



Traditional Dispute Resolution Mechanisms in Access to Justice: A Comparative Study of Libya's Context in Africa, 2011

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Abstract

Traditional dispute resolution mechanisms have played a significant role in access to justice across various African jurisdictions, including Libya. This study explores how these traditional practices influence legal outcomes and community satisfaction. The research employs a comparative qualitative approach, analysing existing literature on traditional dispute resolution in Libya alongside empirical data from interviews with local legal practitioners and community members. Data analysis focuses on themes related to the effectiveness of traditional methods and their integration into formal legal systems. Traditional mechanisms were found to be particularly effective in resolving minor disputes within extended family networks, where they are deeply embedded in cultural practices. In these cases, satisfaction rates among participants were consistently high, ranging from 75% to 80%. While traditional dispute resolution mechanisms significantly contribute to access to justice in Libya, their integration into formal legal systems requires further development to ensure broader applicability and effectiveness. Developing a comprehensive training programme for judges and lawyers on traditional practices could enhance the use of these mechanisms, thereby increasing their accessibility to all segments of Libyan society. Additionally, establishing clear guidelines for integrating traditional methods into court procedures is recommended.

Keywords: *African jurisprudence, customary law, conflict resolution, indigenous justice, mediation, tribal courts, traditional authority*

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