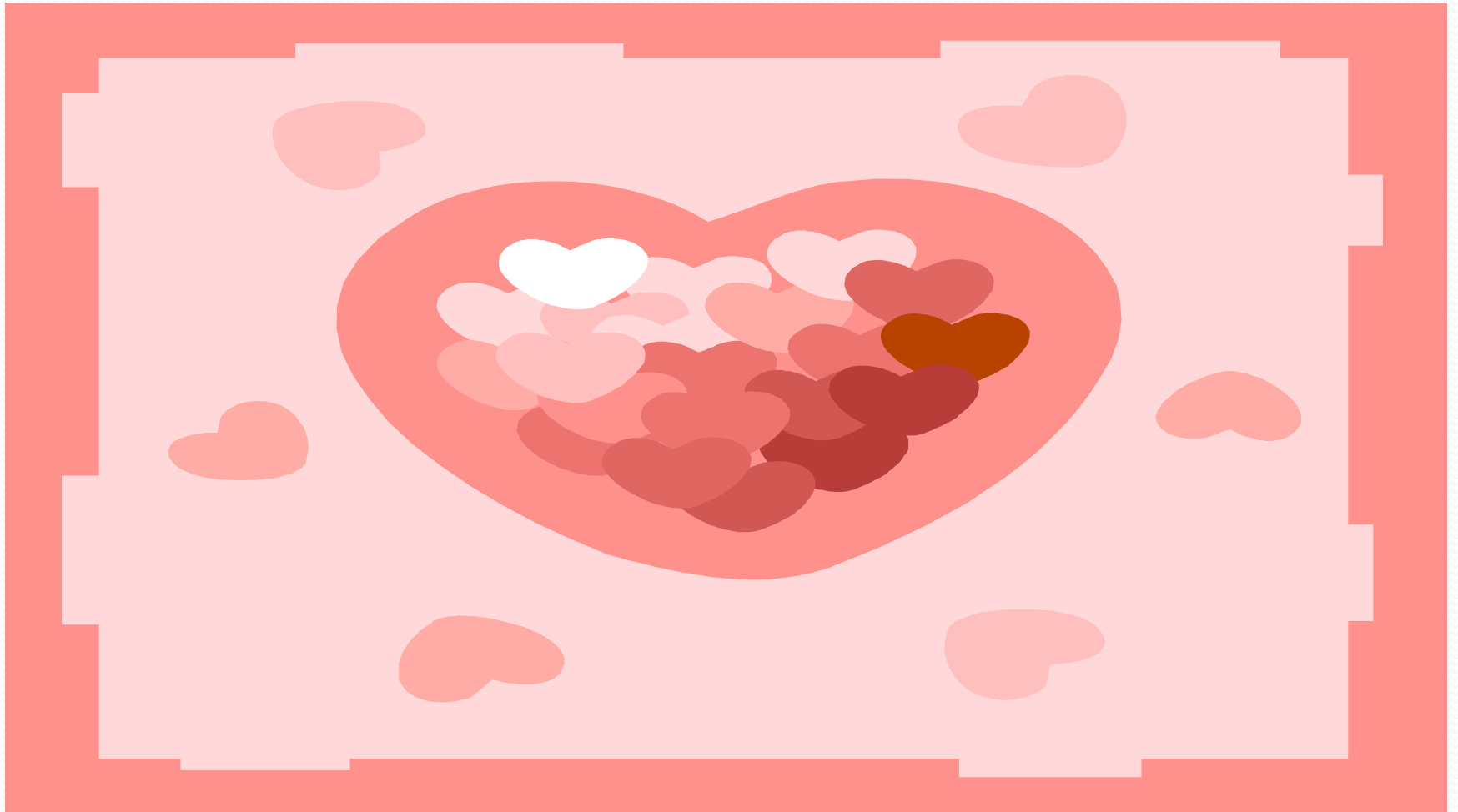
Causes of conflict

- Superiority
- Injustice
- Vulnerability
- Distrust
- Helplessness
- Conflict in conflict resolution is therefore not only the presence of violence

A necessary evil???

- Conflict is thus a fundamental human and social trait.
- A completely conflict free harmonious society is impossible.

What is peace?



Some attempted definitions

- Peace is an occurrence of harmony characterized by lack of violence, conflict behaviours and the freedom from fear of violence.

Roland Reagan

- Peace is not just the absence of conflict; it is the ability to handle conflict by peaceful means.

Nelson Mandela

- If you want to make peace with your enemy, you have to work with your enemy. Then he becomes your partner.

Mahatma Gandhi

- An eye for an eye will only make the world blind.

Definitions cont.

- Peace refers to absence of hostility.
- It refers to an environment that is characterized by healthy interpersonal and international relationships, acknowledgement of equality and fairness

Importance of peace

- Peace generates a sense of security in our minds, helps us live in a world which is void of hostility
- Peace is important for social well being where a people live in harmony
- Peace makes life on earth worth living. It enables men and nations grow and to hope to build a better life for coming generations
- Peace means progress and happiness

What is litigation

- This is a type of dispute resolution by laid down rules and procedure.
- Litigation refers to the rules and practices involved in resolving disputes in the court systems
- It is a contest in a court of justice for the purpose of enforcing a right.

The process of litigation

- Writ of summons and statement of claim
- Statement of defence
- Reply
- Setting down issues for trial
- Discovery of documents
(these are all time bound)

Process cont.

- Trial (examination in chief, cross examination and re examination)
- Addresses
- Verdict
- Judgment
- Appeal (time bound)

The problem with litigation

- Litigation in Ghana is expensive, time consuming and does not foster amicable settlements of disputes.
- Sometimes it destroys relationships as the parties tend to see each other as enemies.

Why and how

- The aim of litigation is to declare a winner, determine parties' rights and proclaim a victor and not necessarily resolve disputes thereby destroying relationships which should otherwise be preserved.
- With litigation there is only one right answer. There is only one outcome. Win or lose

Cont.

- The litigation system can be wrong. Adjudication involves setting down of facts, raising issues and resolving those issues by applying the law.
- The facts as they are presented cannot be said to be correct all the time and any decision given will be based on those facts. Evidence can be fraudulent or tailored to suit a party's case.

Cont.

- The cost of litigation drains parties of all finance. Cost of legal fees, transportation of lawyers, filing of documents etc
- There are often than not inescapable delays

Cont.

- Parties are alienated from the system.
- They do not know the procedures and most often than not, are not aware of what is happening.
- The court room can be intimidating.
- Because parties are not made a part of the process and do not know what is goes on, they mostly come out unsatisfied and aggrieved.



cont,.

- There is no privacy except for cases expressly stipulated by law to be heard in private.
- Litigation does not recognize otherwise legitimate issues such as hurt feelings, wasted time and destroyed relationship.

Advantages of litigation

Despite these disadvantages litigation is still employed as a means of dispute resolution owing to the following;

- People still have confidence in the court system and they are aware they need not take the law into their own hands or employ self help when there is dispute but rather they can confidently resort to the courts for justice

Advantages cont.

- There is certainty and prediction in the legal system. I.e. a person can look to past decisions of the court on similar issues and have a fair idea how the courts will decide a current case with similar set of facts.
- There is a right of appeal up to the Supreme Court

Advantages cont.

- Litigation allows for the development of the law because during litigation judges apply a wide range of laws.
- Sometimes there is the need for the interpretation of the law.
- Some issues can only be resolved by court such as criminal cases.

Advantages cont.

- Equally, it has been identified that not all cases are suitable for litigation.
- Especially, cases where the need to restore a relationship, save or ease pressure or preserve family or privacy is high.

conclusion

- Since litigation is not perfect for all conflict resolution there is the need to analyze conflicts to ensure which conflict is best suited for what method of dispute resolution, hence the development of alternative dispute resolution.