



NEXUS BETWEEN STRATEGY IMPLEMENTATION AND INDUSTRY PERFORMANCE IN KENYA: A SURVEY OF LAW COURTS IN MERU COUNTY, KENYA

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Abstract:

Many organizations, ought to have strategic plans to achieve their set objectives and eventually achieve their success. In most cases, organizations do not consider the importance of strategic plans in organizations` performance. Therefore, this study is targeted to investigate the nexus between strategy implementation and industry performance in Kenya. The study also investigated the effect of organizational culture on strategic plan implementation and performance of Kenyan Industries and more specifically Meru Law Courts. Descriptive study was applied for the study and stratified sampling was also used to get sample size. The target population was 146 employees of the Kenyan judiciary and the sample size was 107 employees which were derived from the target population. Data collection technique for the study was questionnaires as they were simple and cheap to administer. Data for the study was analyzed using descriptive statistics and multiple linear regression. Multiple linear regression was used to analyze the data to determine the degree of relationship between the variables under study. The hypotheses were tested using multiple linear regression at 5% level of significance. The data for the study was then presented in form of frequency tables, charts and graphs. The study recommends that a further study

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should be undertaken and extended to other Counties to assess whether different findings may be reached regarding the issue under study.

JEL: L60, L10

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1. Introduction

Strategic planning is an [organization's process](#) of defining its [strategy](#) or direction and making [decisions](#) on allocating its resources to pursue this strategy. (Bradford, 2000). Strategic planning process has an important role in every organizational setting (Adeyoyin, 2005; Decker and Höppner, 2006). Strategic planning management is the process of managing the pursuit of the organization mission while managing the relationship of the organization to its environment, especially to the environmental stakeholders, the major constituents in its internal and external environment that are affected by its actions. (Higgins, 1993)

Worldwide, the justice system is an imperative piece of law based on arrangement of administration. Its basic commitment is to encourage serene and systematic working of society while adjusting insurance of the society with the protecting of freedom and opportunities of people. The justice system is along these lines firmly adjusted to social economic improvement and should add to among others poverty diminishment by tending to address unique needs of the vulnerable, poor and underestimated individuals from community (Republic of Kenya, 2013).

The Indian Judiciary administers a [common law system](#) of legal jurisdiction, in which customs, precedents and legislation, all codify the law of the land. It has in part, inherited the legacy of the legal system established by the then colonial powers and the princely states since the mid-19th century, and has partly retained characteristics of practices from the ancient and medieval times (Basu, 2007). The Constitution of India provides for a single integrated judicial system with the Supreme Court at the apex, High Courts at the middle (state) level and District Courts at the local level. It also provides for an independent and powerful judicial system.

The Kenyan Judiciary is the system of courts that interprets and applies the law in [Kenya](#). After the promulgation of the constitution of Kenya 2010, the general public through parliament sought to reform the judiciary. The Judiciary of Kenya consists of Superior courts made up of the Supreme Court, Courts of Appeal, High Court,

Industrial Court, Environment and Land Court, the subordinate courts consisting of Magistrates Courts, Courts Martial and Kadhi Courts (Republic of Kenya, 2010).

2. Statement of the Problem

Strategic plan Implementation in the judiciary is one of the critical issues in delivery of quality service to Kenyans seeking justice in Law courts. Strategic plan implementation is affected by various factors which impact on the performance in the Judiciary. The multiple factors arise due to the fact that strategic plan implementation in the judiciary is at its infancy stages. The successful implementation of strategic plans depends on many factors. Just like other arms of government, the judiciary is going through profound changes. With the founding of the Kenya vision 2030, it is important to align the judiciary's strategic thinking to the aforesaid vision for good governance and the attainment of Kenya as a middle income economy.

The strategic plan of the Judiciary for the period 2014-2018 provides the judiciary with strategic direction towards being an example of the best in Africa as well as setting the highest standards of performance in the delivery of quality justice. In the process of implementing a strategic plan, an organization faces a number of challenges which have a bearing on performance. It appears that only less than 30% of the strategies developed are implemented satisfactorily (Raps, 2005). Kenyan judiciary has had many strategic plans in place from the year 2012. As per now many researchers like (Eastman 2003) have conducted many studies endeavoring to identify the nexus between strategy implementation and industry performance in Kenya but there is no specific study which has clearly enlightened people on the effects of strategy implementation and the organization's performance. This study is aimed at assessing how strategic plans implementation has affected performance in the Judiciary. Specifically the study has assessed the effects of strategy implementation on the organization culture vis-a-vis the performance in the Kenyan Judiciary.

3. Objectives of the Study

3.1 General Objective

The general objective of this study is to determine the nexus between strategic plan implementation and performance of the Kenyan judiciary.

3.2 Specific Objective

To determine the role of organization culture during strategy implementation on performance of the law courts in the Kenyan judiciary.

3.3 Research Hypothesis

The study was premised on the directional hypothesis that there is statistically significant positive relationship between organizational culture and performance in the Kenyan judiciary.

3.4 Significance of the Study

The strategic plan implementers will identify the existing gaps on performance and address them for effective service delivery in Kenyan courts. The findings of the study shall benefit other strategic plan implementers in other Counties, who will learn from the findings of this study and mirror their operations in tandem with the recommendations of this study.

3.5 Scope of the Study

The study was conducted in 5 Law Courts based in Meru County in the Republic of Kenya.

3.6 Assumptions of the Study

The study assumed that the respondents answered the questions correctly and truthfully and that the data collection instruments were tested for reliability and found reliable and that they fit to measure what the researcher intended to measure.

3.7 Limitations of the Study

The respondents feared disclosing the information concerning courts affairs, but the researcher assured them that the information sought was to be treated with confidentiality and was to be used for academic purpose only.

4. Review of Literature

4.1 Theoretical Review

Theories are formulated to explain, predict, and understand phenomena and, in many cases, to challenge and extend existing knowledge within the limits of critical bound assumptions. The theoretical framework is the structure that can hold or support a

theory of a research study. The literature reviewed for purpose of this study is based on decision theory.

4.2 Decision Theory

Decision support systems, which are based on decision theory, have been developed to guide planners, business managers and government officials in making strategic decisions that will steer the future operation of their organizations. Strategic planning initiatives will vary from organization to organization and the planning process, such as planning the geographical distribution of courts and which initiatives and processes, generally consists of several distinct and successive steps. The first step is defining the goals of the organization or a particular project. These goals may have single or multiple objectives (Eastman 2003). According to Birkin et al. (1996), the objectives generally involve increasing or maximizing effectiveness and efficiency. More specifically, an organization's objectives may be to minimize risk, increase sales, and improve customer service and/or to develop better products or services.

The second general step in the planning process is to identify the options that the organization may have in achieving its objective (s) (Birkin et al. 1996). Eastman (2003) defines this set of alternatives as the "decision frame" and Birkin et al. (1996). Note that frequently, a combination of alternatives or options must be chosen when making a decision. A single criterion or multiple criteria may be used to decide between the available options. Criteria are usually classified as two distinct types: factors and constraints. Factors, which most commonly occur on continuous, quantitative scales, *"enhance or detract from the suitability of a specific alternative for the activity or decision under consideration"* (Eastman 2003)

4.3 Theoretical Framework

A theoretical framework is a structure that supports a theory of research under a study. This section summarizes the theories that have been reviewed for this study. The theories reviewed in this study are: the theory of change, which has been adopted for the study because it is a comprehensive description and illustration of how change is expected to happen in the Kenyan judiciary. It focuses on linking what is missing and what change is needed and how it leads to the desired implementation. It identifies the long-term objectives and works on identifying what must be in place to achieve the desired goals. The decision theory is adopted because it is an analytical technique aimed at helping in making the best decision under uncertainty among the prevailing alternatives. The theory has been found to offer techniques and procedures to review preferences and introduce them during strategy implementation.

Max Weber theory of bureaucracy entails structuring the organization hierarchy and management of organization by clearly defined rational and legal decision making organs. This theory is adopted because it is in line with organizational culture a variable that has been identified for this study. Reformative theory has been adopted for the study because it is the premise on which law is applied. Law is an important pillar in any society and justice cannot be meted out without implementing changes which are in tandem with changing times. The theory of reasoned action suggests that stronger intentions lead to increased effort to perform and the behavior which accelerates the chances to perform which is a key component of human resource in almost all the organizations. This theory aims at explaining the relationship between attitude and performance in strategy implementation

4.5 Conceptual Framework

The conceptual framework explains more on the influence of strategy implementation on Performance of the law courts.



5. Research Methodology

5.1 Research Design

The study adopted descriptive and correlational research designs. Descriptive research design was chosen to demonstrate the relationship between the variables under the study. A correlational research design was used to provides evidence on whether two variables are related or not and if so the degree of their relationship.

5.2 Target Population

The target population for the study was 146 employees working in Law courts situated in the Meru County. The target population comprised Judges, Magistrates, Court Executive Officers, Court clerks and Clerical officers.

5.3 Sample Size and Sampling Procedures

The sample for this study consisted of 107 respondents picked from 146 employees of the five Law courts. The sample size was determined through application of the Yamane Formula

5.4 Data Collection Tools

Questionnaires were used for data collection as the main tools for collecting data. The questionnaire was used since the study involved some variables that cannot be easily observed and/or captured such as views, feelings, perceptions and opinions of the respondents.

5.5 Reliability Analysis

Pre-testing was used to enhance instrument's reliability. A reliable instrument is the one that produces consistent results when used more than once to collected data from the sample population (Mulusa, 1999).

5.6 Data Analysis and Presentation

Data was analyzed using Statistical Package of Social Science (SPSS) software and presented using frequencies, percentages and cross tabulations.

A majority of the respondents at 82.7% agreed that judiciary in Kenya has a performance oriented culture while a meagre 17.3% responded that the judiciary does not have an organizational culture. Culture dictates how people perform their jobs. It is on this basis that the researcher wanted to establish whether the judicial culture has created a level of trust among the judicial staff. A majority 76.6% indicated culture creates trust among the staff while 23.4% disagreed.

5.7 Descriptive Statistics on Organizational Culture

A majority which constitutes 75.5% and 71.4% were of the view that the culture of the judiciary is satisfactory and transformative respectively. On the contrary 24.5% and 28.6% respectively disagreed with the views of the majority. This is in agreement with Sharma and Bajipai, (2010) who opines that organization culture is related to job performance. The researcher wanted to know whether changes in technology impacted on organizational culture. A majority 82.6 % of the respondents agreed that changes in technology impacted on organizational culture in the judiciary while 17.4% gave a contrary opinion.

6. Summary, Conclusions and Recommendations

The main objective of this study was to examine the strategy implementation and performance of the Kenyan judiciary. The study variables included infrastructure, human resource, organizational culture and communication and public awareness. The

chapter summarizes the findings of the study and highlights the conclusion and recommendations made.

6.1 Summary of the findings

The study found that there was no statistically significant positive relationship between organizational culture and performance in the judiciary. The results indicate that upholding judicial culture does not affect the performance of the judiciary. The most notable aspects of the judicial culture were adherence to institutional culture, organizational commitment, team working being flexible in adopting change and strive to achieve competitive edge over other institutions.

6.2 Conclusion

From the study, it can be concluded that judiciary has its organizational culture where leadership and team work plays a major role. It was noted that judicial culture is transformative and easily accommodates change to increase effectiveness and efficiency. It is noteworthy that judiciary upholds the highest ethical and professional standards in Kenya. Changes in technology have also been found to impact on the organizational culture in the judiciary. Finally, it is noteworthy that during the judiciary open day's people turn up in large numbers and members of the public support strategic plans of the judiciary. The judiciary also educates the public on the need to employ alternative dispute resolution mechanisms instead of rushing to courts any time a dispute arises. It was also established that public has gained faith in the judiciary after the implementation of various judicial reforms. Pursuant to the promulgation of the constitution of the Republic of Kenya, 2010.

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