

Alternative Dispute Resolution and Conflict Management among Members of the Nigerian Bar Association in Lagos State, Nigeria

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ABSTRACT

The increasing complexity of legal disputes and the persistent challenges associated with litigation have heightened interest in Alternative Dispute Resolution (ADR) as an effective mechanism for conflict management. Despite the institutionalization of ADR within the Nigerian justice system, questions remain regarding its acceptance and utilization among legal practitioners themselves. This study examined the challenges of conflict management through the use of Alternative Dispute Resolution among members of the Nigerian Bar Association (NBA) branches in Lagos State, Nigeria. The study adopted a qualitative research design and utilized in-depth interviews and focus group discussions to generate primary data from legal practitioners across selected NBA branches in Lagos State. Guided by Stakeholder Theory, the study explored the types of ADR mechanisms employed, the extent of ADR adoption, its effectiveness in managing internal conflicts, and the challenges affecting its utilization. Findings revealed that arbitration remains the most preferred ADR mechanism among NBA members, while mediation and conciliation are comparatively underutilized. The study further established that ADR contributes significantly to the speedy resolution of disputes, cost reduction, relationship preservation, and the promotion of amicable settlements. However, challenges such as inadequate ADR skills, limited awareness, insufficient institutional support, resistance among some legal practitioners, and a lack of confidence in ADR mechanisms continue to hinder its effective deployment. The study concludes that while ADR has gained increasing acceptance within the NBA, deliberate efforts are required to strengthen institutional frameworks, enhance professional capacity building, and mainstream ADR into the operational culture of the Association. The paper recommends compulsory ADR training for legal practitioners, stronger policy support within the NBA, and increased advocacy on the benefits of ADR as a sustainable conflict management mechanism.

KEYWORDS

Alternative Dispute Resolution, Conflict Management, Nigerian bar Association, Arbitration, Mediation, Lagos State, Peace building

I. INTRODUCTION

The increasing complexity of social, commercial, and professional disputes in contemporary societies has intensified the search for effective, efficient, and sustainable mechanisms of conflict management. While litigation remains the dominant method of dispute resolution within many legal systems, its limitations—including high costs, procedural delays,

adversarial outcomes, and the deterioration of relationships between disputing parties—have generated renewed interest in Alternative Dispute Resolution (ADR) mechanisms. ADR encompasses a range of processes, including mediation, arbitration, conciliation, negotiation, and other non-adjudicative methods designed to facilitate the amicable settlement of disputes outside conventional courtroom proceedings. Across the world, ADR has gained recognition as an important instrument for promoting access to justice, reducing judicial congestion, preserving relationships, and fostering peaceful coexistence among individuals and institutions.

In Nigeria, the adoption of ADR has expanded significantly over the past two decades, particularly following judicial reforms aimed at improving the efficiency of the justice system. Institutions such as the Lagos Multi-Door Courthouse (LMDC), the Abuja Multi-Door Courthouse, and various court-connected mediation centres have contributed to the institutionalization of ADR within the country's legal framework. These developments reflect growing recognition of the capacity of ADR mechanisms to complement formal litigation and provide more flexible, cost-effective, and participatory approaches to dispute settlement. Consequently, ADR has become an important component of legal practice, commercial transactions, labour relations, and community conflict management in Nigeria. Despite these advancements, concerns persist regarding the extent to which ADR has been embraced and effectively utilized by legal practitioners themselves. As key stakeholders within the justice sector, members of the Nigerian Bar Association (NBA) play a critical role in promoting, facilitating, and institutionalizing ADR processes. Their attitudes, competencies, and willingness to engage with ADR significantly influence its acceptance and effectiveness within the broader legal system. However, evidence suggests that many legal practitioners continue to rely heavily on litigation despite the recognized benefits of ADR. Factors such as inadequate training, limited awareness, professional conservatism, financial considerations, institutional constraints, and perceptions regarding the enforceability of ADR outcomes have been identified as potential barriers to its effective utilization.

The situation is particularly significant in Lagos State, which serves as Nigeria's commercial hub and hosts some of the most active NBA branches in the country. Given the volume and complexity of disputes arising within the state, ADR has become an essential mechanism for managing conflicts and reducing pressure on the formal judicial system. Nevertheless, the extent to which NBA members actively employ ADR mechanisms in resolving disputes, as well as the challenges they encounter in doing so, remains insufficiently explored. Existing studies on ADR in Nigeria have focused largely on institutional frameworks, legal reforms, and the role of courts, with comparatively limited attention devoted to the experiences and perceptions of legal practitioners who constitute the primary agents of ADR implementation. This gap in knowledge has important implications for policy formulation, professional development, and the effectiveness of conflict management strategies within the legal profession.

Against this background, this study examines the challenges of conflict management through the use of Alternative Dispute Resolution among members of the Nigerian Bar Association branches in Lagos State. Specifically, the study seeks to explore the extent of ADR utilization

among legal practitioners, identify the major challenges affecting its adoption and effectiveness, and assess its contribution to conflict management within the legal profession. In addressing these concerns, the study is guided by the following questions: What ADR mechanisms are commonly utilized by members of the Nigerian Bar Association in Lagos State? To what extent do legal practitioners employ ADR in managing disputes? What challenges hinder the effective use of ADR among NBA members? How can ADR mechanisms be strengthened to improve conflict management outcomes within the legal profession?

The significance of this study lies in its contribution to the growing body of scholarship on conflict management, access to justice, and Alternative Dispute Resolution in Nigeria. By focusing on legal practitioners as key stakeholders in the ADR process, the study provides empirical insights into the practical realities of ADR implementation within the Nigerian legal system. The findings are expected to contribute to policy discussions on judicial reform, professional legal education, and the strengthening of ADR institutions. Furthermore, the study offers valuable recommendations for the Nigerian Bar Association, legal practitioners, policymakers, and conflict management professionals seeking to promote more effective and sustainable approaches to dispute resolution. Beyond its practical implications, the study contributes to broader debates on peace building, restorative justice, and the role of non-adversarial mechanisms in fostering social harmony and institutional effectiveness within contemporary societies.

The central argument advanced in this article is that although Alternative Dispute Resolution has emerged as a viable and increasingly accepted mechanism for conflict management within the Nigerian legal system, significant institutional, professional, and operational challenges continue to limit its full utilization among members of the Nigerian Bar Association in Lagos State. Addressing these challenges is essential for strengthening ADR practice, improving access to justice, reducing reliance on litigation, and enhancing the overall effectiveness of conflict management within Nigeria's legal environment.

II. CONCEPTUAL CLARIFICATION

A. Alternative Dispute Resolution (ADR)

Alternative Dispute Resolution (ADR) refers to a range of procedures and mechanisms through which disputes are resolved outside the conventional courtroom process. ADR emerged as a response to the limitations of litigation, particularly the high costs, procedural delays, technical complexities, and adversarial nature associated with formal judicial proceedings. It encompasses various methods, including negotiation, mediation, conciliation, arbitration, and other hybrid processes designed to facilitate the peaceful settlement of disputes.

Scholars generally view ADR as a flexible, voluntary, and participatory approach to conflict management that enables disputing parties to retain greater control over both the process and the outcome of dispute resolution. Unlike litigation, which often produces winners and

losers, ADR emphasizes collaboration, mutual understanding, and the achievement of outcomes that are acceptable to all parties. Consequently, ADR has become an important mechanism for promoting access to justice, reducing case backlogs within courts, preserving relationships, and fostering social harmony.

In the Nigerian context, ADR has gained increasing prominence through institutional initiatives such as the Lagos Multi-Door Courthouse and court-connected mediation programmes. These initiatives have enhanced public confidence in ADR and contributed to its growing acceptance among legal practitioners, commercial organizations, and government institutions. Within this study, ADR is understood as a non-adversarial conflict management mechanism that provides parties with efficient, cost-effective, and mutually beneficial alternatives to litigation.

B. Conflict Management

Conflict management refers to the processes, strategies, and techniques employed to prevent, control, transform, or resolve disputes in ways that minimize destructive outcomes and promote constructive relationships. Conflict is an inevitable feature of human interaction arising from differences in interests, values, goals, perceptions, and expectations (Rahim, 2017). However, the presence of conflict does not necessarily imply dysfunction; rather, the manner in which conflicts are managed determines whether they become destructive or contribute positively to social and organizational development.

Conflict management differs from conflict resolution in that it recognizes that not all conflicts can be completely eliminated. Instead, it seeks to regulate and transform conflicts in ways that reduce hostility, encourage dialogue, and facilitate cooperation among parties. Effective conflict management involves communication, negotiation, mediation, problem-solving, and consensus-building processes that enable disputants to address underlying issues and achieve sustainable outcomes (Deutsch, Coleman, & Marcus, 2014).

Within the legal profession, conflict management is particularly important because lawyers frequently engage with disputes involving clients, colleagues, institutions, and professional bodies. ADR serves as a critical conflict management tool by providing structured processes through which disputes can be addressed without resorting to prolonged litigation. In this study, conflict management refers to the application of ADR mechanisms to prevent, manage, and resolve disputes among members of the Nigerian Bar Association and within the broader legal environment.

C. Mediation

Mediation is a voluntary ADR process in which a neutral third party, known as a mediator, assists disputing parties in reaching a mutually acceptable settlement. Unlike judges or arbitrators, mediators do not impose decisions on the parties but facilitate communication, identify areas of common interest, and guide negotiations toward a consensual agreement (Moore, 2014).

The effectiveness of mediation lies in its ability to preserve relationships, encourage open communication, and provide flexible solutions tailored to the specific needs of disputants. Mediation is particularly useful in disputes where parties have ongoing professional, commercial, or personal relationships that require preservation. Within the Nigerian legal system, mediation has become one of the most widely utilized ADR mechanisms, particularly through institutions such as the Lagos Multi-Door Courthouse.

D. Arbitration

Arbitration is a private dispute resolution process in which disputing parties submit their case to one or more neutral arbitrators whose decision is binding on the parties. Unlike mediation, arbitration involves a formal hearing process and culminates in an enforceable award similar to a court judgment (Born, 2021). Arbitration is particularly popular in commercial disputes because of its confidentiality, flexibility, procedural efficiency, and international enforceability.

In Nigeria, arbitration is governed by statutory provisions and has become a preferred mechanism for resolving commercial and contractual disputes. Many legal practitioners view arbitration as an effective alternative to litigation because it combines procedural flexibility with legal certainty. As a result, arbitration occupies a central position within contemporary ADR practice.

E. Conciliation

Conciliation is a dispute resolution process similar to mediation but characterized by a more interventionist role on the part of the neutral third party. The conciliator actively assists disputing parties by proposing solutions, clarifying misunderstandings, and facilitating negotiations aimed at achieving a mutually acceptable agreement. Conciliation is particularly useful in situations where communication between parties has broken down or where there is a need for greater guidance in the negotiation process. Although less commonly utilized than mediation and arbitration, conciliation remains an important component of ADR practice within Nigeria and other jurisdictions.

F. The Nigerian bar Association (NBA)

The Nigerian Bar Association (NBA) is the umbrella professional organization representing legal practitioners in Nigeria. Established to regulate professional conduct, promote legal development, protect the interests of legal practitioners, and contribute to the administration of justice, the NBA occupies a central position within the Nigerian legal system. The Association operates through numerous branches across the country, including several active branches in Lagos State.

Beyond its regulatory and professional functions, the NBA plays a significant role in promoting access to justice, legal reforms, and alternative dispute resolution mechanisms. Through conferences, training programmes, policy advocacy, and professional development initiatives, the Association has contributed to the growing acceptance of ADR within legal

practice. In this study, the NBA constitutes the primary institutional context within which the utilization and challenges of ADR are examined.

The foregoing concepts provide the analytical foundation for understanding the role of Alternative Dispute Resolution in conflict management among members of the Nigerian Bar Association. Their clarification is essential for examining the opportunities and challenges associated with ADR utilization within the Nigerian legal profession.

III. LITERATURE REVIEW

The growing complexity of disputes within contemporary societies has generated increased scholarly and professional interest in Alternative Dispute Resolution (ADR) as an effective mechanism for conflict management. Across legal systems, ADR has emerged as a viable alternative to litigation due to concerns regarding the cost, delays, technical procedures, and adversarial nature of conventional court processes. Consequently, scholars, legal practitioners, policymakers, and conflict management experts have devoted considerable attention to understanding the role of ADR in promoting access to justice, preserving relationships, and facilitating the peaceful settlement of disputes.

The concept of ADR gained prominence in the United States during the latter half of the twentieth century as part of broader judicial reforms aimed at reducing court congestion and improving access to justice (Sander & Goldberg, 1994). Since then, ADR has evolved into a globally recognized framework encompassing negotiation, mediation, conciliation, arbitration, and hybrid dispute resolution mechanisms. According to Moore (2014), ADR provides disputing parties with opportunities to resolve conflicts through collaborative and consensual processes that emphasize communication, mutual understanding, and problem-solving. Unlike litigation, which often results in adversarial outcomes, ADR seeks to create mutually beneficial solutions capable of preserving relationships and fostering long-term cooperation.

Scholarly literature identifies several advantages associated with ADR. First, ADR processes are generally faster and less expensive than conventional litigation. Goldberg, Sander, Rogers, and Cole (2012) argue that ADR reduces procedural complexities and enables parties to resolve disputes within shorter timeframes. Second, ADR promotes confidentiality, making it particularly attractive in commercial, professional, and organizational disputes where reputational concerns may arise. Third, ADR encourages active participation by disputing parties, thereby increasing satisfaction with outcomes and enhancing compliance with settlement agreements. These advantages have contributed significantly to the growing adoption of ADR across both developed and developing societies.

Within the field of conflict management, ADR is widely regarded as a constructive approach to addressing disputes while minimizing destructive consequences. Rahim (2017) defines conflict management as the process of limiting the negative aspects of conflict while enhancing its positive outcomes. Effective conflict management seeks not merely to terminate

disputes but to transform relationships, facilitate communication, and promote cooperation among conflicting parties. Deutsch, Coleman, and Marcus (2014) similarly contend that constructive conflict management requires mechanisms that encourage dialogue, trust-building, and collaborative problem-solving. In this regard, ADR provides practical tools for managing conflicts in ways that reduce hostility and promote sustainable solutions.

The Nigerian legal system has witnessed a growing institutionalization of ADR over the past two decades. The establishment of the Lagos Multi-Door Courthouse (LMDC) in 2002 marked a significant milestone in the development of ADR in Nigeria and provided a framework through which mediation, arbitration, conciliation, and negotiation could be integrated into the administration of justice. Subsequent reforms led to the establishment of similar institutions across various states, reflecting broader efforts to reduce court congestion and improve access to justice. Scholars have noted that these developments have contributed to increased awareness and acceptance of ADR among legal practitioners and the general public.

Despite these institutional achievements, research indicates that the utilization of ADR among legal practitioners remains uneven. Ojo (2021) argues that while many lawyers acknowledge the benefits of ADR, a significant number continue to rely predominantly on litigation as their preferred method of dispute resolution. This tendency has been attributed to factors such as inadequate professional training, limited practical exposure to ADR processes, financial incentives associated with litigation, and perceptions regarding the enforceability of ADR outcomes. Similarly, Ezejiofor (2018) observes that resistance to change within segments of the legal profession continues to impede the full integration of ADR into legal practice.

Several empirical studies have examined the challenges confronting ADR implementation in Nigeria. Aina (2020) identifies inadequate institutional support, insufficient public awareness, and limited professional capacity as major obstacles affecting the effectiveness of ADR mechanisms. Okeke (2019) further notes that many legal practitioners lack specialized training in mediation and negotiation, thereby reducing their confidence in utilizing ADR processes. Additionally, concerns regarding procedural standardization, quality assurance, and enforcement mechanisms have been identified as factors limiting broader acceptance of ADR within the legal profession.

Within professional organizations such as the Nigerian Bar Association (NBA), ADR has increasingly been promoted as a mechanism for enhancing professional practice and improving access to justice. The NBA has established ADR committees, organized professional training programmes, and collaborated with ADR institutions to encourage the adoption of non-adversarial dispute resolution methods. Nevertheless, scholarly attention to the experiences of legal practitioners themselves remains relatively limited. Much of the existing literature focuses on institutional frameworks, legislative developments, and judicial reforms, with comparatively little emphasis on how lawyers perceive, utilize, and experience ADR in practice.

This gap in the literature is particularly significant because legal practitioners occupy a central position within the ADR ecosystem. As advisors, advocates, mediators, arbitrators, and

representatives of disputing parties, lawyers influence both the acceptance and effectiveness of ADR mechanisms. Their attitudes, competencies, and professional experiences shape the extent to which ADR is embraced within the legal system. Consequently, understanding the challenges faced by members of the Nigerian Bar Association in utilizing ADR is essential for strengthening conflict management practices and improving the effectiveness of dispute resolution processes.

Furthermore, while existing studies have highlighted the benefits and challenges of ADR within the Nigerian justice system, few have specifically examined conflict management through ADR among members of the Nigerian Bar Association branches in Lagos State. Given Lagos State's position as Nigeria's commercial and legal hub, and its pioneering role in ADR institutionalization through the Lagos Multi-Door Courthouse, such an examination is both timely and necessary. This study therefore seeks to bridge this gap by investigating the extent of ADR utilization among NBA members, identifying the challenges affecting its implementation, and assessing its contribution to effective conflict management within the legal profession.

By focusing on legal practitioners as key stakeholders in the dispute resolution process, the study contributes to broader debates on ADR, conflict management, access to justice, and judicial reform in Nigeria. It also provides empirical insights that may inform policy interventions aimed at strengthening ADR practice within the Nigerian legal system.

IV. THEORETICAL FRAMEWORK

This study is anchored on Stakeholder Theory, which provides a useful analytical framework for examining the role of Alternative Dispute Resolution (ADR) in conflict management among members of the Nigerian Bar Association (NBA) in Lagos State. Developed by Freeman (1984), Stakeholder Theory posits that organizations and institutions operate within a network of relationships involving individuals and groups whose interests, actions, and expectations influence organizational outcomes. The theory emphasizes the need to recognize, engage, and balance the interests of all stakeholders in decision-making and conflict management processes. Rather than focusing exclusively on the interests of a single group, Stakeholder Theory advocates inclusive approaches that accommodate diverse perspectives and promote mutually beneficial outcomes.

The relevance of Stakeholder Theory to this study lies in its recognition that conflicts often emerge from competing interests, differing expectations, and divergent perceptions among individuals and groups. Effective conflict management therefore requires mechanisms that facilitate communication, participation, collaboration, and consensus-building among stakeholders. Within the legal profession, disputes may arise among lawyers, clients, professional bodies, judicial institutions, and other actors involved in the administration of justice. Such conflicts, if not properly managed, can undermine professional relationships, reduce organizational effectiveness, and erode public confidence in legal institutions.

Alternative Dispute Resolution provides an important mechanism through which these competing interests can be managed constructively. ADR processes such as mediation, arbitration, conciliation, and negotiation encourage active participation by disputing parties and provide opportunities for dialogue, compromise, and mutually acceptable settlements. Unlike litigation, where outcomes are imposed by a judicial authority, ADR enables stakeholders to participate directly in the resolution process and contribute to the development of solutions that address their concerns and interests. This participatory nature of ADR aligns closely with the assumptions of Stakeholder Theory, which emphasizes cooperation, engagement, and shared responsibility in addressing conflicts.

Within the Nigerian Bar Association, legal practitioners constitute a critical stakeholder group whose attitudes and actions significantly influence the success of ADR initiatives. As legal advisors, advocates, mediators, arbitrators, and representatives of disputing parties, lawyers play an important role in promoting or discouraging the use of ADR mechanisms. Their willingness to embrace ADR, acquire the necessary professional competencies, and recommend ADR options to clients directly affects the extent to which ADR is utilized within the legal system. Consequently, understanding the challenges that hinder ADR adoption among NBA members is essential for strengthening conflict management practices and enhancing access to justice.

Stakeholder Theory further highlights the importance of institutional support and stakeholder collaboration in achieving effective dispute resolution outcomes. For ADR to function effectively within the Nigerian legal environment, there must be cooperation among legal practitioners, ADR institutions, courts, policymakers, and professional associations. The theory therefore provides a framework for examining how institutional, professional, and operational factors influence the utilization of ADR among members of the Nigerian Bar Association. It also helps explain why strengthening stakeholder engagement, improving professional capacity, and enhancing institutional support are critical to the success of ADR as a conflict management mechanism.

By applying Stakeholder Theory, this study views Alternative Dispute Resolution not merely as a legal procedure but as a stakeholder-centred approach to conflict management that promotes participation, collaboration, and sustainable dispute resolution. The theory supports the argument that effective conflict management within the Nigerian Bar Association depends on the ability of stakeholders to work collectively towards mutually beneficial outcomes. It therefore provides a suitable framework for understanding both the opportunities and the challenges associated with the use of ADR among legal practitioners in Lagos State.

V. METHODOLOGY

This study adopted a qualitative research design to examine the challenges of conflict management through the use of Alternative Dispute Resolution (ADR) among members of the Nigerian Bar Association (NBA) in Lagos State, Nigeria. The qualitative approach was considered appropriate because it facilitated an in-depth understanding of the experiences,

perceptions, and attitudes of legal practitioners regarding the use of ADR in managing professional disputes.

The study was conducted among selected branches of the Nigerian Bar Association in Lagos State, Nigeria's foremost commercial and legal centre. Lagos State was purposively selected because of its strategic role in the development and institutionalization of ADR through initiatives such as the Lagos Multi-Door Courthouse and other court-connected ADR programmes. Data were generated through In-Depth Interviews (IDIs) and Focus Group Discussions (FGDs) involving legal practitioners with varying levels of professional experience and involvement in ADR practice. Participants were purposively selected based on their knowledge of conflict management and dispute resolution processes within the legal profession. The interviews and discussions focused on the types of ADR mechanisms utilized by NBA members, the extent of ADR adoption, its effectiveness in managing internal conflicts, and the challenges affecting its deployment. The data collected were analyzed using thematic content analysis. Responses were transcribed, coded, and organized into themes derived from the study objectives. Emerging patterns and perspectives were subsequently interpreted in relation to the existing literature and Stakeholder Theory, which served as the study's theoretical framework.

To enhance the credibility of the findings, data obtained from interviews and focus group discussions were triangulated. Ethical principles were also observed through voluntary participation, informed consent, confidentiality, and the protection of participants' identities. This methodological approach provided empirical insights into the utilization, effectiveness, and challenges of ADR as a conflict management mechanism among members of the Nigerian Bar Association in Lagos State.

VI. FINDINGS AND DISCUSSION

A. Types of Alternative Dispute Resolution Approaches Employed by Members of the Nigerian bar Association in Lagos State

The first objective of this study examined the types of Alternative Dispute Resolution (ADR) approaches employed by members of the Nigerian Bar Association (NBA) in Lagos State. Findings from the interviews revealed that avoidance and arbitration constitute the most commonly utilized conflict management mechanisms among legal practitioners.

Mr Dosunmu explained that lawyers, particularly those engaged in commercial practice, often adopt avoidance as a strategy for managing disputes with colleagues. According to him: "Lawyers, especially those in commercial practice, generally use avoidance as a means of managing or resolving conflict that erupts between lawyers. This is in order to avoid a situation where lawyers lose goodwill which will in turn lead to loss of briefs resulting in lack of financial remuneration from prospective clients" (IDI, Mr. Dosunmu). This finding suggests that the preservation of professional relationships, reputation, and future business opportunities significantly influences the conflict management behaviour of legal practitioners. It supports

Rahim's (2017) argument that avoidance may be strategically employed where parties perceive confrontation as potentially damaging to long-term interests.

Beyond avoidance, arbitration emerged as the most preferred formal ADR mechanism. Mr Dosunmu identified arbitration as the dominant dispute resolution process among lawyers, a position corroborated by Mrs Odutola, who observed that mediation is less frequently utilized. Similarly, Dr Oni attributed the preference for arbitration to its confidential nature, noting that: "Lawyers are likely to use arbitration to resolve their conflicts because it is more private in nature than litigation and as a result will prevent a situation whereby the dirty linen of the conflicting parties is washed in public" (IDI, Dr. Oni). The preference for arbitration aligns with Aina's (2020) observation that arbitration remains attractive to legal practitioners because it combines procedural flexibility with legally enforceable outcomes. Its confidential nature also makes it particularly suitable for resolving professional disputes where reputational concerns are paramount.

However, a dissenting perspective emerged from Mrs. Olatunji, who argued that the nature of the dispute often determines whether ADR or litigation is adopted. According to her, lawyers frequently resort to litigation because their professional training is largely adversarial in orientation. This observation supports Ezejiolor's (2018) assertion that the culture of litigation within the legal profession continues to constrain the wider adoption of ADR mechanisms.

Overall, the findings indicate that avoidance and arbitration are the predominant approaches utilized by NBA members in Lagos State. While arbitration is preferred because of its confidentiality, enforceability, and relationship-preserving capacity, the persistence of litigation-oriented attitudes among some practitioners suggests that the integration of ADR into legal practice remains incomplete. These findings support Stakeholder Theory (Freeman, 1984), which emphasizes the management of stakeholder relationships through cooperative and mutually beneficial approaches to conflict resolution.

B. Extent of the Adoption of Alternative Dispute Resolution among Members of the Nigerian bar Association in Lagos State

The second objective examined the extent to which members of the Nigerian Bar Association (NBA) in Lagos State have embraced Alternative Dispute Resolution (ADR) in managing internal conflicts. Findings revealed a broad consensus among respondents that conflicts are inevitable within the association due to the diversity of its membership and the nature of professional interactions.

Respondents acknowledged that disagreements frequently arise from professional, interpersonal, and socio-cultural differences among members. As Ms. Chinwe observed: "It is impossible not to have conflicts in an association like the NBA. Members of the association come from different religious, linguistic, and cultural backgrounds, and disagreements can arise concerning professional issues among members" (IDI, Ms. Chinwe).

This finding supports Shamir's (2003) argument that conflict is a natural feature of human interaction and that effective management mechanisms are necessary for organizational stability.

Despite the inevitability of conflict, respondents emphasized that the NBA prioritizes the amicable resolution of disputes through internal mechanisms. Mr. Adebukola noted that the association relies on disciplinary committees and conflict-resolution structures to address disputes and maintain professional harmony. According to him: "In order to ensure a seamless relationship among its members, the association tries its best to resolve conflicts using its internal mechanisms, particularly the disciplinary committee" (IDI, Mr. Adebukola). This reflects the association's commitment to preserving professional relationships and preventing disputes from undermining its effectiveness. The finding aligns with Stakeholder Theory (Freeman, 1984), which emphasizes the importance of maintaining cooperative relationships among stakeholders for organizational sustainability.

Regarding the level of ADR adoption, findings indicate a high degree of acceptance among NBA members. Most respondents agreed that ADR constitutes the preferred mechanism for managing internal disputes. Mrs. Ogunyipe observed that lawyers rarely resort to litigation against one another and that ADR is usually the first option considered when conflicts arise: "When there is conflict between members of the association, the first option is usually to adopt ADR as a means of resolving the dispute" (IDI, Mrs. Ogunyipe). Similarly, Mr. Legbamue explained that conflict-resolution committees established by NBA branches frequently employ ADR processes in addressing disputes among members. Ms. Chinwe also maintained that litigation is generally avoided because of its tendency to create hostility and damage professional relationships: "Litigation is capable of causing bad blood among members. Therefore, the association is mindful of the consequences of litigation and prefers alternative methods of dispute resolution" (IDI, Ms. Chinwe).

These findings support McKiernan (2009), Nwankwo et al. (2012), and Shamir (2001), who argue that ADR is increasingly preferred because it is flexible, less adversarial, cost-effective, and relationship-preserving. Nevertheless, respondents acknowledged that ADR is not applicable to every dispute. Prince Dele Oloke expressed concerns about the adequacy of existing legal frameworks in supporting ADR in certain situations. Similarly, participants in the Focus Group Discussions noted that the choice between ADR and litigation often depends on the nature and severity of the dispute. Mrs. Olatunji and Mr. Danboyi both emphasized that serious offences may require formal litigation, whereas less complex disputes can be effectively addressed through ADR. This observation supports Ajiboye's (2018) contention that no single dispute-resolution mechanism is suitable for all conflicts.

Overall, the findings demonstrate that ADR has become firmly embedded within the conflict management framework of the Nigerian Bar Association in Lagos State. The overwhelming preference for ADR reflects growing confidence in its capacity to preserve professional relationships, facilitate amicable settlements, reduce hostility, and promote organizational harmony. The findings further suggest that even among legal practitioners traditionally associated with adversarial litigation, there is increasing recognition of the value of non-

adversarial approaches to dispute resolution. This growing acceptance may be linked to the limitations of conventional litigation, particularly delays, high costs, and procedural complexities that continue to affect the Nigerian justice system.

C. Effectiveness of Alternative Dispute Resolution in Addressing Internal Crises among Members of the Nigerian Bar Association in Lagos State

The third objective of this study examined the effectiveness of Alternative Dispute Resolution (ADR) in addressing internal conflicts among members of the Nigerian Bar Association (NBA) in Lagos State. Findings from the interviews and Focus Group Discussions revealed that although a few respondents expressed reservations about ADR, the overwhelming majority considered it an effective mechanism for conflict management and resolution within the legal profession.

A minority perspective was expressed by Mr. Alaka, who argued that disputants sometimes fail to treat ADR proceedings with the same seriousness accorded to formal court processes. Similarly, Prince Dele Oloke, Chairman of the NBA Ikeja Branch, maintained that ADR should not be viewed as a universal solution to all forms of conflict. These observations suggest that while ADR enjoys substantial acceptance among legal practitioners, concerns remain regarding its applicability to certain categories of disputes and the attitudes of some disputants toward non-adversarial processes.

Notwithstanding these reservations, most respondents emphasized the effectiveness of ADR in preserving professional relationships and fostering amicable settlements. Mr. Adebukola noted that ADR enables disputing parties to maintain cordial relationships even after disagreements have been resolved. Magistrate Mrs. Tella similarly observed that ADR is preferable to formal litigation because it promotes reconciliation and ensures that disputants leave the resolution process with a sense of satisfaction. According to her, the collaborative nature of ADR allows parties to participate actively in crafting solutions, thereby increasing acceptance of outcomes.

These findings support the position of Nwankwo et al. (2012), who argue that ADR is an effective conflict management mechanism because it is convenient, flexible, cost-efficient, and capable of fostering cordial relationships among disputants. The findings also corroborate Islam's (2011) advocacy for the sustained utilization of ADR as an alternative to litigation, particularly because of its capacity to de-escalate tensions and promote peaceful coexistence. Respondents consistently emphasized that ADR encourages disputants to focus on reconciliation rather than confrontation, thereby reducing hostility and preserving professional relationships.

A major theme that emerged from the interviews was the cost-effectiveness of ADR. Mr. Adebukola explained that ADR minimizes financial burdens because it does not involve the extensive filing fees and procedural costs commonly associated with litigation. According to him:

"ADR is cost effective because little or nothing is spent. There are no filing fees and the process is less expensive than litigation" (IDI, Mr. Adebukola).

Participants in the Focus Group Discussion for female lawyers expressed similar views, emphasizing that ADR provides a practical and affordable mechanism for resolving disputes. These findings align with Sherman's (2016) argument that ADR should be promoted as a viable complement to litigation because of its relatively low cost and procedural efficiency. They also support Affrifah's (2015) contention that ADR is particularly relevant within African societies where financial resources for prolonged litigation are often limited.

Another significant finding concerns the speed with which ADR facilitates dispute resolution. Respondents repeatedly contrasted ADR with the formal court system, which they described as time-consuming and burdened by procedural delays. Ms. Chinwe observed that legal practitioners often prefer ADR because it allows disputes to be resolved within shorter periods and without the technicalities associated with courtroom proceedings. According to her: "We often opt for ADR because it is less time-consuming. It is different from the formal court system where lawyers take advantage of all manner of technicalities" (IDI, Ms. Chinwe).

This finding reinforces the position of the Nigerian Law Reform Commission (2010), which identifies speedy access to justice as one of the major advantages of ADR. It also lends support to Abdul-Rafiu (2015), who argues that the effectiveness of ADR derives largely from its ability to provide timely, affordable, and satisfactory outcomes while reducing pressure on conventional courts.

Respondents further emphasized that ADR promotes participant satisfaction. Ms. Chinwe noted that most parties leave ADR proceedings feeling satisfied with the outcomes because they are actively involved in the resolution process. Magistrate Mrs. Oshodi-Makanju similarly observed that while there may be isolated instances of dissatisfaction, the majority of disputants generally express positive perceptions of ADR outcomes. The findings therefore suggest that ADR enhances perceptions of procedural fairness and legitimacy because disputants participate directly in the negotiation and settlement process.

Flexibility also emerged as a major indicator of ADR's effectiveness. Participants in the Focus Group Discussion conducted among male lawyers unanimously agreed that ADR offers greater flexibility than litigation because it is not constrained by rigid procedural formalities. Dr. Bello observed that ADR is particularly effective because it accommodates African cultural values and encourages the active participation of all stakeholders in the conflict resolution process. This finding supports Okechukwu et al. (2012), who argue that ADR's flexibility allows it to be adapted to diverse conflict situations while ensuring broader stakeholder involvement and ownership of outcomes.

The interviews also revealed that ADR is particularly useful in resolving disputes involving hierarchical professional relationships. Dr. Oni cited an instance involving a disagreement between a senior lawyer and a junior counsel over unpaid entitlements. Rather than pursuing

litigation, the parties opted for ADR. According to him: "I called both parties to my office, and the matter was resolved amicably. Their relationship was preserved, and the conflict did not escalate" (IDI, Dr. Oni).

This example demonstrates ADR's capacity to preserve professional relationships while resolving substantive grievances. The finding aligns with Sherman's (2016) assertion that ADR provides a sensible and less disruptive means of addressing disputes, particularly in professional and organizational settings where relationships must be maintained.

Similarly, Ms. Amaka described ADR as one of the most significant developments within the legal profession. She argued that ADR is effective because it de-escalates tensions, prevents conflicts from worsening, and encourages peaceful settlements. According to her, ADR ensures that all stakeholders are represented during the resolution process, thereby fostering inclusivity and reducing the likelihood of future disputes. Her observation supports Shamir's (2003) argument that ADR provides non-confrontational pathways for resolving disputes while promoting peace and social harmony.

Mrs. Dosunmu also affirmed that ADR has become increasingly attractive among members of the NBA because it preserves professional relationships and protects the integrity of the association. She argued that excessive reliance on litigation would undermine the cooperative spirit necessary for the effective functioning of the legal profession. Her position supports McKiernan's (2009) contention that litigation often transforms disputants into adversaries, whereas ADR encourages collaboration and mutual understanding.

An interesting counter-perspective emerged from Mr. Ajakaiye, who argued that the preference for ADR among NBA members should not be attributed solely to its affordability. According to him, legal practitioners generally possess the financial capacity to pursue litigation if they choose to do so. Rather, ADR is preferred because of its efficiency, flexibility, and ability to preserve relationships. This finding suggests that the effectiveness of ADR extends beyond economic considerations and includes relational, professional, and organizational benefits.

Overall, the findings demonstrate that ADR is widely perceived as an effective mechanism for managing internal conflicts among members of the Nigerian Bar Association in Lagos State. Respondents identified several indicators of effectiveness, including cost-efficiency, speedy resolution of disputes, flexibility, participant satisfaction, relationship preservation, stakeholder involvement, and the de-escalation of tensions. Although a few respondents expressed reservations regarding its applicability in certain situations, the dominant narrative suggests that ADR has become a trusted and valuable tool for conflict management within the legal profession. These findings reinforce Stakeholder Theory by demonstrating how ADR facilitates stakeholder participation, promotes collaborative problem-solving, and contributes to the maintenance of harmonious professional relationships within the Nigerian Bar Association.

D. Challenges of Deploying Alternative Dispute Resolution in Managing Conflicts among Members of the Nigerian Bar Association in Lagos State

The fourth objective examined the challenges affecting the deployment of Alternative Dispute Resolution (ADR) among members of the Nigerian Bar Association (NBA) in Lagos State. Findings revealed that despite the growing acceptance of ADR, several obstacles continue to limit its effectiveness. A major challenge identified was the reluctance of some lawyers to embrace ADR. Respondents noted that certain practitioners still prefer litigation, particularly in disputes perceived as serious or financially significant. This finding supports Zailani's (2016) assertion that resistance to ADR remains a major impediment to its effectiveness.

Another challenge is the lack of confidence in ADR among some legal practitioners. Participants observed that some lawyers view litigation as more beneficial, particularly because of the financial rewards associated with prolonged court proceedings. This finding aligns with Abdul-Rafiu's (2010, 2015) argument that skepticism and economic considerations continue to hinder the growth of ADR. Inadequate ADR skills and training also emerged as a significant concern. Respondents emphasized that many lawyers lack sufficient expertise in mediation, conciliation, and negotiation. As Mrs. Oshodi-Makanju noted: "Many of us lack training in the use of ADR" (Interview, Ikorodu, and 14 December 2018). This finding supports Nkusi (2017) and Affrifah (2015), who identify inadequate training as a major challenge confronting ADR practice. The study further found that disputes are often referred for ADR only after they have escalated, thereby reducing the prospects for successful intervention. In addition, respondents highlighted the absence of binding regulations compelling NBA members to utilize ADR before resorting to litigation. According to Mr. Danboyi: "The lack of existing laws that will guide the use of ADR in our association is practically non-existent".

Overall, the findings indicate that resistance to ADR, inadequate training, lack of confidence in the process, delayed referral of disputes, and weak institutional frameworks constitute the major challenges confronting ADR within the NBA. These findings reinforce Stakeholder Theory, which emphasizes that the effectiveness of conflict management mechanisms depends largely on the willingness of stakeholders to embrace and participate in the process.

E. Entrenching Alternative Dispute Resolution in the Internal Operations of the Nigerian bar Association

The fifth objective examined how Alternative Dispute Resolution (ADR) can be more effectively integrated into the internal operations of the Nigerian Bar Association (NBA) in Lagos State. Findings indicate a strong consensus among respondents that ADR should be institutionalized as the preferred mechanism for managing internal disputes within the association.

Respondents argued that the legal profession must adapt to contemporary developments in dispute resolution. Ms. Chinwe observed that the increasing global acceptance of ADR makes its integration into the NBA both necessary and desirable. Similarly, Mr. Adebukola emphasized that legal practitioners must align with emerging international best practices,

while participants in the Focus Group Discussions noted that ADR offers a simpler and less technical approach to conflict resolution than conventional litigation. These views support Nkusi's (2017) argument that dispute resolution mechanisms continue to evolve because litigation is often costly, time-consuming, and capable of damaging relationships between disputing parties.

Shasore (SAN) and Mrs. Ogunyipe further observed that ADR has become widely accepted among governments, professional associations, and international organizations because of its efficiency and relationship-preserving benefits. Respondents maintained that wider adoption of ADR within the NBA would promote professional harmony, strengthen collegial relationships, and facilitate the speedy resolution of disputes. This finding aligns with McGregor (2015) and Singh (2015), who argue that ADR has become an integral component of modern justice systems due to its flexibility, efficiency, and ability to reduce pressure on courts.

Respondents also stressed that unresolved conflicts can undermine the effectiveness of professional associations. Ms. Amaka observed that unresolved disputes often disrupt the smooth functioning of organizations, while Ms. Chinwe argued that a conflict-free professional environment enhances institutional growth and development. These views support Stakeholder Theory, which emphasizes that organizational effectiveness depends on the ability of stakeholders to manage conflicts constructively and maintain cooperative relationships.

Overall, the findings suggest that ADR can be more firmly entrenched within the NBA through greater institutional commitment, continuous professional training, and the adoption of policies that encourage members to utilize ADR before resorting to litigation. Such measures would strengthen professional cohesion, enhance organizational effectiveness, and contribute to a more collaborative culture within the legal profession.

VII. CONCLUSION AND RECOMMENDATIONS

This study examined the deployment of Alternative Dispute Resolution (ADR) as a mechanism for managing conflicts among members of the Nigerian Bar Association (NBA) in Lagos State. The study was motivated by the increasing recognition of ADR as a viable alternative to litigation and the need to understand its role in addressing disputes within professional associations. Findings revealed that conflicts among members of the NBA are inevitable due to differences in professional interests, interpersonal relationships, and the diverse socio-cultural backgrounds of members. Nevertheless, the association has increasingly embraced ADR as a preferred means of resolving internal disputes.

The study found that avoidance and arbitration constitute the most commonly utilized ADR approaches among members of the NBA in Lagos State. It further established that ADR enjoys considerable acceptance because of its ability to preserve professional relationships, promote amicable settlements, reduce hostility, and facilitate the speedy resolution of disputes. Respondents identified several advantages associated with ADR, including flexibility, confidentiality, cost-effectiveness, stakeholder participation, and relationship

preservation. These attributes have contributed significantly to its growing popularity among legal practitioners who increasingly recognize the limitations of conventional litigation.

Despite these benefits, the study also revealed a number of challenges affecting the effective deployment of ADR within the association. These challenges include resistance by some lawyers to embrace ADR, inadequate training and technical expertise, lack of confidence in ADR processes, delayed referral of disputes, and the absence of a binding institutional framework compelling members to explore ADR before resorting to litigation. The findings suggest that while ADR has become an important component of conflict management within the NBA, its full potential has not yet been realized.

The study therefore concludes that ADR remains a valuable and effective mechanism for managing conflicts among members of the Nigerian Bar Association in Lagos State. However, its effectiveness depends largely on the willingness of members to embrace its principles, the availability of skilled practitioners, and the existence of supportive institutional structures. As a professional body committed to the promotion of justice and peaceful dispute resolution, the NBA must continue to strengthen its commitment to ADR by embedding it more firmly within its internal conflict management processes.

In light of these findings, the study recommends that members of the association should be encouraged to report disputes promptly before they escalate into more complex conflicts that are difficult to resolve. The Nigerian Bar Association should also invest in continuous training and capacity-building programmes to enhance members' knowledge and skills in mediation, conciliation, negotiation, and arbitration. Furthermore, the association should develop clear guidelines and institutional frameworks that encourage members to exhaust ADR mechanisms before initiating litigation against fellow members. Regular awareness and sensitization programmes should also be organized to promote confidence in ADR and deepen members' understanding of its benefits. By implementing these measures, the NBA will not only strengthen its internal conflict management system but also reinforce its role as a leading advocate of peaceful and collaborative dispute resolution in Nigeria.

PRIMARY SOURCES

In-Depth Interviews (IDIs)

- [1] Adebukola, A. (2018, December). Personal interview, Ikeja, Lagos.
- [2] Alaka, A. (2018, December). Personal interview, University of Lagos, Lagos.
- [3] Amaka. (2018, December). Personal interview, Lekki, Lagos.
- [4] Balogun, A. (2018, December). Personal interview, Lagos.
- [5] Bello, A. (2018, December). Personal interview, Akoka, Lagos.
- [6] Danboyi, A. (2018, December 7). Personal interview, Ikeja, Lagos.
- [7] Enebeli, O. (2018, December). Personal interview, Palm Grove, Lagos.
- [8] Kanayo, B. (2018, December). Personal interview, Victoria Island, Lagos.
- [9] Legbamue. (2018, December). Personal interview, Badagry, Lagos.
- [10] Ogunyipe, D. (2018, December). Personal interview, Lagos.
- [11] Oloke, D. (2018, December). Personal interview, Chairman, NBA Ikeja Branch.

- [12] Oshodi-Makanju, M. (2018, December 14). Personal interview, Ikorodu, Lagos.
- [13] Shasore, O. (SAN). (2018, December). Personal interview, Lagos Island, Lagos.
- [14] Tella, M. (2018, December). Personal interview, Lagos.

Focus Group Discussions (FGDs)

- [1] Female Lawyers Focus Group Discussion. (2018, December 10). Lagos State.
- [2] Male Lawyers Focus Group Discussion. (2018, December 15). Lagos State.

REFERENCES

- [1] Abdul-Rafiu, A. (2015). The institution and challenges of alternative dispute resolution (ADR) in West Africa: The case of Ghana (Master's dissertation, University of Ghana, Legon).
- [2] Abifarin, O. (2013). The challenges of institutionalizing alternative dispute resolution in Nigeria.
- [3] Affrifah, H. H. H. (2015). Alternative dispute resolution as a tool for conflict resolution in Africa: Ghana as a case study (Master's dissertation, University of Ghana, Legon).
- [4] Agarwal, A. K. (2005, December 5–7). Role of alternative dispute resolution methods in development of society: Lok Adalat in India. Paper presented at the Network of Asia-Pacific Schools and Institutes of Public Administration and Governance (NAPSIPAG) Annual Conference, Beijing, China.
- [5] Agarwal, V. (2001). Alternative dispute resolution methods. In *Alternative dispute resolution methods* (Document No. 14). UNITAR Sub-Regional Workshop on Arbitration and Dispute Resolution, Harare, Zimbabwe.
- [6] Ajigboye, O. (2018). The concept of multi-door courthouse in Nigeria: Rethinking Frank Sander's concept.
- [7] Ali, M. (2016). Brochure on alternative dispute resolution mechanism in modern Indian society. Judicial Training and Research Institute.
- [8] Animashaun, O., Odeku, K. O., & Nevondwe, L. (2014). Impact and issues of alternative dispute resolution in South Africa with emphasis on workplace dispute. *Mediterranean Journal of Social Sciences*, 5(16), 678–682.
- [9] Brown, S., Cervenak, C., & Fairman, D. (2000). *Alternative dispute resolution practitioners guide*.
- [10] Ekpenyong, E. (2014). The problems militating against the growth of arbitration in Nigeria.
- [11] Gammanpila, C. M., & Abeynayake, M. (2016). Effectiveness of alternative dispute resolution methods used in highway construction projects in Sri Lanka.
- [12] Inessa, L. (2018). Settling out of court: How effective is alternative dispute resolution? *World Bank Public Policy Journal*.
- [13] Islam, M. S. (2011). Efficiency and effectiveness of alternative dispute resolution schemes towards the promotion of access to justice in Bangladesh. *IIUC Studies*, 8, 95–112.
- [14] Kithamba, M. (2017). The role of alternative dispute resolution mechanisms on the prevention of conflict: A case study of Isiolo County (Master's thesis, University of Nairobi).
- [15] Law Reform Commission. (2010). *Alternative dispute resolution: Mediation and conciliation (LRC 98-2010)*.

- [16] Lipsky, D. B., & Seeber, R. L. (1998). In search of control: The corporate embrace of ADR. *University of Pennsylvania Journal of Labor and Employment Law*, 1(1), 133–157.
- [17] McGregor, L. (2015). Alternative dispute resolution and human rights: Developing a rights-based approach through the ECHR. *European Journal of International Law*, 26(3), 607–634.
- [18] McKiernan, H. H. (2009). Alternative dispute resolution in higher education. Paper presented at the 30th Annual National Conference on Legal Issues in Higher Education.
- [19] McMullan, P. (2018). ADR challenges for general counsel.
- [20] Nigerian Law Reform Commission. (2010). Alternative dispute resolution: Mediation and conciliation (LRC 98-2010).
- [21] Nkusi, F. K. (2017). Importance and challenges of arbitration in Africa.
- [22] Nwankwo, O. D., Obikeze, N., & Akam, U. G. (2012). Alternative/appropriate dispute (conflict) resolution (ADR): The psychological facilitators. *Research Journal in Organizational Psychology and Educational Studies*, 1(2), 83–89.
- [23] Isola, S., Afatakpa, O., Adedigba O. (2022): Indices of Conflict Triggers in Femi Ajewole's Theatrical Performances in Oyo State, Southwest, Nigeria *Journal of Business Diversity*. Vol 22(2). P 53-66 ISSN 2158-3889
- [24] Olufemi, O., & Imosemi, A. (2013). Alternative dispute resolution and the criminal judicial system: A possible synergy as salve to court congestion in the Nigerian legal system. *Arabian Journal of Business and Management Review (Nigerian Chapter)*, 1(10), 59–69.
- [25] Oni-Ojo, E. E., & Roland-Otaru, C. (2013). Alternative dispute resolution strategies for sustainable development in Africa: Insights from Nigeria. *Journal of Management and Entrepreneurial Development*, 3(1), 37–54.
- [26] Owasanoye, B. (2001). Dispute resolution mechanisms and constitutional rights in Sub-Saharan Africa. In *Alternative dispute resolution methods (Document No. 14)*. UNITAR Sub-Regional Workshop on Arbitration and Dispute Resolution, Harare, Zimbabwe.
- [27] Pia, E., & Diez, T. (2007). Conflict and human rights: A theoretical framework (SHUR Working Paper No. 1/07). University of Birmingham.
- [28] Sarumi, O. (2013). What is multi-track diplomacy?
- [29] Shamir, Y. (2003). Alternative dispute resolution approaches and their application. UNESCO.
- [30] Sherman, L. J. (2016). How effective is alternative dispute resolution in resolving employment disputes?
- [31] Singh, A. K. (2016). ADR mechanism in India: Achievements and challenges. *Paripex-Indian Journal of Research*, 5(8), 112–114.
- [32] Zailani, B. (2016). An appraisal of trade disputes settlement mechanisms in Nigeria (Master of Laws dissertation, Ahmadu Bello University, Zaria).
- [33] This format is much closer to what journal reviewers expect and will look cleaner in a publishable manuscript.