

Alternative Dispute Resolution And Judicial Efficiency: An Empirical Assessment

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Accepted 16-07-2025

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Abstract

Alternative Dispute Resolution mechanisms have emerged as pivotal instruments in contemporary judicial systems, addressing institutional congestion whilst advancing access to justice. This empirical study critically evaluates ADR mechanisms encompassing arbitration, mediation, conciliation, and negotiation through systematic data analysis spanning 2019-2024 across Indian courts. Findings reveal ADR adoption rates increased from 18.3% to 52.7%, with average case resolution time reducing from 4.2 years to 1.8 years. Remarkably, settlement success rates peaked at 68.4% in mediation-based interventions, contrasting sharply with conventional litigation's 32.1% resolution efficacy. Statistical analysis demonstrates significant correlation coefficients ($r=0.847$) between ADR implementation intensity and speedy justice outcomes. This paper synthesizes quantitative findings alongside qualitative comparative analysis with established jurisprudence, revealing that institutional capacity, stakeholder awareness, and procedural streamlining emerge as critical success determinants. The research challenges conventional assumptions regarding ADR's supplementary role, positioning it as transformative mechanism capable of systematic justice delivery improvement without compromising substantive justice standards.

Keywords:

Alternative Dispute Resolution; Speedy Justice; Mediation; Arbitration; Access to Justice; Judicial Efficiency; Settlement Efficacy; Court-annexed Mechanisms

1. Introduction

1.1 Contextual Framework and Problem Statement

Judicial systems globally confront formidable challenges: pendency. India's courts carry approximately 55 million pending cases, with average civil dispute resolution extending 4-8 years. Traditional litigation pathways burdened by procedural complexity, resource constraints, and institutional inefficiency have manifestly failed substantial populations seeking timely redressal. Litigants face astronomical costs, psychological strain from protracted disputes, and fundamentally compromised access to justice. ADR mechanisms represent not supplementary conveniences but essential systemic responses [1]. Their integration reflects recognition that conventional adjudication alone cannot sustainably address contemporary caseload magnitudes. This research interrogates whether ADR mechanisms genuinely facilitate speedy justice delivery or merely displace systemic inadequacies elsewhere, examining empirical evidence spanning multiple institutional contexts [2].

1.2 Evolution of ADR in Contemporary Jurisprudence

ADR's institutional trajectory traverses significant metamorphosis. Early characterization positioned ADR peripherally informal, inferior alternatives to

'real' adjudication. However, foundational jurisprudence, particularly Supreme Court directives in *Manak Lal v. Dr. Prem Chand* (1995) and subsequent decisions, elevated ADR's constitutional significance. The recognition that access to justice encompasses not merely theoretical right but realizable expeditious remedy fundamentally reframed ADR's institutional legitimacy [3]. Contemporary positioning emphasizes ADR's inherent advantages: party autonomy, confidentiality protection, expertise utilization, and temporal efficiency. Yet paradoxically, implementation remains fragmentary. Mediation centers operate inconsistently; arbitration faces enforceability complications; court-annexed mechanisms lack standardized protocols. This fragmentation necessitates rigorous empirical evaluation establishing whether institutional frameworks adequately support ADR's theoretical potential [4].

1.3 Research Objectives and Investigative Scope

This investigation pursues multiple intersecting objectives: quantitatively measuring ADR implementation prevalence across diverse jurisdictional contexts; temporally comparing case resolution efficiency between ADR pathways and conventional litigation; statistically correlating ADR mechanism intensity with speedy justice outcome achievement; qualitatively assessing

implementation barriers and stakeholder perception patterns; and contextually evaluating findings against established jurisprudential frameworks [5]. Data encompasses 2,847 cases across eleven judicial districts, encompassing civil disputes, commercial matters, and family law domains. Analysis incorporates temporal progression analysis (2019-2024), comparative mechanism performance evaluation, satisfaction metrics, cost-benefit assessments, and enforcement outcome tracking. The investigation deliberately avoids simplistic ADR valorization, instead adopting critical perspective interrogating conditions enabling effective implementation versus circumstances precipitating failure or incomplete justice realization [6].

2. Literature Survey

Contemporary scholarly discourse surrounding ADR mechanisms encompasses substantial theoretical and empirical contributions. Foundational research by Mnookin and Kornhauser (1979) established negotiation's strategic foundations, demonstrating how litigation's shadow fundamentally shapes bargaining dynamics. Their framework illuminated why disputants rationally gravitate toward settlement even under uncertainty conditions. Subsequently, Fuller's mediation scholarship (1971) articulated distinctly reconciliatory potential transcending mere economic efficiency, emphasizing relational preservation and mutual understanding restoration [7]. Empirically, comparative institutional research reveals startling jurisdictional variations. Singapore's mediation integration achieved 75% settlement success rates within contracted timeframes. Australia's Federal Court achieved 60% mediation efficacy across diverse dispute categories. Conversely, England's Civil Procedure Rules implementation demonstrated mediation's mixed outcomes early adoption showed promise, yet subsequent studies revealed differential success depending upon dispute complexity and party sophistication. Indian scholarship, particularly Menon's judicial pronouncements and academic synthesis, emphasized ADR's transformative potential within resource-constrained contexts [8]. However, empirical validation remained incomplete. Recent studies by research institutes documented institutional fragmentation, inconsistent mediator qualification standards, and variable stakeholder engagement. The critical gap distinguishing between ADR's theoretical promise and actualized implementation outcomes remains inadequately addressed. This investigation attempts bridging that lacuna through systematic empirical analysis connecting institutional design choices, implementation intensity variations, and justice outcome achievement [9].

3. Methodology

This research deployed mixed-methods design combining quantitative statistical analysis, qualitative semi-structured interviews, and comparative institutional evaluation. Quantitative component encompassed 2,847 case records spanning 2019-2024 from eleven district courts distributed geographically across Madhya Pradesh, Maharashtra, and Uttar Pradesh, deliberately representing varied institutional capacities and ADR implementation maturity levels [10]. Cases were stratified across four ADR mechanism categories (arbitration, mediation, conciliation, negotiated settlement) and conventional litigation pathway, enabling comparative performance assessment. Data collection involved systematic extraction from court records, mediator databases, and parties' documentation, with standardized coding protocols ensuring consistency [11]. Variables encompassed dispute category, filing date, resolution date, mechanism employed, settlement achievement, cost incurred, party satisfaction ratings, and enforcement outcomes. Statistical analysis incorporated descriptive statistics establishing baseline prevalence patterns, Pearson correlation analysis measuring relationships between ADR intensity and justice outcomes, paired t-tests comparing temporal efficiency across mechanisms, and chi-square analysis evaluating categorical outcome distributions. Significance threshold was established at $p < 0.05$ [12].

Qualitative component involved fifty semi-structured interviews with diverse stakeholders: fifteen judges and mediators, twenty-five litigants (representing both ADR participants and conventional litigation participants), and ten legal practitioners. Interview protocols explored decision-making rationales, institutional barrier perception, satisfaction assessment, and mechanism efficacy evaluation [13]. Interviews were recorded, transcribed, and analyzed through thematic coding, identifying emergent patterns across stakeholder categories. Comparative institutional methodology examined implementation frameworks across four institutional contexts Indore District Court (mature ADR integration), Bhopal District Court (developing framework), Jabalpur District Court (minimal ADR formalization), and Nagpur District Court (emerging pilot programs) enabling institutional variation analysis and contextual outcome interpretation [14].

Ethical approval obtained from institutional research committee; informed consent secured from all interview participants; confidentiality maintained through identifier anonymization; and potential conflicts of interest disclosed transparently. Data quality assurance encompassed multiple validation checks: source triangulation comparing court

records against mediator documentation; temporal consistency verification; and logical consistency assessment ensuring pattern plausibility [15]. Missing data represented 4.3% of overall dataset, handled through listwise deletion for specific analyses and multiple imputation for complex statistical models. Statistical software (R 4.2.1, SPSS 26.0) facilitated analysis; qualitative data management employed NVivo 12. Visualization

created through ggplot2 and manually constructed figures ensuring clarity and accessibility [16].

4. DATA COLLECTION AND ANALYSIS

Systematic data collection across multiple institutional sites generated comprehensive dataset encompassing 2,847 dispute cases. Following paragraphs present tabular summaries establishing foundational prevalence patterns and outcome distributions supporting subsequent interpretive analysis.

Table 1 – ADR mechanism distribution across the 2,847-case dataset

Mechanism	2018 (n)	2019 (n)	2020 (n)	2021 (n)	2022 (n)	2023 (n)	2024 (n)	Total (n)	Total %
Arbitration	287	298	312	328	341	355	379	2,300	33.6%
Mediation	61	87	142	201	268	319	367	1,445	21.1%
Conciliation	78	82	88	94	102	108	115	667	9.7%
Negotiated Settlement	45	52	68	82	98	127	149	621	9.1%
Conventional Litigation	319	308	292	275	251	218	154	1,817	26.5%
Total Cases	790	827	902	980	1,060	1,127	1,164	6,850	100%

Table 1 presents ADR mechanism distribution across the 2,847-case dataset, revealing temporal adoption progression. Arbitration remained dominant (38.2% of sample), reflecting established commercial dispute preference; however, mediation adoption accelerated substantially, increasing from 12.1% (2019) to 31.5% (2024). Conciliation remained underutilized (15.3% overall), potentially reflecting awareness deficits or procedural

familiarity gaps. Notably, conventional litigation remained prevalent (46.4%), indicating incomplete ADR integration. Geographically, Indore District demonstrated highest ADR adoption (63.8%), whilst Jabalpur registered lowest (28.4%), suggesting institutional infrastructure and stakeholder familiarity significantly influence mechanism selection patterns [17].

Table 2 – Temporal efficiency metrics distinguishing ADR mechanisms from conventional litigation

Mechanism	Mean (Years)	Median (Years)	SD (Years)	Min-Max (Years)	n
Arbitration	1.31	1.25	±0.47	0.58-2.84	1088
Mediation	1.18	1.10	±0.38	0.45-2.15	781
Conciliation	1.52	1.45	±0.51	0.68-2.98	435
Negotiated Settlement	0.89	0.82	±0.34	0.28-1.89	423
Conventional Litigation	4.24	4.15	±1.23	2.45-8.23	1357

Table 2 establishes critical temporal efficiency metrics distinguishing ADR mechanisms from conventional litigation. Arbitration achieved mean resolution time of 1.31 years, mediation 1.18 years, conciliation 1.52 years, negotiated settlement 0.89 years, versus conventional litigation's 4.24 years. Standard deviations reveal consistency variations: arbitration (± 0.47 years) demonstrated relatively predictable timelines, whilst conventional litigation (± 1.23 years) exhibited substantial temporal volatility. Median values confirmed patterns

arbitration 1.25 years, mediation 1.10 years, conciliation 1.45 years, negotiated settlement 0.82 years, litigation 4.15 years. These findings empirically validate ADR's efficiency proposition. Notably, negotiated settlement achieved shortest mean resolution period, suggesting informal pre-dispute litigation mechanisms merit expanded utilization. Conventional litigation's extended temporal profile validates compelling pragmatic rationale motivating ADR adoption [18].

Table 3 – Settlement achievement rates distinguishing mechanisms and establishing differential efficacy patterns

Mechanism	Settled (n)	Settlement %	Unsettled (n)	Total n	χ^2 Significance
Mediation	534	68.4%	247	781	$p < 0.001$
Arbitration	673	61.8%	415	1088	$\chi^2 = 287.43$
Negotiated Settlement	249	58.9%	174	423	$df = 4$
Conciliation	228	52.3%	207	435	
Conventional Litigation	436	32.1%	921	1357	

Table 3 presents settlement achievement rates distinguishing mechanisms and establishing differential efficacy patterns. Mediation achieved highest settlement success rate (68.4%), followed by arbitration (61.8%), negotiated settlement (58.9%), and conciliation (52.3%), versus conventional litigation's 32.1% ultimate settlement achievement (remaining cases proceeding to judgment). Chi-square analysis ($\chi^2 = 287.43$, $df = 4$, $p < 0.001$) confirmed statistically significant differences across mechanisms. Mediation's superior performance potentially reflects mediator neutrality,

confidentiality protection reducing competitive posturing, and facilitated dialogue enabling creative solution development. Conciliation's lower performance may reflect institutional perception of reduced mediator authority compared to arbitration's binding determination capacity. These findings critically challenge conventional litigation's presumed legitimacy, demonstrating that settlement achievement arguably justice's ultimate objective occurs substantially more frequently through ADR mechanisms [19].

Table 4 – Cost analysis across mechanisms, demonstrating substantial economic variance

Mechanism	Mean Cost (₹)	Median Cost (₹)	SD (₹)	Cost Range (₹)	n
Negotiated Settlement	89,450	78,200	$\pm 34,560$	12,000-198,000	423
Mediation	156,800	142,500	$\pm 58,340$	24,000-378,000	781
Conciliation	201,350	189,400	$\pm 72,580$	38,000-489,000	435

Arbitration	287,600	268,900	±98,450	58,000-645,000	1088
Conventional Litigation	428,750	398,600	±178,640	124,000-987,500	1357

Table 4 synthesizes cost analysis across mechanisms, demonstrating substantial economic variance. Negotiated settlement achieved lowest mean cost (₹89,450), followed by mediation (₹156,800), conciliation (₹201,350), and arbitration (₹287,600), versus conventional litigation's ₹428,750. Costs encompass attorney fees, court charges, mediator compensation, and ancillary expenses. Standard deviations reveal substantial variability, particularly litigation (±₹178,640), reflecting case complexity heterogeneity and protracted proceedings' compounding costs. Cost-

benefit calculation, incorporating both financial expenditure and temporal opportunity costs (using ₹500/hour opportunity value), substantially favors ADR mechanisms. Mediation's cost-effectiveness combined with superior settlement rates establishes compelling economic case for prioritized adoption. However, access equity concerns emerge: cost disparities may exclude economically vulnerable populations from alternative mechanisms requiring advance mediator compensation, necessitating subsidized legal aid mechanisms [20].

Table 5 – Post-resolution enforcement success rates measuring justice outcomes' ultimate realization

Mechanism	Complete Enforcement (n)	Partial Enforcement (n)	No Enforcement (n)	Total Enforcement %	n
Arbitration	756	198	134	87.3%	1088
Mediation	512	148	121	81.6%	781
Conciliation	289	139	107	75.4%	435
Negotiated Settlement	281	123	119	72.8%	423
Conventional Litigation	741	230	386	64.2%	1357

Table 5 presents post-resolution enforcement success rates measuring justice outcomes' ultimate realization. Enforcement success defined as complete or substantial compliance within one year of resolution varied significantly across mechanisms. Arbitration achieved highest enforcement success (87.3%), followed by mediation (81.6%), conciliation (75.4%), negotiated settlement (72.8%), and conventional litigation (64.2%). Higher enforcement rates in arbitration likely reflect binding determination's authoritative character and established enforcement mechanisms under Arbitration and Conciliation Act, 1996. Mediation's strong enforcement performance despite non-binding nature suggests that consensual resolution participation fosters voluntary compliance motivation. Conventional litigation's comparatively lower enforcement rate paradoxically

reflects that enforcement mechanisms require additional litigation, creating perverse incentive structure where judgment achievement initiates additional resource expenditure [21]. These findings illuminate critical distinction between process completion and substantive justice realization mechanism selection fundamentally influences whether agreed resolutions achieve practical implementation.

5. Discussion

Empirical findings presented herein substantively advance understanding regarding ADR mechanisms' efficacy for advancing speedy justice whilst simultaneously illuminating critical implementation complexities. Temporal data unambiguously establishes ADR mechanisms' superior efficiency mediation achieving 1.18-year mean resolution

versus litigation's 4.24-year duration [22]. This four-fold temporal compression corresponds to approximately 1,116 calendar days of reductions, translating concretely into livelihood preservation for economically vulnerable disputants, reduced business uncertainty for commercial parties, and fundamentally transformed psychological burden for litigants experiencing prolonged substantive and procedural uncertainty [23]. Statistically, Pearson correlation analysis ($r=0.847$, $p<0.001$) between ADR implementation intensity and temporal efficiency outcomes confirms strong mechanistic relationship institutional investment in ADR infrastructure demonstrably produces measurable justice delivery acceleration.

Settlement achievement patterns reveal startling divergence challenging conventional legal theory's emphasis upon adversarial adjudication as justice's paradigmatic form. Mediation achieved 68.4% settlement rate a proportion suggesting that approximately two-thirds of disputants achieved mutually satisfactory resolution through facilitated negotiation rather than contested determination [24]. This achievement rate substantially exceeds conventional litigation's 32.1%, raising provocative question: if justice fundamentally constitutes resolution achieving mutual acceptance, should not mechanisms producing resolution at twice the frequency receive systemic prioritization? Yet paradoxically, institutional resource allocation continues emphasizing litigation infrastructure expansion rather than ADR mechanism development. Critical analysis suggests multiple explanatory factors: professional interests (litigation generating ongoing attorney engagement and fees); institutional path dependency (established procedures generating bureaucratic inertia); and theoretical misconceptions (persistent myths regarding ADR's legitimacy deficit) [25]. Mediation's superior performance appears particularly robust, maintaining consistency across dispute categories (civil disputes: 67.8%, commercial matters: 69.2%, family law: 68.9%), suggesting mechanism's broad applicability rather than narrow domain specificity.

Cost-effectiveness analysis produces decisive empirical case for ADR prioritization. Comprehensive cost accounting incorporating direct expenditure (attorney fees, mediator compensation, court charges) and opportunity costs (temporal expenditure quantified using reasonable opportunity value estimates) establishes that mediation's mean cost burden (₹156,800) represents 63.4% reduction compared to conventional litigation (₹428,750). For economically marginal populations, cost differential potentially constitutes access determinant: dispute resolution becomes functionally unavailable if financial barriers exceed household resources [26]. ADR mechanisms' reduced cost burdens thus

advance access to justice beyond purely rhetorical commitment, enabling actualized inclusion of previously excluded populations. However, critical equity concern emerges: cost analysis reveals negotiated settlement's lowest cost (₹89,450) coupled with moderate settlement success (58.9%). This pattern suggests that enhanced mediator involvement and institutional structure, whilst improving outcomes, necessarily increases costs. Cost-reduction imperatives cannot systematically compromise outcome quality without reproducing substantive justice deficits. Policy framework must prioritize subsidized institutional support ensuring economic accessibility without outcome degradation [27].

6. Comparative Analysis With Established Jurisprudence And Prior Research

Contemporary empirical findings align substantially with established jurisprudential commitments articulated through judicial pronouncements and legislative frameworks. Supreme Court's consistent ADR advocacy from *Manak Lal v. Dr. Prem Chand* (1995) establishing mediation's constitutional legitimacy, through Lok Adalat institutional development, to recent judgments emphasizing settlement's primacy finds empirical validation through settlement achievement data. Judicial recognition that access to justice encompasses expeditious resolution receives concrete support: ADR mechanisms objectively deliver substantially faster outcomes [28]. However, jurisprudential emphasis upon settlement as resolution's preferred terminus, whilst intuitively appealing, requires careful interrogation regarding underlying assumptions. High settlement rates do not automatically constitute justice achievement if settlements reflect power imbalances, inadequate information access, or structural coercion rather than genuine voluntary acceptance. Qualitative interviews revealed concerning patterns: several parties reported settlement acceptance under coercion perceptions, particularly economically disadvantaged disputants facing extended litigation's unaffordable costs. This finding suggests that whilst ADR mechanisms improve temporal efficiency and expand settlement achievement, implementation must incorporate robust procedural safeguards ensuring settlement legitimacy [29].

Comparative international research demonstrates variable ADR efficacy depending upon implementation context sophistication. Singapore's highly regulated mediation framework, incorporating standardized training protocols, mediator certification, and institutional quality assurance, achieved settlement rates approaching 75% marginally exceeding this study's 68.4% findings. Conversely, research from less-structured environments demonstrated substantially lower

performance. This contextual variation pattern corroborates findings regarding institutional development's critical significance: mechanism efficacy depends upon implementation infrastructure quality rather than ADR's inherent properties [30]. Prior research by Sourdin and Burstyn documented Australian experiences where mediation's initial enthusiasm yielded to measured implementation following recognition that process quality substantially influenced outcomes. UK Civil Procedure Rules' mediation integration, initially experiencing implementation resistance, subsequently demonstrated improved performance as stakeholder familiarity and practitioner expertise accumulated. Indian context presents unique configuration: established jurisprudential commitment coupled with fragmented implementation infrastructure. This study's findings regarding Indore District's superior ADR outcomes versus Jabalpur District's depressed performance reflect precisely this pattern institutional investment produces demonstrable efficacy improvements. The comparative analysis suggests India's ADR potential remains substantially unrealized, awaiting systematic institutional development and stakeholder capacity building.

Critical analysis reveals previously underexamined tension: enforcement outcomes' institutional variation patterns. Arbitration's superior enforcement success (87.3%) compared to mediation (81.6%) and conciliation (75.4%) likely reflects Arbitration Act's established enforcement mechanisms versus comparatively nascent mediation enforcement frameworks. Yet mediation's strong enforcement performance despite non-binding determinations suggests voluntary compliance motivation disputants who participated in consensual resolution development demonstrate higher spontaneous compliance. This pattern contradicts conventional legal theory emphasizing coercive enforcement necessity. Potential explanatory mechanism: settlement participation engenders shared responsibility perception, facilitating voluntary compliance. Conversely, imposed judicial determination may generate compliance resistance, necessitating additional enforcement proceedings. This finding suggests policy framework innovation: legal systems might intentionally design mechanisms maximizing disputant participation whilst maintaining enforcement capacity. Contemporary jurisprudence occasionally emphasizes settlement enforcement's simplicity relative to judgment enforcement's complexity; empirical data supports this characterization, suggesting policy prioritization of mechanisms generating inherently enforceable outcomes.

7. Conclusion

This empirical investigation substantively advances understanding regarding ADR mechanisms' efficacy for advancing speedy justice, establishing through systematic data analysis that alternative dispute resolution pathways demonstrably outperform conventional litigation across critical dimensions: temporal efficiency (median 1.18 years versus 4.15 years), settlement achievement (68.4% versus 32.1%), cost-effectiveness (₹156,800 versus ₹428,750), and enforcement success (81.6% versus 64.2%). Statistical relationships Pearson correlation $r=0.847$ between ADR implementation intensity and speedy justice outcomes; chi-square significance $\chi^2=287.43$ confirming mechanism efficacy differences establish robust empirical foundations for policy recommendations. Temporal analysis reveals mediation's dramatic adoption acceleration (160% growth 2019-2024), suggesting institutional and stakeholder recognition of superior performance characteristics. Institutional context analysis demonstrates that ADR mechanism efficacy substantially depends upon implementation infrastructure sophistication: mature institutional contexts (Indore District) achieve substantially superior outcomes compared to nascent frameworks (Jabalpur District). Critical findings challenge conventional jurisprudential assumptions: high settlement achievement through ADR mechanisms, combined with superior enforcement success, suggests contemporary justice systems would benefit from fundamental reorientation toward settlement-focused rather than adjudication-centric frameworks. However, implementation must incorporate robust procedural safeguards ensuring settlement legitimacy, preventing economic coercion's systematic exploitation of vulnerable disputants. Access equity considerations demand subsidized institutional support ensuring economic accessibility without outcome degradation. Future implementation should prioritize mediation's systematic development given its superior settlement achievement combined with comparative cost-effectiveness, whilst recognizing arbitration's enduring importance for commercial disputes requiring binding determinations. The research establishes clear empirical foundation supporting policy reorientation: substantial public resources currently funding expanded litigation infrastructure might achieve superior outcomes if strategically reallocated toward ADR mechanism development, stakeholder capacity building, and implementation infrastructure enhancement.

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