Quest Journals Journal of Research in Humanities and Social Science Volume 11 ~ Issue 6 (2023) pp: 213-220 ISSN(Online):2321-9467 www.questjournals.org

Research Paper

CLUST

Organizational Culture as a Determinant of Implementation of ICT Strategies in the Kenya Judiciary: Case of Kajiado High Court Region

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Abstract

The study sought to examine the determinants influencing Implementation IC strategies in the Judiciary of Kenya and specifically in the Kajiado High Court Region. It was to find out if Organizational Culture within the Kajiado High Court Region formed a considerable part of determinants of ICT strategy implementation. The study was guided by principles of public administration and the Actor Network Theory. The study adopted a mixed method case study design. Target population was 72 Judiciary personnel within the three court stations under study through use of Census Design. Anonymity was maintained by not requiring the respondents to give their names in the questionnaires. The quantitative data collected was analysed using Statistical Package for Social Sciences (SPSS Version 24.0), Content and Regression Analysis. The study found that Organizational culture had a positive and significant effect on ICT strategy implementation. The study recommended that the management of court stations should ensure that all Judiciary personnel fully support ICT strategy implementation without any resistance.

Key words: Determinants, Implementation of ICT Strategies, organisational culture, Kenya Judiciary

Received 12 June, 2023; Revised 24 June, 2023; Accepted 26 June, 2023 © *The author(s) 2023. Published with open access at www.questjournals.org*

I. INTRODUCTION

Strategy implementation has become an area of great interest and focus in the public sector in modern Public Administration. It is a very critical stage determining successful strategy planning. Focus shifted to implementation of plans in late 1960s, when there arose great public outcry against the public organisations. This was because despite seeming as properly organised with their mandate stated in their governing statutes, they were not meeting the needs of the citizens. Implementation was noted as the missing link in public sector planning by scholars. This led to an international call for Structural Adjustments Programs (SAPs) in the public sector for better implementation of plans for service delivery (Elbanna, Andrews & Pollanen 2016).

Organisational culture of an organisation has been a very great determinant of strategy implementation. It determines the roles and responsibilities of members in an organisation for ease of grouping of activities to be undertaken and persons tasked for creation of a strong implementation team (Thomson, Kentikeleni & Stubbs, 2017). It also establishes a chain of command and reporting lines during the strategy implementation. It does guide decision making and their timings. Adoption and implementation of ICT in both the public and private sector has been affected by the organisation culture and structure, especially when it is not properly managed and communication properly ensured (Ruck & Welch, 2012).

The Public sector has continued to prefer Bureaucratic strategy implementation structure, where vertical command is exercised with red tape practices advocated. The top managers formulate strategies while supervising their implementation. They at times delegate this role to the middle managers. The lower cadres and technical teams some of who are the street level bureaucrats in contact with the citizens, implement strategic directions

from the top managers. The mandate of an organisation being similar and stable in a long time, there is usual lack of motivation to adapt to changes in the manner of doing things (Carlstrom & Elkman, 2012).

Faced with various resource constraints and lack of motivation to be more dynamic, the lower cadre and technical teams exercise their discretion as to the extent to which a strategic direction will be implemented. This in the end affects the extent to which such a strategic direction issued from the top is implemented and the shape it finally takes (Weber, 2015). Bureaucratic strategy implementation practice has in the recent days been advocated to be as out-dated. This is because it leaves out implementers out of the strategy formulation which makes implementation in future ineffective. It has thus been seen as limiting strategic thinking in public sector because it does not involve all the persons in an organisation who have varied and progressive ideas, which if utilised would have brought into application DeBonos Six Coloured Thinking Hats Model (Gregory & Masters, 2012). This model embodies several thinking techniques at different strategy phases including implementation (Brinkschroder, 2014).

Statement of the Problem

The Judiciary in Kenya adopted strategic planning long before the promulgation of the New Constitution in 2010. ICT strategic planning had not been given great focus it required for proper implementation. For the first time in the Judiciary Transformative Strategy 2012, ICT was identified as a one of the four crucial pillars that required concentrated focus for successful transformation of service delivery. Implementation of ICT strategic pillar as a transformative tool began earnestly. However, it was soon realised that ICT was a very broad area in strategic planning. For ease of implementation, Judiciary ICT Strategic plan was separately drafted and adopted in 2014 and was subsequently revised in 2018.

It was in the process of escalation to all administrative regions, including Kajiado High Court Region, which is among the few new High Court Regions established to enable ease of access to justice. ICT strategy implementation determinants are unique and vary from one public organisation to another. This calls for extensive data availability to inform policy makers for opinion making on generalisation of these determinants in the public sector. However, few scholars have taken interest in this area of study, which leads to data shortage in Kenya. No research has been carried out to ascertain determinants of ICT strategy implementation pace Kajiado High Court Region as one of new Judiciary regions seven years down the line (Bannister & Connolly R. 2011).

Some of determinants identified by few studies carried out in various public organisations in Kenya are lack of ICT skills and fast rate at which IT hardware and software become obsolete. The ICT design itself requires time in implementation, by first needing time for implementers to familiarise themselves with the ICT and its strategy which in turn increasing workload (Boonstra & Broekhuis, 2010). Among them is Kenya Revenue Authority by Mukhongo (2013), Higher Education Loans Board by Oluoch (2013) and in the Health Sector by Mwangi (2017). Those studies were undertaken from the central ICT strategy-implementing units of public organizations. This study on the contrary was carried out in the Judiciary in one of the regions of a centralised implementing unit away from the central command to find out whether the centralized command affects implementation pace.

Justification and Significance of the Study

E-governance is advocated as one of the means of bringing about Structural change in governance. Adoption and implementation of ICT is also part of aiders in achieving of the 17th goal of Sustainable Development Goals (2015), (SDGs), which advocates for peace, justice and strong institutions. ICT is intended to help pass urgent information fast in times of crisis, availing and analysing data on justice with record keeping aid.

In the Agenda 2063, Africans aspire to have a digital economy, where ICT is part of enabling infrastructure. In Kenya ICT master plan (2017), each state organ is required to make effort to ensure adoption and implementation of ICT for efficiency and accountability in line with globalization trends. Integration of the ICT in government operations is required under Kenya's vision 2030 as an aider to achievement of the vision.

ICT affects the society and it's a tool which if properly utilized can reach a larger audience and can also be used to for access of to services and solicit donor funding in donor supported organisations. It is also a tool for public participation because of creation of virtual portals where government plans and policies are publicized, as opposed to previously where they would remain in paper, tucked in office cabinets somewhere and inaccessible. This access of government information by citizens through ICT enhances transparency. Judiciary is motivated thus to move in the direction of all other institutions by adopting and implementing use of ICT. However, in order to reap full benefits of ICT like any other public projects, it should be managed strategically, through considered adoption and careful implementation, which is worthy of studying. This avails data for literature on implementation of ICT strategies for informed decision and policy making.

ICT is not only an aid in functioning of institutions; it is also a mode of governance which focuses on how ICT impacts change politically and institutionally. ICT creates change in the internal structures of government. It creates efficiency and effectiveness in organizations. E-government is thus concerned with the nuts and bolts of ICT application in public sector. This requires strategies and policies on how it is to be implemented and on how it will be regulated.

This study was highlighting the factors determining the implementation of ICT strategic plan by Judiciary in Kajiado High Court Region after the promulgation of the new Constitution 2010. This region is not significantly affected by structures existing prior to the enactment of the new constitution. This forms a good driving force for transformation of the Judiciary in Kenya under the Judiciary Transformation Framework (JTF). It will thus avail data to the Judiciary on areas needing attention by the judiciary in Implementation of its ICT strategies. It is also to avail data on public organization of ICT strategies implementation and challenges in the regions away from the central control, as well as means for evaluating performance of ICT strategy implementation phases.

The study was also necessary because ICT enhances trust and transparency in government through constant churning information to the stakeholders. It is also very relevant because ICT involves an immense investment of public finances in public sector, since any alocated public finances need to be properly invested for maximum benefits and possible return on investment. It is also a means of availing data to the general public and academia where scholars can critique for furtherance of academic knowledge. The study may be a good avenue to avail information for decision making by highlighting weak links in ICT strategy implementation for purposes of curbing instances which tend make ICT investments in the public sector worthless.

II. LITERATURE REVIEW

empirical review of Organizational Culture and Strategy Implementation

Organizations have personalities like humans do, which is referred to as Organizational Culture. Culture was defined to be an informal control of an organization. It is a form of collective programming of minds of a group of people causing them to have some sort of similar behaviour and actions, which distinguishes one group from another (Dartey-Baah, 2011). It comprises of three levels. First it is the assumptions which are the beliefs of members of an organization discernible in the stories and explanations of managers (Creative Commons, 2012). Second is the values which are the shared principles, standards and goals of members of an organization. Finally, organisational culture includes artefacts which comprise of the visible aspects like interactions between employees, open door policy, dress code and manner of address between different hierarchies of members of an organization (Kaptein, 2009).

Being a form of control of an organization, it has a hidden force capable of providing direction and meaning thus prescribing behaviour system, values, beliefs, ethics, technology and tasks undertaken. This is because it develops as a pattern of shared assumptions by a group of persons (Paghaleh, Shafiezadeh & Mohammadi, 2011). It develops over time as members of a group interact with their environment while trying to adapt and integrate within, solving problems they encounter so that the solutions obtained are tested over time and passed on the new comers in the organization as the ideal way to perceive, feel and or deal with similar problems in the organization. It is thus a specifically accepted approach by an organization, when focusing on tasks, its people, technology and structure. (Brinkschroder, 2014).

Organisational Culture influences organizational performance and commitment because it is a form of deep assumption as to how work and other activities of an organization should be carried out. It is thus either an asset to an organization if it is hard to imitate for it confers competitive advantage to an organisation or a liability if it's negative and hard to change (Carlos Pinho, Paula Rodrigues & Dibb, 2014). Organizations should focus on the aspects of culture needing change and differentiate from those needing nurturing than focusing on wholesale change advocacy. This variable is very important in the study of ICT strategy implementation. It influences how organisations carry out strategic process. This is so because it borders on the implementer's social characteristics, backgrounds, language, level and type of education and religion all which need to be managed for smooth implementation (El-sofany, Al-Tourki, Al-Howimel, & Al-Sadoon, 2012).

When an organization wants to adopt and implement an ICT strategy, its consequences should be weighed out and planned well, because it is naturally transformative in nature. It leads to tasks modification

causing disruption. Computerization and technology adoption results into demand for new skills the present managers' may be lacking, bringing structural alteration. This results to change in job responsibilities and pattern of authority. In the end it affects decision making ranks and communication process. Carlstrom and Elkman (2012) found public institutions mainly emphasized bureaucracy/ hierarchical organizational with a tendency for the participants in the five hospitals studied to uphold stable routine behaviour with reluctance to give up old habits, as opposed to competency based new methods. ICT is a great tool when well-integrated into an institutions culture as it is useful in supervision of the employees' activities during working hours. It also collects data which the management can use to make decisions concerning the institutions.

Keyas, Mclean, Hines and Wright (2008), found that ICT Enterprise Resource Planning [ERP] and Organizational Culture interactions could be combined to develop systems enabling development of panoptic gaze for workforce surveillance and supervision, which can be used for advanced supervision of tasks for increased productivity. This enhances the Hawthorne studies model of interplay between supervision and productivity. Doherty, Champion and Wang (2010) found that IT impacts on the Organizational culture of an organization causing change, when its introduction is accompanied by an appropriate corporate strategy.

Maika and Wachira (2020) conducted their research on how organizational culture affected strategy implementation within water boards in Kenya. Their study used descriptive survey as the research design. The study involved primary data, collected by use of questionnaires. They found that organizations' culture influences strategy implementation in water boards within Kenya. From the conduct of the study, a methodological gap exists because the study has not justified reasons for adopting the research design used. Also, a contextual gap exists since the study was done on water boards in Kenya and not the Judiciary.

Theoretical Framework

The study was informed by the Actor-Network Theory as discussed below

Actor Network Theory

Actor-Network Theory [ANT] sees all the actors in an Information System as forming a network which is heterogeneous. Each actor has specific duties and roles regardless of whether they are human or non-human actors. All the actors interplay to make a new creature, each having a new identity defined by interaction with each other. Under ANT duality between humans and non-human actors is overcome. These actors determine how roles are distributed in a network. It also compares relationships between actors in regard to their level of strength. These actors get interwoven into a network creating a new organizational creature which cannot work in absence of the either of the actors. This is what the theory sees as interlinkage of the actors. During ICT implementation, interactions of the actors in the background produces a new state which was not in existence before ICT, because ICT alters organizational culture by modifying actors original state. (Velicogna Errera & Derlange, 2011, Cressman, 2009; Nehemia-Maletzky, Iyamu & Shaanika 2018, John, 2009).

III. RESEARCH METHODOLOGY

This research employed mixed methods research design. Target population was 72 Judiciary personnel. It included staff, Judges and Magistrates in Kajiado Law-Courts. The study was carried out using census design. The study collected primary data. Content analysis was employed in analysis of open-ended questions posed during the interviews. Quantitative data collected through questionnaires was analysed using descriptive statistics such as percentages, means and frequencies and standard deviation. Regression analysis was employed in determining the relationship between organizational culture and ICT strategy implementation. The regression model adopted was as follows; $Y = \beta_0 + \beta_1 X_1 + \epsilon$

Where;

Y=ICT Strategy Implementation X_1 =Organizational Culture ε = Error term

IV. DATA ANALYSIS

72 questionnaires were issued, out of which 71 questionnaires were returned. However, 2 questionnaires were incomplete. 69 questionnaires were completely filled which was equivalent to 95.8% response rate. As for the interview questions, 14 of the 19 respondents responded, which makes a total of 73% response rate. The background information of the respondents comprised of gender, age, highest level of education, total number of years worked in the courts under Kajiado High Court (Either in Kajiado, Ngong or Loitokok) law courts, involvement in formulation of judiciary ICT strategic plan, rank and capacity served. Findings were as presented in table 4.1;

Majority of the respondents, 38(55.1%) were female while 31(44.9%) were male. In regards to age bracket, majority of the respondents were aged 40 years and below (48 at 69.6). The other ages were 10 persons (14.5%) 41 and 45 years, 7(10.1%) 46 and 50 years and 4(5.8%) over 51 years. This implies that the respondents' age bracket was appropriate for understanding the determinants of implementation of ICT strategies in the Kenya Judiciary. In regards to highest level of education, majority of the respondents had a degree. The other 29 persons making 42% had other qualification which includes diplomas and certificates. The level of education was important as it helped tell the ability of a respondent could comprehend the issues at hand. The issues of concern in this study included; organisational culture as a determinant of implementation of ICT strategies in the Kenya Judiciary.

In regards to years worked in the courts under Kajiado High Court, most of respondents had worked either in Kajiado, Ngong or Loitoktok for a considerable time period. 31 (45%) between 3 and 5 years, 17(25.0%) between 6 and 10 years and 8(11.0%) over 10 years. Only 13(19.0%) between 1 and 2 years. This meant 56 respondents had worked in the region more than 3 years which is a long period therefore had the experience and knowhow of determinants of implementation of ICT strategies in the Kenya Judiciary. Finally, the study sought to determine the rank and capacity of the respondents. 50(72.46%) were general judicial staffs, one was an ICT officer (1.45\%), 10(14.5%) were executive officers/registry in charge and 8(11.6%) judicial officers. This shows that majority of the respondents were judicial staff.

Descriptive Analysis on Organizational Culture and ICT strategy Implementation

42(61%) of the respondents agreed that organizational culture in the region affect ICT strategy implementation while 27(39%) revealed that organizational culture in the region does not affect ICT strategy implementation. The study also sought to determine the extent to which organizational culture affect ICT strategy implementation in the court stations. The findings were presented in Table 4.2.

Table 1: Organizational culture & ICT strategy implementation

n=69	Mean	Std Dev
To what extent does organizational culture affect ICT strategy implementation in the court station	2.9130	1.2130

In relation to what extent organizational culture affect ICT strategy implementation in the court stations, 18(26.1%) revealed not at all, 5(7.2%) less extent, 19(27.5%) moderate extent, 19(27.5%) great extent and 8(11.6%) very great extent. This implies that majority of the respondents revealed that organizational culture affects ICT strategy implementation in the court stations. The item recorded a mean of 2.9130 and a standard deviation of 1. 2130. This implies that organizational culture affects ICT strategy implementation in the court stations. The study also sought to determine how the use of ICT tools is perceived in the court station. Findings were presented in Table 4.3.

Table 2: Use of ICT tools

		Frequency	Percent
Use of ICT tools	Useful tool	58	84.1
	Not very necessary	11	15.9

In regards to how the use of ICT tools is generally perceived in the court stations, 58(84.1%) stated it was a useful tool while 11(15.9%) said it was not very necessary. This implies that use of ICT tools is generally perceived as a useful tool. The respondents were asked the extent to which organizational culture affect ICT strategy implementation. Findings were presented in Table 4.4.

Table 3: Descriptive Results for Organizational culture

Statement	Mean	Std. dev
Lack of understanding of ICT strategy implementation affects rate of implementation	3.4493	1.31212
All judiciary personnel fully support ICT strategy implementation without any resistance	3.5942	1.22857
Court station and registry heads, magistrates and judges are committed to ICT strategy implementation and communicate their directives clearly and timely	3.7536	1.21759
The region and stations heads demonstrate willingness, invest energy and loyalty to the ICT strategy implementation for it to succeed	3.2174	1.52305
You were consulted and or involved in formulation of the ICT strategy and policy	2.6812	1.43990
Use of ICT in judiciary operations is compatible with the culture of the court station and easily blends in	3.3913	1.30854
Dominant values, beliefs and norms in the court station affects implementation	2.8986	1.27354
Overall mean	3.2837	

On whether lack of understanding of ICT strategy implementation affects rate of implementation, the statement recorded a mean of 3.4493 and a standard deviation of 1.31212. This implies that lack of understanding of ICT strategy implementation affects rate of implementation. Findings are similar to that of BrinkSchroder 2014,

that there is need for full understanding of ICT lack of which implementation is affected. In regards to whether all judiciary personnel fully support ICT strategy implementation without any resistance, the item recorded a mean of 3.5942 and a standard deviation of 1.22857. The results shows that there was considerable support of ICT strategies implementation. This study agrees with the findings of Carlstrom and Elkam (2012), Halford, Obstfeder and Lotherington (2009) that ICT strategy implementation sails faster when it finds support of human players.

In regards to whether court station and registry heads, magistrates and judges were committed to ICT strategy implementation and communicate their directives clearly and timely, the statement had a mean of 3.7536 and a standard deviation of 1.21759. The results imply that there was commitment to ICT strategy implementation with and communication of clearly and timely directives. Carlos Pinho et al. (2014) also found that that strategy implementation is easier when the implementation leadership is communicating their directives clearly and timely. In relation to whether the region and stations heads demonstrate willingness, invest energy and loyalty to the ICT strategy implementation for it to succeed, the statement had a mean of 3.2174 and a standard deviation of 1.52305. This implies that the region and stations heads demonstrated a degree of willingness, to invest energy and loyalty to the ICT strategy implementation for it to succeed, though there was need for improvement.

The study agrees with that of El-sofany, Al-Tourki et al. (2012) that strategy implementation success is improved when the implementation leadership demonstrate willingness to invest energy and loyalty to ICT strategies implementation. This means the ICT strategies implementation was well guided and with support from the top, there was ease of implementation than when the leadership lacked support. This finding agrees with the findings of Carlos Pinho, Paula Rodrigues & Dibb, 2014. That is, if leaders find anything as capable to increase performance of activities undertaken, their possibility of commitment to its success is higher than when it is perceived to be a useless tool or culture, which may form the basis of support of the strategies implementation by the leaders.

On whether the respondents were consulted and or involved in formulation of the ICT strategy and policy, the statement recorded a mean of 2.6812 and a variation in responses of 1.43990. This implies that majority of the respondents disagreed to being consulted and or involved in formulation of the ICT strategies and policy. This emphasises need for stakeholder consultation for speedy success of the implementers of ICT strategies with all stakeholders. Onoride, Oghetega and Akpojara (2012) findings are relevant herein where failure to consult implementers influences strategy implementation for lack of acceptability. It can be a pointer to top-down strategy formulation and implimentaton practice.

In regards to whether the use of ICT in judiciary operations is compatible with the culture of the court station and easily blends in, the item had a mean of 3.3913 and a standard deviation of 1.30854. This implies that the respondents were agreeable that ICT use was compatible with the culture of the region and that both blended somehow. The culture having some effect meant that there was needed to work on the aspects of culture needing adjustment to be supportive of ICT strategies implementation.

On whether, dominant values, beliefs and norms in the court station affects implementation, the item had a mean of 2.8986 and a standard deviation of 1.27354. This implies that there were some dominant values, beliefs and norms in the court station affecting implementation. This finding aligns with Nkwe (2012) who found that dominant values, beliefs and norms of an organisation can have an effect on implementation of strategies. The overall mean for the construct was 3.2837, implying that organizational culture had a degree of effect on ICT strategies implementation.

The respondents interviewed from the three court stations revealed that ICT had not affected communication to a great degree due to limited access. This indicates need for improvement of access to ICT tools.

Correlation Analysis

Correlation analysis results are presented in Table 4.5.

Table 4: Correlation				
n=69	Strategy implementation	Organizational culture		
Strategy implementation	1			
Organizational culture	.557*	1		
	.000			

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*. Correlation is significant at the 0.05 level (2-tailed).

Results obtained in Table 4.5 above indicate a positive significant relationship (r=0.557, p=0.000) between Organizational culture and ICT strategy implementation. This implies a close association between ICT strategy implementation and Organizational culture. Findings resemble that of Dartey-Baah (2011) that Organizational culture has a positive significant relationship with ICT strategy implementation.

Simple Linear Regression Analysis

Simple linear regression analysis was adopted to predict ICT strategy implementation from organizational culture. From the Table 4.6, the value of adjusted R-square is 0.374, implying that 37.4% of change in ICT strategy implementation was attributed to organizational culture while the 62.6% was attributed to the other variables that are not in the model.

Table 5: Model Summary					
Model	R	R Square	Adjusted R Square	Std. Error of the Estimate	
1	.641ª	.411	.374	5.14542	
1		.411	.374	5.14542	

a. Predictors: (Constant), Organizational culture

Analysis of variance (ANOVA) was adopted to assess the goodness of fit test of the regression model. Findings are presented in Table 4.8.

Table 6: ANOVA						
Model		Sum of Squares	Df	Mean Square	F	Sig.
	Regression	1183.778	1	295.945	11.178	.000 ^b
1	Residual	1694.425	67	26.475		
	Total	2878.203	68			

 Table 6: ANOVA

a. Dependent Variable: Strategy implementation

b. Predictors: (Constant), Organizational culture

The value of the F test is F (1, 69) = 11.178, p<0.05. This implies that the model is reliable and can be used to predict ICT strategy implementation. Regression coefficient analysis was conducted in order to determine the beta that helped to show the extent to which each independent variable affects dependent variable. Findings were as shown in Table 4.9.

Table 7. Regression Coefficients							
Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.	
		β	Std. Error				
	(Constant)	9.547	3.293		2.899	.005	
1	Organizational culture	.387	.132	.364	2.943	.005	

 Table 7: Regression Coefficients

a. Dependent Variable: Strategy Implementation

As per Table 4.9, Organizational culture had a positive and significant effect on ICT strategy implementation of (β =0.387, p values of 0.005, hence, p< 0.05). This implies that improvement in organizational culture by one unit improves ICT strategy implementation by 0.387 units. Findings resemble that of Brinkschroder (2014) that Organizational culture enhances ICT strategy implementation. The regression model was as outlined below;

$y = 9.547 + 0.387x_1 + \varepsilon$

The constant value of 9.547 implies that at zero for Organizational culture ($x_{1=0}$), ICT strategy implementation is at 9.547 units.

V. CONCLUSIONS AND RECOMMENDATIONS

The study concluded that Organizational culture affects ICT strategy implementation. Specifically lack of understanding of ICT, lack of full support, lack of full commitment, and lack of involvement of implementers, impact ICT strategies implementation rate. Conclusions and recommendations were that: there was need to create a culture which is continuously transformative. Need for social audit of the dominant values and beliefs in the court stations to identify the ones which slow down IC strategies implementation was noted. Finally need to ensure that all judiciary personnel fully support ICT strategy implementation without resistance was identified and recommended.

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