



Effectiveness of Negotiation in Resolving Family Conflict: Case of Kajiado North Sub-County, Kenya

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Abstract: *This study investigated the effectiveness of negotiation as a means of addressing family conflict in Kajiado North Sub-County by looking at major causes of family conflict, role of negotiation in addressing family conflict and how to enhance negotiation in addressing family conflict. The study was anchored on Social Learning Theory, Family System Theory and Behavioral Exchange Theory. The study adopted mixed research design and used a sample size of 420 respondents. Data was collected using questionnaires and semi-structured interviews and analyzed through descriptive statistics with the help of Statistical Package for Social Sciences Version 20. The study revealed that domestic violence and infidelity, poor communication, fight over resources, drug abuse and gender roles disagreement as well as infertility and interference from in-laws/relatives/kin were major causes of family conflict. Further, findings showed that negotiation was crucial in calming emotions of conflicting parties, establishing root cause of the problem and helping family members in a conflict to reach a compromise thereby promoting amicable solution to family conflicts. However, findings revealed that adoption of negotiation in resolving family conflict was faced with a number of challenges such as retrogressive culture, taboos and traditions, gender imbalance, double standard and personality traits of warring parties. This study recommended tailored awareness and sensitization campaigns on the use of negotiation as well as introduction of consultation desks in key institutions such as Churches, Chiefs/local administration offices where family members in conflict can get assistance from trained counselors, family therapists and mediators in addressing cases of conflict.*

Keywords: *Effectiveness, Negotiation, Resolving, Family, Conflict*

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1. Introduction

Family conflict refers to a struggle over values or fight over wealth, power and prestige resulting in serious disagreement, injury or death of a family member (Edinyang, 2012). Negotiation is one of the methods used to address family conflict and involves dialogue between two or more people or parties with an aim of reaching an understanding in order to end a conflict and yield peace and stability (Lewicki, et al., 2003). But the effectiveness of negotiation as a method of

addressing family conflict is an area that has received little attention among scholars. This is despite the fact that there is a persistent increase in cases of family conflict around the globe.

Globally, cases of family conflict have increased. The United States of America has witnessed more than 40 to 50 per cent family divorce in the past few decades (Afifi, et al, 2013). Benokraitis (2014) claims that family conflict is also caused by; interference from in-laws in couple's affairs, spiritual matters, values and differences over gender roles cause family

disagreement. However, despite knowing and understanding these causes, Lauer and Lauer (2009) claim that couples have not exploited various methods of resolving conflict. In the United Kingdom, Gravingen *et al.*, (2017) linked marital breakdown to distance among couples, vicious argument, infidelity and lack of appreciation in marriage.

Sub-Saharan Africa, increase in cases of family conflict is associated with various factors. Aye *et al.*, (2016) found that in Nigeria, family conflict emanated from; infertility, financial difficulties, poor communication between family members, lack of sexual satisfaction/gratification can result in family conflict. Aye *et al.*, (2016) further posits that family conflict inflict pain and prevent members from experiencing their full potential. In addition, family conflict results in fear, insecurity, rejection, and guilt which may lead to the development of ill-health, separation, divorce or even death. In Ghana, increase in family conflicts and this has seen proportion of women aged 40 to 49 years dissolved their marriages by the end of their reproductive years. This suggests that the conflict methods being used in African families such as counselling; marital therapy and mediation are not working (Benokraitis, 2014). Kellett and Dalton (2001) believe that conflict management is learnt from the family and from the learning emerges the goal of negotiating family conflict and the negotiations help one to build a dialogue. This might depend on whether the family is able to accept or deny the problem, avoid the problem or blame someone else for it. Lauer and Lauer (2009) add that when denial is a temporary measure of mobilising resources, it is useful but when it becomes long-term it is destructive to the family. It also seems to suggest that the methods for resolutions of family conflict are not necessary meant for Africans. Caramazza and Churu (2015) substantiate that in Africa, family therapists are meeting resistance from husbands because they are unwilling to share the problems with the therapist.

In Kenya, the institution of family is faced with serious challenges which threaten the stability of many families. Reports from FIDA (Kenya), Maendeleo ya Wanaume, Faith Based Organizations (FBO), Non Government Organizations (NGOs) and media reports paint a picture of the rise of destructive marital conflict in Kenya. A study by Odhiambo and Maito (2013) on marital conflict in Kenya using the Anglican Diocese of Maseno North established that destructive marital conflicts was related to: low income (money); disagreement over roles and responsibilities of spouses, irresponsible alcohol drinking, gambling and pilfering; maltreatment of children, step children and other relatives; interference from in-laws and other kin. Equally, the study revealed that psychological battering was common and employed by both spouses. Further, the study by Odhiambo and Maito (2013) showed that about a third of females indicated they had been victims of physical abuse yet kept their abusive relationship because they were constrained by a network of social, cultural and economic barriers.

Another study in Kenya by Njenga (2016) analyzed the factors influencing intra family conflicts in Kikuyu Sub-county and found that low income and many children were the major contributors of causing intra-conflict in the family.

In Kajiado North Sub-County, there is an outcry due to reported cases of family conflict in a number of households. Family conflict often results in domestic violence, marital separation or divorce. More worrying, the scourge of family conflict remains a challenge as statistics from the Kenya National Bureau of Statistics (2014) revealed that the number of divorce cases in Kajiado County was 3,288 while the number of family separation was 5,394.

The number of divorce and separation cases in the Sub-County may be more considering that the statistics only capture couples who are married legally and does not reflect other types of unions such as cohabitation. What this statistics suggest is that conflict resolution methods in Kenya, particularly in Kajiado North Sub-County, are not serving the family totally. Secondly, the statistics suggest that there could be strains in marriage interaction between couples that conflict resolution methods are not addressing. This could be seen in the society witnessing an alarming rate of divorce, separation and loss of affection between couples.

The problem of lack of effective methods to address family conflict is resilient and persistent and this has resulted in rising cases of family disharmony in Kajiado North Sub-County. This creates an impression that there is no clear solution on the matter and thus this study seeks to make a contribution on how negotiation can be used as a tool in addressing family conflict. The researcher notes that a number of approaches used in addressing marital disharmony are borrowed from western culture and this could be the reason why the problem seems to be on the increase. The study will help families build sustainable relationships which are anchored on mutual understanding and effective conflict resolution mechanisms.

2. Literature Review

Conflict occurs when individuals or nations disagree on goals, values or ideals. Conflict may be compounded with people's combined attempts to take control or have antagonistic feeling towards one another (Fisher, 1990). Family conflict is the struggle over values or fight over wealth, power and prestige resulting in serious disagreement, injury or death of a family member (Edinyang, 2012). Negotiation is one of the methods used to address family conflict and involves dialogue between two or more people or parties with an aim of reaching an understanding in order to end a conflict and yield peace and stability (Lewicki, et al., 2003).

2.1 Causes of Family Conflict

The goal of this study was to examine the effectiveness of negotiation in resolving family conflict. Available studies show evidence of a worsening family situation due to recurrent conflict. Gravningen *et al.*, (2017) examined the prevalence estimates and reported reasons for breakdown of marriages and cohabitations in Britain and revealed that the mean duration of men's marriages was 14.2 years and 14.6 years for women while mean duration for cohabitations was 3.5 years among men and 4.2 years among women. More importantly, the study established that the major reasons for family breakdown was; couples growing, vicious arguments, unfaithfulness/adultery and lack of appreciation in marriage. The study concluded that for both marriages and cohabitations, poor communication and unfaithfulness/adultery were the leading causes of family breakdown in Britain and recommended use of preventive and therapeutic interventions in addressing family conflicts.

A study by Akkas, *et al.*, (2015) investigated the causes and consequences of Work-Family Conflict (WFC) among the female employees in Bangladesh and revealed that work-family conflict was as a result of long working hour, job inflexibility, work overload, child care responsibility, age of children, dependent care responsibility, discrimination at work place, inadequate supervisory support, autocratic management style, inadequate family support, and the absence of husband's support. A study by Storaasli and Markman (1990) explored on the causes of family conflict in US and revealed that it emanates from 10 common areas including; money, communication, relatives, sex, religion, recreation, friends, alcohol/drugs, children, and jealousy. A majority of the husbands that participated in the study indicated that most of the conflict they experienced was due to communication and sex. Besides, the wives indicated that conflict was not only caused by lack of communication and sex, but by relatives and jealousy. The study further revealed that the magnitude of conflict was more among men in regards to communication and sex. Equally, the level of conflict was highest for women in regards to communication, sex, relatives, and jealousy. Further, Storaasli and Markman (1990) established that the most common cause of conflict among married couples was about money because over 90% of couples rated this as being their first or second problem area.

A study by Poudel (2010) examined the Predisposing factors of family conflict and contributing elements to achieve a comfortable and sustainable family life in Finland and found that individual behavior such as heavy consumption of alcohol, gambling, dishonest towards partner and oppressive behavior were the main causes of family conflict.

A study by Aye *et al.*, (2016) examined the causes, consequences and strategies in managing family conflict and how it applies to one's understanding of

emotion and struggling of power in Nigeria and established that infertility, financial difficulties, poor communication between family members, lack of sexual satisfaction/gratification were the leading causes of family conflict and recommended conflict education for couples during courtship. Odhiambo and Maito (2013) examined the causes of marital conflict in Kenya found that destructive marital conflict in the study area was as a result of a wide array of factors that were grouped into five interrelated categories: socio-economic factors, socio-cultural factors, personal attribute of spouse, domestic family life factors and factors of structural inequality. Among the five groups, the study revealed that the most prevalent cause of family conflict were; low income (money); disagreement over roles and responsibilities of spouses, irresponsible alcohol drinking, gambling and pilfering; maltreatment of children, step children and other relatives; interference from in-laws and other kin.

Njenga (2016) analyzed the factors influencing intra family conflicts in Kikuyu Sub-county and found that families with many children were likely to experience intra family conflict. Equally, the study revealed that couples lacked conflict resolution skills and this contributed to occurrence on intra conflict. The study recommended creation of empowerment forums to enlighten members of the society on equitable distribution of family wealth thus, reducing recurrence of intra family conflict owing to access to resources. Further, the study recommended that local churches and other stakeholders like the area chief should organize peaceful coexistence forums so as to enlighten the society on conflict resolution skills.

2.2 Role of Negotiation in Conflict Resolution

Negotiation plays a significant role in resolving family conflict. Zarei, *et al.*, (2016) investigated the role of negotiation skills in conflict management among physical education experts in Iran and found a significant relationship between negotiation styles and conflict management. A study by Gomez and Taylor (2018) sought to establish the differences in conflict resolution strategies between the United States and Mexico as well identify the underlying value differences that explain their preferences and found that Mexicans, compared to US participants, appeared to have a greater preference for both the use of social influence and negotiating when confronting a conflict. Moreover, it appeared that collectivism helped explain these country differences as it mediated the relation between country and the likelihood of using social influence and negotiation.

A study by Volkema and Fleck (2012) sought to develop an understanding of propensity to initiate negotiations by examining the effects of culture and personality in Brazil and found that personality factors of risk propensity, self-efficacy and Machiavellianism

were significantly associated with initiation propensity/assertiveness of negotiation process.

In Nigeria, a study by Theresa and Oluwafemi (2014) examined the patterns or mechanism for conflict resolution in traditional African societies with particular reference to Yoruba and Igbo societies in Nigeria and Pondo tribe in South Africa. The study found that conflict resolution in traditional African societies provided opportunity to interact with the parties concerned and promoted consensus-building, social bridge reconstructions and enactment of order in the society. The authors further argue that the western world placed more emphasis on the judicial system presided over by council of elders, kings' courts, peoples (open place) assemblies, etc., for dispute settlement and justice dispensation. The study concluded that traditional conflict resolution techniques such as mediation, adjudication, reconciliation, and negotiation as well as cross examination which were employed by Africans in the past, offer great prospects for peaceful co-existence and harmonious relationships in post-conflict periods than the modern method of litigation settlements in law courts.

In Kenya, a study by Lesengei and Gitonga (2017) evaluated the influence of conflict resolution strategies on socioeconomic development among pastoralist communities found that adjudication/arbitration strategy had the greatest effect on the social economic development among pastoralist communities, followed by reconciliation strategy, then negotiation strategy while level of mediation strategy had the least effect to the social economic development among pastoralist communities.

3. Methodology

The study adopted mixed research design. Mixed research design involves using qualitative and quantitative research methods in data collection. The design was convenient for triangulating data regarding the effectiveness of negotiation method in resolving family conflict. This study targeted all the 316,179 households in Kajiado North Sub-County (Kenya Population & Household Census, 2019). The sample size of this study was determined using Yamane's formula using a 95 percent level of confidence and a maximum variability (p) =0.05. A standard error of 5%. Yamane's formula is as shown below:

$$n = \frac{N}{1+N(e)^2}$$

n= Sample size

N= Total population

e= Margin of error

Thus the sample size was calculated as follows:

$$n = \frac{316179}{1+316179(0.05)^2}$$

$$n = \frac{316179}{1+316179(0.0025)}$$

$$n = \frac{316179}{1+790.447575}$$

$$n = \frac{316179}{791.4475}$$

Thus sample size for this study was 400 residents of Kajiado North Sub-County as well as 20 key informants (2 chiefs, 5 community policing members, 5 members of civil social groups and 8 religious leaders) were selected purposely because they were presumed to be in close contact with many families and thus they were considered to understand the nature of conflicts families faced and the effectiveness of negotiation in addressing such cases. Questionnaires were used to collect data from residents of Kajiado North Sub-County while interview guide was used to

collect data from key informants. Data was analyzed through descriptive statistics for quantitative data while qualitative data was analyzed through thematic analysis technique.

4. Results and Discussion

This study examined the effectiveness of negotiation in resolving family conflict using the case of Kajiado North Sub-County in Kajiado County, Kenya. More precisely, this study examined the major causes of family conflict, role of negotiation in family conflict

and ways of enhancing negotiation in resolving family conflict. To achieve this goal, the researcher administered 400 questionnaires to residents of Kajiado North Sub-County while 20 key informants were targeted for interviews. A total of 387 residents returned the questionnaires while 17 key informants were reached for interviews and this translates to 96.8% and 85% response rate respectively.

4.1 Demographic Characteristics of Respondents

According to the findings, 57.9% of the respondents were male while 42.1% of the respondents were female. Besides, 36.7% of the respondents were married, 20.4% were single, 17.8% were separated and 14.2% were divorced while 10.9% were widowed. A total of 68.2% of respondents were aged 18-44 years

while 31.8% were aged above 45 years. On education level, 37.5% of the respondents had secondary education 5.4% had informal education, 26.4% had primary education and 19.6% had tertiary education while 11.1% had university education. On occupation, 26.1% of the respondents were self-employed, 24.5% were casual workers, 13.7% were employed in the formal sector, 10.9% were students and 8.8% each of the respondents were house-wives and not employed respectively while 7.2% of the respondents were mixed farmers.

4.2 Major Causes of Family Conflict

The respondents were asked to indicate the major causes of family conflict in Kajiado North Sub-County and their responses are summarized in Figure 1:

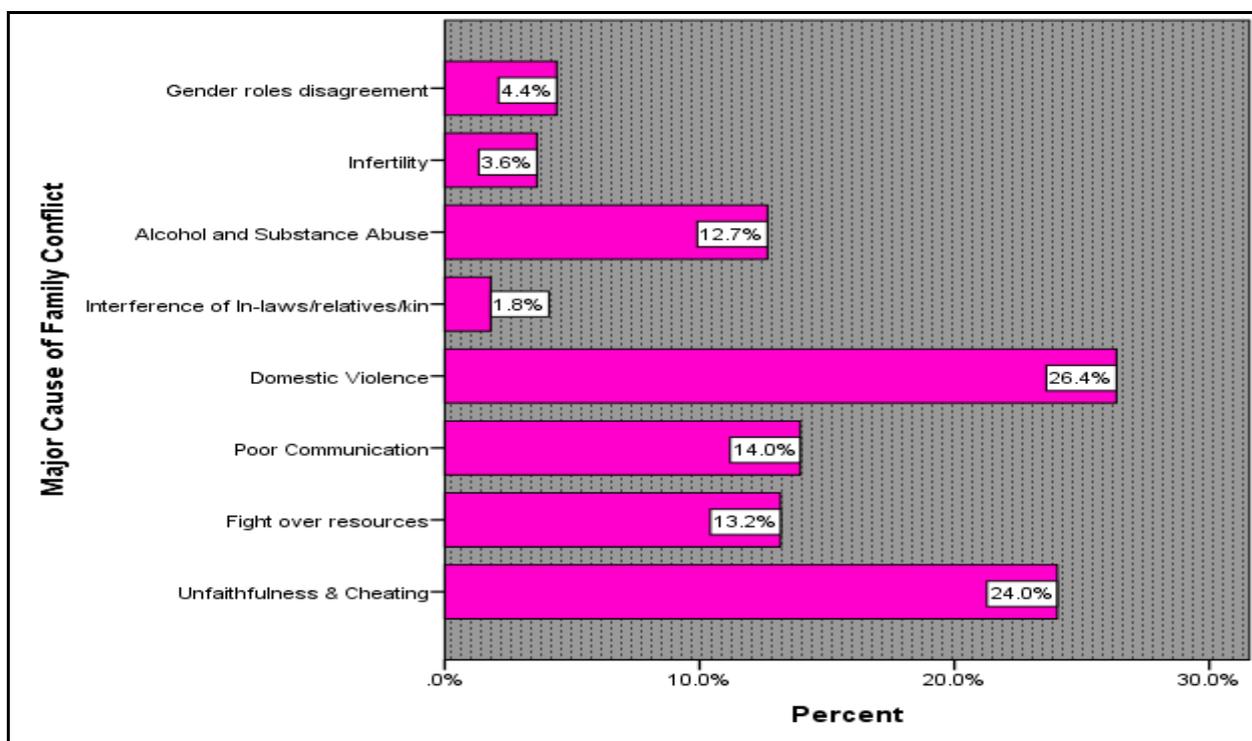


Figure 1: Causes of Family Conflict

Figure 1 show that major cause of family conflict in Kajiado North Sub-County is domestic violence (26.4%) and infidelity (24.0%) of partner (s). Further the findings indicated that poor communication (14.0%), fight over resources (13.2%), drug and substance abuse (12.7%) and gender roles disagreement (4.4%) as well as infertility (3.6%) and interference from in-laws/relatives/kin (1.8%) also contributed to family conflict in Kajiado North Sub-County. These findings were consistent with data collected from key informants (community policing members, religious leaders and civil society officials) who opined that cases of family conflict were rampant in the area. One of the participants said,

“Cases of family conflict are reported almost every day....family conflict arises from infidelity among spouses, inheritance disputes over land or property and parity in terms of age and status.”

(KI 01, interview, 12th February 2021).

Another participant added,

“Family conflict is a daily phenomenon...it causes misunderstanding due to lack of proper communication in the family, alcoholism, unfaithfulness and economic instability.”

(KI 13, interview, 12th February 2021).

Another participant indicated,

“The rate of marital instability and domestic violence is very high more so for the young families more often there are cases and issues....family conflict is caused by wealth allocation, inheritance, financial crisis in families and unfaithfulness of spouses due to parity issues arising from class disparity as well as lack of love and feeling of not being accepted as part of the family by the in-laws.” (KI 07, interview, 13th February 2021).

Another participant added,

“ Cases of family conflict are frequent, especially among those who have come in to seek employment opportunity or business....family conflict occurs due to lack of basic needs, over drinking by the head of

the family, the number of children this family have...”

(KI 15, interview, 13th February 2021).

The finding is consistent with Gravningen *et al.*, (2017) who examined the prevalence estimates and reported reasons for breakdown of marriages and cohabitations in Britain and revealed that family breakdown was attributed to; growth of couples, vicious arguments, unfaithfulness/adultery and lack of appreciation in marriage

4.3 Effects of Family Conflict

The respondents were asked to indicate the effect of family conflict and their responses are summarized in Figure 2:

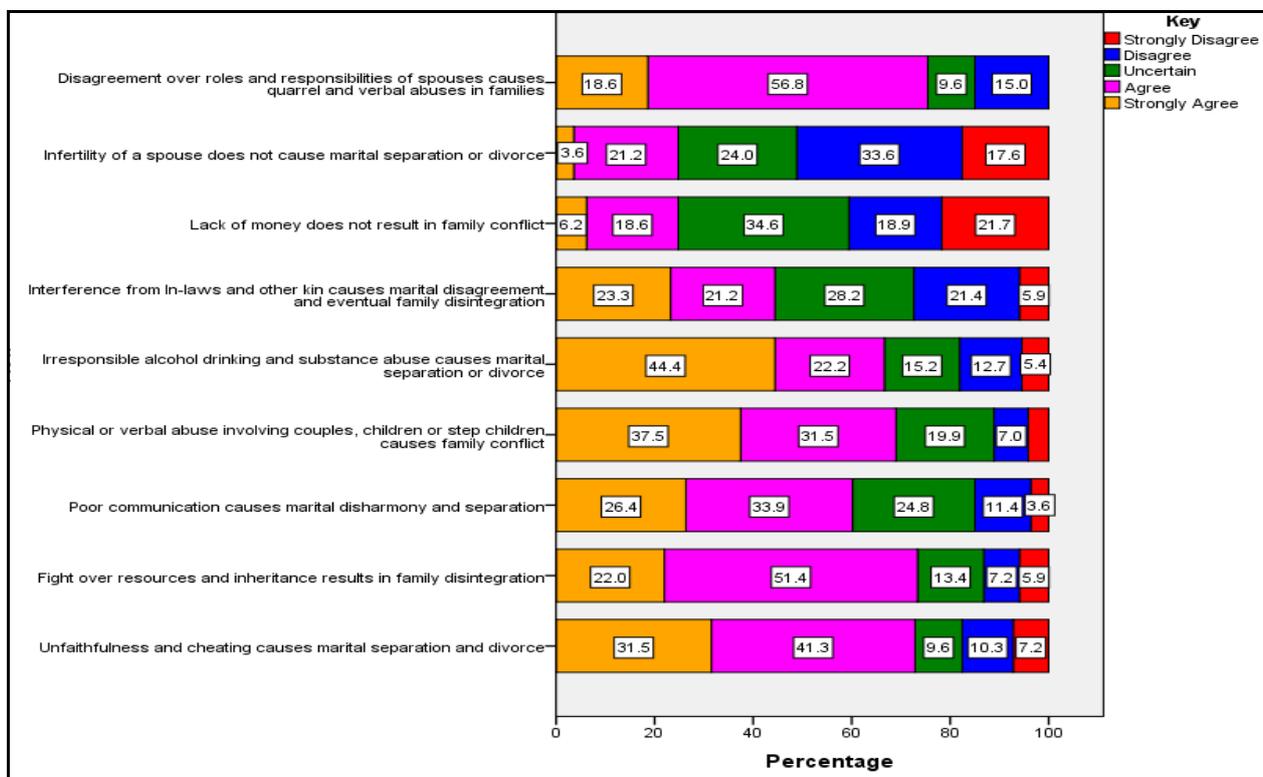


Figure 2: Effects of Family Conflict

According to the findings, majority (51.4%) of the respondents agreed that fight over resources led to family disintegration while 41.3% of the respondents agreed that unfaithfulness and cheating among spouses was the main cause of family conflict. Poor communication also caused marital disharmony and separation (33.9%) while 37.5% of the respondents strongly agreed that physical or verbal abuse involving couples, children and step-children resulted in family conflict. Similarly, 44.0% of the respondents agreed that irresponsible alcohol drinking and drug abuse resulted in marital divorce or separation, 23.3% of the respondents strongly agreed that interference from in-laws and other kin caused marital disagreement and eventual family disintegration and 56.8% of the respondents agreed that disagreement over roles and

responsibilities of spouses caused quarrel and verbal abuses in families thereby leading to family conflict. Besides, majority (33.6%) of the respondents disagreed that infertility of a spouse does not cause marital separation or divorce while 34.6% of the respondents were uncertain as to whether lack of money did not result in family conflict.

The findings are consistent with a study by Aye *et al.*, (2016) who examined the causes, consequences and strategies in managing family conflict and how it applies to one’s understanding of emotion and struggling of power in Nigeria and established that infertility, financial difficulties, poor communication between family members, lack of sexual

satisfaction/gratification resulted in family disunity, family dysfunction and family disharmony.

4.4 Role of Negotiation in Resolving Family Conflict

The respondents were asked to indicate the role played by negotiation in resolving family conflict and the results are shown in Figure 3:

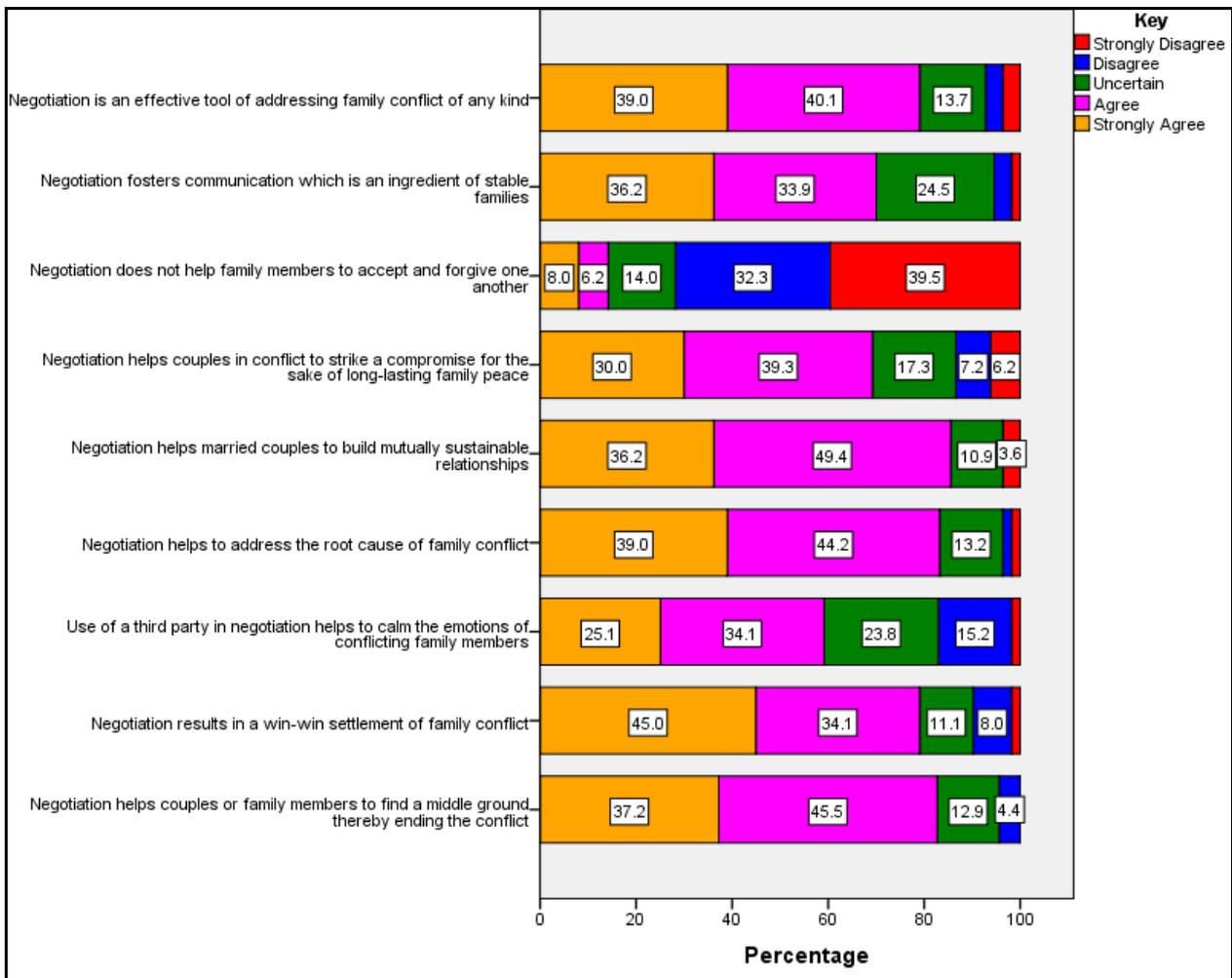


Figure 3: Role of Negotiation in Resolving Family Conflict

As shown in Figure 3, the findings indicated that negotiation played significant role in addressing family conflict. Majority (45.5%) of the respondents agreed that negotiation helped couples or family members to find a middle ground thereby ending the conflict, 45.0% of the respondents strongly agreed that negotiation resulted in a win-win settlement of family conflict, 34.1% of the respondents agreed that use of a third party in negotiation helped to calm the emotions of conflicting family members, 44.2% of the respondents agreed that negotiation helped to address the root cause of the problem and 49.4% of the respondents agreed that negotiation helped married couples to build mutually sustainable relationships while 39.0% of the respondents agreed that negotiation helped couples in conflict to strike a compromise for the sake of long-lasting family peace. Similarly, 36.2% of the respondents strongly agreed that negotiation fostered communication which is an ingredient for stable families while 39.0% of the respondents agreed that negotiation is an effective tool of addressing

family conflict of any kind (39.0%). However, 35.0% of the respondents strongly disagreed that negotiation did not help family members to accept and forgive one another. These findings were consistent with data collected from key informants who opined that negotiation played various roles in resolving family conflict. The participants indicated as follows:

“Negotiation plays a significant role because parties involved make peace and reconcile, there is no much finance or repercussion and it is not time consuming as compared to legal process in court.”

(KI 01, interview, 12th February 2021).

Another participant said,

“Negotiation is often used by the clan elders and the local leaders.....negotiation has helped resolve conflict in the family that were separated.....negotiation is very effective since people or families have a chance to face each other when they are sober”

(KI 09, interview, 12th February 2021).

Another participant indicated,

“Many times when there arises a problem, negotiation method used....negotiation is important because it brings understanding among members, fosters peace and unity and commitment to responsible living.”

(KI 04, interview, 15th February 2021).

Another participant stated,

“Negotiation is used frequently when there is conflict in a family...It helps in realization of conflict resolution, creating understanding for reason and cause of the conflict and mutual awareness of the reason for conflict....negotiation is an effective method because it builds mutual responsibility in conflict resolutions...”

(KI 12, interview, 14th February 2021).

Another participant said,

“Negotiation is used almost all the time...it helps to make each party in conflict to know his/her responsibility in the conflict and look for a way to apologize to one another and move on....this makes negotiation an effective method because it is always the best way to reconcile, it may take time but finally it bears good fruits.”

(KI 08, interview, 13th February 2021).

The findings are consistent with a study by Theresa and Oluwafemi (2014) that examined the patterns or mechanism for conflict resolution in traditional African societies with particular reference to Yoruba and Igbo societies in Nigeria and Pondo tribe in South Africa and found that traditional negotiation mechanisms provided opportunity to interact with the parties concerned and promoted consensus-building, social bridge reconstructions and enactment of order in the society.

4.5 Challenges Facing Negotiation as Mechanism of Resolving Family Conflict

The respondents were asked to state some of the challenges affecting negotiation as a mechanism of resolving family conflict and from the responses, a number of challenges emerged. Retrogressive culture taboos and traditions which considers a male as a superior gender to female gender impeded level playing ground for negotiation during conflict. The other challenge was double standards among the warring parties leading to mistrust and collapse of negotiation talks. Other challenges affecting effectiveness of negotiation included; unique personalities of parties in conflict, high emotions, hard stance, use of harsh language and feeling violated to an extent of not ready to forgive. Ideological differences were also another challenge affecting the use of negotiation in family conflict leading to

misunderstanding, impatience and disinterest among the conflicting parties. Equally, the other impediments to effective use of negotiation in family conflict were; biased third party, inadequate family counselors, poor communication, social pressure, disparity in level of education and awareness level, lack of legal protection and unwilling parties to negotiate. Also, the respondents indicated that negotiation could not be applied in all conflicts in the family.

Data collected from community policing members, religious leaders and civil society revealed that negotiation is affected by ego of people involved in conflict, communication, unwilling parties, time, and cultural diversity, lack of objectivity, personality differences, insincerity and lack of sobriety. The participants were quoted as follows:

One of the participants indicated,

“The main challenge affecting negotiation is pride or ego of one or other one to accept his /her mistake...it takes a lot of patience and humility to listen...”

(KI 04, interview, 15th February 2021).

Another participant indicated,

“Or negotiation comes to a halt when parties concerned are not willing to negotiate. Lack of common ground between the parties and dead lock situation especially when parties concerned are not willing to soften their stubborn decisions.”

(KI 10, interview, 12th February 2021).

Another participant stated,

“Achieving negotiation is difficult when parties involved are not willing to reconcile. Hard stand and some even refuse to accept the outcome. Distance of parties involved might take time because it is a process.”

(KI 04, interview, 15th February 2021).

Another participant added,

“Negotiation process is affected by lack of time and lack of wise and understanding people. Also cultural diversity affects negotiation especially when people involved are from mixed culture.”

(KI 09, interview, 12th February 2021).

5. Conclusion and Recommendations

5.1 Conclusion

This study concludes that negotiation is effective in resolving family conflict. The study found that negotiation helped couples or family members to find a middle ground thereby ending the conflict and also promoted a win-win settlement of family conflict. Further, negotiation was found to be important in helping warring family members to calm down emotions, helped to root cause of the problem and helped married couples to build mutually sustainable

relationships as well as helped couples in conflict to strike a compromise for the sake of long-lasting family peace. In addition, the findings revealed that negotiation fostered communication which is an ingredient for stable families.

5.2 Recommendations

1. This study recommends tailored awareness and sensitization campaigns spearheaded on the use of negotiation as an effective mechanism of dispute resolution. The campaigns should be spearheaded by Kenya's Department of Justice in collaboration with religious leaders, County government of Kajiado and education

stakeholders. This follows the findings that lack of negotiation in family conflict results in disintegration of family leading to increasing cases of divorce and separation.

2. This study recommends key institutions in the community, especially Churches, Chiefs/local administration offices should introduce consultation desks where family members in conflict can get assistance from trained counselors, family therapists and mediators in addressing cases of conflict. Churches, Chief/local administration offices are ideal because this is where cases of family conflict are first reported and thus involving professionals would help in enhancing effectiveness of negotiation.

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