

**ORGANIZATION CULTURE AND PERFORMANCE OF THE JUDICIARY IN  
NYERI COUNTY, KENYA**

**GEORGE KIGAMBA NJUGI  
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## DECLARATION

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Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**GEORGE KIGAMBA NJUGI**

**D53/EMB/PT/37911/2017**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**DR. KIIRU**

**SCHOOL OF BUSINESS,**

**BUSINESS ADMINISTRATIONS DEPARTMENT,**

**KENYATTA UNIVERSITY.**

## **DEDICATIONS**

The study project has been dedicated to my wife Judy Njoki for her supports and encouragement. To my siblings Ephraim Njugi, Ian Ngugi and Lynnete Wangui for their critiques and contribution during the proposal and report writing. To my relatives and close friends, for continued guidance and motivation. It is my prayer that God will keep you alive for long to witness my success.

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## **ABBREVIATION & ACRONYMS**

<b>CVF</b>	Competing Value Framework
<b>DNA</b>	Deoxyribonucleic Acid
<b>GOK</b>	Government of Kenya
<b>ICJ</b>	International Commission for Justice
<b>RBV</b>	Resource Based View
<b>SPSS</b>	Statistical Packages for Social-Science

## OPERATIONAL DEFINITIONS OF TERMS

- Collaborative Culture:** The collaborative culture is internally oriented behavior of supporting each other and is reinforced by a flexible organizational structure.
- Competitive Culture:** This is a type of culture where employees collectively works together to achieve customer's expectations.
- Culture** Culture entail a system of shared beliefs and values in an organization, community, institution, firms or within a society.
- Hierarchy Culture:** A hierarchy culture strives towards equilibrium and consolidation and is characterized by internal bureaucracy which focuses on rules, guidelines, and regulation to achieve control and stability.
- Innovation Culture:** An innovation culture is that which emphasizes on new service development, product, new adaptability, change and growth, performance, experiments and efficiency.
- Organizational Culture:** This are shared values, beliefs, assumptions which govern employee's behavior.
- Organizational Performance** This is the ability of businesses and organization to ensure fulfillment of organization goals through good management for consistent success to ensure good results. It also the measure of effectiveness of firm fulfillment of business.

## ABSTRACT

Culture in the organization entails a grand total of important visions, values, perspectives, modes and standards of behavior that characterize an organization. As a management tool, organizational culture can achieve success, efficiency, work ethic, high outputs. Performance of the firm is based on how well the resources are organized by the managers. The purpose of this study was to assess the effect of organization culture on performance of the judiciary in Kenya. The specific objectives of the study were; to establish how hierarchy culture affect judiciary performance in Nyeri, to find the extent to which collaborative culture affect performance of the judiciary in Nyeri, to examine how innovation culture affect performance of the judiciary in Nyeri County and to establishes how competitive culture affect judiciary performance in Nyeri. Descriptive research design was used. The variables in the study were based on institutional theory, resource based view and Durkheim's theory. The target population of the study was 120 respondents who were composed of the staff working in Nyeri Law Court, Karatina Law Court, Mukurweini Law Court and Othaya Law Court. Sample size of 96 respondents was arrived at after stratified random samplings method was used. Data from primary sources were gathered from respondents through the use of open and closed ended questionnaires. The researcher used a multiple regression analysis to determine the relationship between organizational culture and judiciary performance in Nyeri County. Data was analyzed by the use of descriptive analysis using SPSS package and presented using tables and figures. The findings indicated that there is less of disruptions in the court operations in Nyeri County. Majority of the respondents agreed that the Nyeri law courts have formal procedures which govern policies and formal rules thus enabling smooth running of the Courts. The study found that Nyeri courts encourages citizen in the county in sharing ideas related to processing of information. Majority of the respondents agreed that the court emphasizes on human development and teamwork in the workplace throughout all the department within Nyeri law court. The results indicated that majority of the employees in the court were allowed to have ideas that will enable easier processing of data in Nyeri law Courts. The courts encourage competitive actions and achieving stretched targets in all departments within the Courts. Majority of the employees indicated that the court style of leadership in Nyeri County is characterized by leaders with strive for excellence. The study concludes that there was a strong positive relationship between independent variable; competitive culture, collaborative culture, hierarchy culture and innovative culture and the dependent variables; judiciary performance.

# CHAPTER ONE

## INTRODUCTION

### 1.1 Background of the Study

Organizational culture demands that organization should recognize the underlying dimensions of their corporate culture and its effect on employee related factors such as commitment, satisfaction strategy implementation, performance and cohesion among others (Lund, 2013). Cooper, Cartwright and Earley (2011) also argued in evidence to support the organizational culture and performance relationship where they argued that culture acts as a stabilizer of the behavior of individuals. To support this Denison (2015) emphasize that culture is an integration mechanism that guides organizational behavior unviewed that once established culture tend to become self-reinforcing.

Numerous research have been done to analyze the relationship between organizational culture and Performance in America, Japan, Malaysia, European multinational companies located in Malaysia (Rose, 2008). These researchers posited that the measures of organizational culture are collectivism, femininity, individualism, avoidance of uncertainty, power distance, and masculinity.

European and American multinational companies focused on low-power distance, individualism, low uncertainty avoidance, low power distance, and femininity. Malaysian and Japanese multinational companies focused on high power distance, collectivism masculinity and high uncertainty avoidance. The results also pointed out that the Malaysian and American multinational companies have a significant relationship across all the four dimensions on performance and cultural dimensions.

Mehta and Krishnan (2014) argued that despite the significant tasks by the organizational culture in driving the employee's behavior in Ghana, several researchers have reported inconsistent results on the relationship between organizational performance and organizational culture. The positive association or relationship between organizational performance and organizational culture has been established by many studies who have tried to prepare some of the models and tested the effect of organizational culture (Zabid & Sambasivan,2014; Lund, 2013; Navanjo-Valencia *et al.*, 2011). At the same time, Ahmadi *et al.*, (2012) argues that culture is not universally important to all organizations in Algeria. The researcher further developed that organizational culture is not possessed in all organization and points that it has a vital performance effects.

In East Africa the organizational culture Focus is increasingly becoming, a major area of everyday organizational functions because performance mostly depends on its cultures (Racelis, 2010). In Uganda organization meet their main calls if they make their culture work in harmony with their coordination in their management. Putting in place the appropriate cultures in an organization allows the employees to control their work and these will no doubts make their work simple. Muhammad and Muhammad (2011) argue that organization performance in Kenya is mostly dependents upon the culture of the organization and it was clear that indicators of the survival of the business relying on this. They also argued that there is a very strong relationships between organizational performance and organizational culture and this make it relevant to study the relationship between the two.

### **1.1.1 Organizational Culture**

Organizational culture is a set of assumption(s) that employees within an organization will subscribe to. These assumptions are mainly the values and beliefs. Values are the ideals that are worth striving for and desirable while beliefs focus on reality and normally originates from my experience. It is the shared specific assortment of principles by every organization member. This will help in controlling the way people share ideas with each other and outside world. According to Azhar (2013) sharing of these belief(s) and value(s) create organizational culture. Organizational culture is a homogenous discernment of the business or organization which are based on the uniqueness of standing or separating one organization from the other.

The effect of organizational culture is pervasive on any organization because it helps in defining its relevant employees, suppliers, customer(s) and competitor(s) and how these parties interact with each other (Barney, 2012). Krishnakant (2015) argued that the strength and intensity and its component adaptiveness that an organization will enable to meet the demands of the external flexibility and internal consistency (Schein, 2011). The time when the employees are made aware of their culture and how it influences the organization they will appreciate the current system of operations and the organization of past experience and this will help keeps directions about the way to behaves currently and the future and it also promotes the Way of Life in the organization by sharing feelings. In an organization therefore, that has the word stipulated organizational culture ovens works towards a common goal of achieving efficiencies because worker(s) will share the successive oriented ideals.

The actions of an individual a group of individual(s) at work are often dependents on the industrials, organizational cultures and national cultures. Organization mostly have their own

distinctive culture and unlike any other Society and organization is defined mostly by its purpose and this further effects culture. The coherence of culture and dominance of culture is important feature of any organization culture (Peters & Waterman, 2011). In most instances catches are often a function based, emotional in form and invisible in the organization structure which will enable employees to meet their psychological and social needs. Besides increasing a sense of identity, organizational culture increases employees' commitment reinforces work-based values an idiot as a control mechanism for work-based ethics (Nelson & Quick, 2011). These are acceptable Solutions two employees known problems that help to set principles, patterns of behavior, norms which will promote the accomplishment of work (Schein, 2011).

Majority of the companies can and have several elements and types of cultures. The determination of the type of culture and identification of the Culture by the organization make it possible for the organization to dominate and have several types of cultures which will also improve the performance. The importance of these clusters of organizational effectiveness is that at present employees' values about the organizational performance (Cameron & Quinn, 2016). They help in the definition of what is seen as right good or property and they defined the values which are good, core and judgmental about organization.

Further, Aghinaet *et al.*, (2015) when did House three call organizational areas which are flexible and balances the stability and defined the performance of the organization as follows; governance which dictates when and how decision are made; organizational culture helps in defining how the resources will be distributed; and processes which will determine our things will be done in an organization and it includes performance management. All these Concepts reflect the effect of organizational culture on the judiciary's services in Kenya all factors and constant. The objective, therefore, will determining the effects of organizational culture on

organizational performances of the judiciaries in Kenya with specific references to Nyeri law courts. Owing to the different functions in the organization or organization development levels set and Culture traits are more dominant than others however there must be a balance of stability and flexibility of an organization at this defines the productivity.

Watson (2016) posited that the significant trade in thinking of Managers in the recent past has been encouraging to the managers to try creating an organizational culture which is sustainable. Culture and leadership are intertwined conceptually according to Schein (2011). This idea was supported by O'Farrell (2016) when he analyzed Australian public service where the study concluded that codes of conduct, values of statements, principles of public service management they set out the regulations and rules which are simply rhetoric or aspirational statements without leadership to turn them into reality.

### **1.1.2 Organizational Performance**

Organizational performance according to Cacio (2014) is the degree of the attainments of the work missions as it is measured by intangible assets work outcome customer links and quality of services. Organization performance is the capacity of the enterprises to complete its goal efficiently and effectively using the available physical resources and human resources (Kaplan & Norton, 2011). These definitions provide the justification for the businesses and organization to be guided by the performance objectives when evaluating the workers based performance. This is also helpful and useful in evaluating the achievement of the organizational goals as well as strategy development in the businesses for the future productivity (Itner & Lacker, 2012).

There are several ranges of behaviors that can be used in measurement of performance(s) but Boman and Scmit (2012) emphasized that evaluating process and judgmental take a great deal

of action when we are defining performance. Performance is broad concept whose indicator(s) may include quality, productive, efficiency, consistency as well as other relative measure(s) such as leadership, managers development and training for building the attitudes and skills among employees (Richard, 2012). The conceptualization of organizational performance can also be done in terms of revenue, net incomes, physical expansions increased markets, number of employees and financials sustainability (Kottler, 2012). Organizational performance may include financial performance which may include return on assets, net profits, return on investment, market share, sales volumes and shareholders Returns (Richard, 2013). The current study used organizational efficiency, timely delivery of services and financial effectiveness

### **1.1.3 The Judiciary in Kenya**

International Commission for Justice Kenya report (2015) pointed out that the existence of independence in judiciary is the major of any judiciary systems that guaranteeing the human existence in conformity fully with the international standard. The ICJ reports regarding the judicial reforms strengthening in country, indicated that it is the work of every country in the world to aim having an independent government arm. The report continued to aim and claim that the major task in the sector of justice deliver justice in the country. Several factors should be appreciated that affects performance in the judiciary system must be considered. For the rule of law to be realized, mechanism must be suitable including professional and independent judiciary, reliable enforcement agencies and easy access to the litigation. The realization of all this depends on the access by citizens the resources in the economy and power to sustain them and this explains why the powerful and Rich have advanced advantage on the rule of law (Kameri, 2011).

The judicial system effective performance relies on various factors that need to be considered. The judicial was such that the office of the chief justice operated as the judicial monarch supported by the registrar of the High Courts (Tudor, 2012). Power and authority were highly centralized, reporting requirements for absent and accounting mechanism are very weak. It was reported that judicial institution was had inadequate resources, weak structure, diminished confidence with public support deficient in integrity and literary debilitated to enable justice delivery. The individuals in the reforms of the judiciary were appointed in pursuant to the to a meeting for stakeholders in May 2009 and in July 2010 which reported weak structures of administration, lack of autonomy in operation, poor judicial culture and lack of Independence of the judiciary. According to Mwanzia and Kanina (2009) these factors undermine the effectiveness of administration of the court.

Recently over the past few decades judicial reform has become major and major part in the economic and administrative and political developments (Baar, 2009). According to Dakolias (2009) United States of America and throughout the world in general, there's a major and recognition increasing that social and economic progress achievement won't be possible and sustained without the respect for the rule of law. Historical events create opportunities and avenues for the government to reform judiciary. The collapse of Soviet Union stops causing an independent States unity with each having a responsible new government. The Author further noted that Court administrators and judges in the socialite systems which were previously not familiar with concepts relating to functioning of judiciary in the Democratic world were eventually faced with the responsibilities of creating new institutions (Ojo, 2013).

The County of Nyeri is in central Kenya in Mount Kenya region. It forms part of the five counties in the former central province. It is characterized by steep Valleys and ridges in its

topography. Equatorial rainfall is normally experienced in the region due to its location how being within the islands equatorial zone of Kenya. National statistics done in 2009 indicates that the population of Nyeri County was 693,558 and the men were 339,725 while the females were 353,833). These indicates that the female 51% while the men were 49%. Nyeri County is largely an agriculturally based economy with more than 53% of the citizen doing agricultural production. The county also receives also foreign exchange through tourism and there's a number of tourist attraction sites; such as Mount Kenya National Park, Mount Kenya, Baden-Powell: burial site and the Aberdare National Park. The major strength of the county is the availability of the natural resources, and its major threat is unemployment to the youth.

According to Ojo (2013) Nyeri County judiciary continued to perform below the expectations of the citizen and this has attracted various demand that have made compressive reform and more specifically dealing with ever- increasing backlog of case in the judiciary. The backlog of cases has a negative effect on judiciary and may resort to low public confidence which might ultimately result to reduced access and effective administrations of justice to the poor, marginalized and vulnerable (GoK, 2009). An ascertainment and efficient reliable legal system is to ensure that thriving businesses and Enterprises a vibrant in the economy. This lack of investors' confidence which derails investment destination and the right to property in Nyeri County (world economic forum 2011). Ojo (2013) posited that in event of any commercial dispute in Nyeri County, expediency in the resolution of commercial dispute is not considered which affect adversely the operation of businesses.

## 1.2 Statement of Problem

Judiciary performance in Kenya has experienced a lot of challenges and criticized by many citizens. According to the government of Kenya (2017) delays in delivery of Justice and backlog of cases were the main charges against the judiciary in Kenya. Many cases have been piling up and the gap between the time of determination and the time of filing is widen up day in day out. This has resulted to billions of shillings continuously lost in the cases of delays and backlog, too many people languishing in prisons because of the cases remaining unheard despite judicial system which is well established other country with democratic government which believes in the rule of law and justice system administration (Yang, 2015).

Despite the growth in empirical studies relating to organizational culture and the relationship with performance, majority of the studies have shown contradictory and inclusive results so far relating to organizational performance and organizational culture (Ojo, 2013). Ojo found that these are contradicting results relating to information analysis between the performance and the culture of the organization. There is that thought that culture in an organization is very complex and only seen as an influential Factor affecting the failures and success in an organization.

There is scarcity of studies relating to judicial system performance relationship with culture. Majority of the studies have considered organizational culture with the relationship with the organization performance only concentrating on profit-making organization (Saudi, 2014). According to Mckinono *et al.*, (2013) there's little evidence to show the effect of organizational culture on performance since many studies have shown mixed and contradicting results. In a study of Singapore companies, Lee and Yu (2014) found a positive effect of corporate culture

on organizational performance. Mckinono, Harrison, Chow, & Wu, (2013) studied Organizational culture and its association with commitment, job satisfaction, propensity to remain and information sharing in Taiwan. The study found insignificant relationship between organizational culture and job satisfaction and commitment. Mahmudah (2012) reported a significant relationship between organizations culture and services delivery. However, Alvi, Hanif, Ahmed and Adil (2014) indicates a weak association between organizations culture and organizations commitments and job satisfactions. These contradicting results and contextual gaps identified led to the researcher determine the effect of organization culture in which the four-organization culture namely: Hierarchy culture, Collaborative culture, Innovation culture and competitive culture were evaluated on their effect in the realization of the performances of the judiciary.

### **1.3 Objectives of the Study**

#### **1.3.1 General Objective**

The aim of the research was to determine the effect of organization culture on judiciary performance in Nyeri County, Kenya.

#### **1.3.2 Specific Objective**

Specific objectives guiding the study were;

- i) To establish the effect of hierarchy culture on Performance of the judiciary in Nyeri County.
- ii) To assess the effect of collaborative culture on performance of the judiciary in Nyeri County.
- iii) To examine the effect of innovation culture on performance of the judiciary in Nyeri County

iv) To determine the effect of competitive culture on performance of the judiciary in Nyeri County

#### **1.4 Research Questions**

The research questions below were developed from the research objectives

- i) What are the effects of hierarchy culture on performance of judiciary in Nyeri County, Kenya?
- ii) Does collaborative culture affect judiciary Performance in Nyeri, Kenya?
- iii) How does innovation culture affect Performance of the judiciary in Nyeri, Kenya?
- iv) What are the effects of competitive culture on performance of the judiciary in Nyeri County?

#### **1.5 Significances of the Study**

The results of this research would greatly be used by the management of judiciary in Kenya with a strategic objective and this would help the judiciary in ensuring high levels of performance in its day to day operations. This would help the management understand the relationship between judiciary service provision and culture in Kenya, which would be of great assistance to different law courts in achieving efficiency and effectiveness in their operations. This research work would be helpful to policy makers mainly in government for them to ensure that the policies that they make are of positive impact in strengthening the culture and Performance of the judiciary in Kenya. Future researchers undertaking the same topic of study or any other related research topic can use this research for references and result comparison. Since the area of study is unique, it would of interest to government research bodies in establishing the correlation between culture and performance in public institutions.

## **1.6 Scope of the Study**

The study analysed the effect of organization culture on organizational performance of the judiciary in Kenya. In this case the researcher collected the required information from the four law courts in Nyeri county which are; Mukurweini Law Courts, Nyeri Law Courts, Mukurweini Law Courts and Karatina Law Courts. The study target population was 120 respondents which included the magistrates, prosecutors, court clerks and other support staff working in Nyeri County Law Courts. Descriptive research design was used. The study concentrated on years 2016 to 2019. This is the period where the cases in the court had filled up in most of the Counties in Kenya.

## **1.7 Limitations of the Study**

Some of the data sourced to make the study a success was very confidential due to the fact that such information could easily leak to the organization's enemies. The issues of trust arise on matters pertaining how such significant information's can be handled with care and be kept safely from wrong-hands. However, the researcher sought permission from University and education offices before reaching the four law courts in Nyeri County which showed that the research was for academic purposes. The respondent's perception was a major drawback since most of the respondent(s) never took the research as significant and end up filling data in time. To overcome these limitations, the researchers gave explanations relating to the reason as to why the study is being carried out and made them understand the benefits they would get from the study. The researcher realized that most of the respondents were reluctant to answer the questions for fear that the information may not be of benefit to them. But to solve this problem

the researcher sought an audience with them and cordially communicated to them that the research will benefit many stakeholders.

### **1.8 Organization of the Study**

Chapter one of the study is the introduction and it gives the background of the study variables, the statement of the problem, objectives of the study, research questions, significance of the study, the scope of the study, limitations of the study, and the organization of the study. The second Chapter brings about the review of literature where review of theories and the empirical review are discussed. The main aim of review of literature is to reduce the chances of duplication and unnecessary materials. Chapter three is on the research method that was used in carrying out the analysis of data and data presentation of the study findings. Chapter four presents the research findings and discussions done by the researcher. Chapter five summarises the findings, gives conclusions and recommendation based on the research findings.

## **CHAPTER TWO**

### **LITERATURE REVIEW**

#### **2.1 Introduction**

This chapter presents the reviewed literature related to organizational culture and organizational performance. The chapter presents the theories relating to the study variables. The reviewed empirical literature helped in presenting the gap and how the current study filled them. The chapter culminates by presenting the variables and their measures in a conceptual framework.

#### **2.2 Theoretical Review**

The study variables were supported by the Institutional Theory, Resources Based-View Theory, Durkheim's theory of culture and Schein's Models of Organization Culture.

##### **2.2.1 Institutional Theory**

The foundations of institutional theory date back to the works of Weber (1906-1924/1968) at the turn of the 20<sup>th</sup> century. Later sociologically leaning scholars, working in the 1970s and 1980s, developed institutional theory. Some of their key concepts are institutions, institutionalization, isomorphism, and rational myths. Since then, researchers across disciplines have applied institutional theory to different contexts (politics, economics, communication) to examine how institutions influence and are influenced by social (and therefore, communicative) processes.

Institutional theory grew out of Weber's (1906-1924/1968) explanations of authority, rationality, and bureaucracy in the modern world. Weber explained bureaucracies being

rational structures in which institutions operate. Bureaucracies use a merit-based, or rational, system to structure their work. That is, the more qualified an individual is for a position, the more likely that individual is to hold the position (Perrow, 1986). Bureaucracies are sustained through strict adherence to bureaucratic rules and practices, such as organizational hierarchies (Cheney *et al.*, 2011). As bureaucratization and hierarchical structures spread across sectors and organizations, sociologists came to understand that institutions were being established based on organizational rules and structures.

Cameron (2014) argued that organization culture for the last 50 years have supported the notion of institutionalization (Cameron, 2014). The study found that institutionalization overrides to produce an understanding which is common among all the employees about what is appropriate and fundamental thus bringing a meaningful behavior. According to Amah (2012) Institutions organizations tend to have a modes which acceptable and are largely self-evident. Catches significant force which airplane determining the attitudes practices of the managers and does not influence the management practice. The differences in culture may also affect the expectation of the managers and management Styles. When coping with other cultures and trying to understand how they operate culture may influence the behavior of the employees and more may be very crucial in ensuring that environment is conducive. Effect of Culture in many businesses has become increasingly significant and its effect could be positive as evidenced by the cases of UPS, Wal-Mart, and South West Airlines. For example, the employees of southwest Airlines accepted the lower wages than their counterparts in the industry in order to form part of the fun working environment which was created by southwest people's department Motto: hire for Attitude and train for skills. Cultures of distrust and

obscurity, however can have impact only performance of the organization such as evidenced in Enron and WorldCom (Amah, 2012).

For organization to achieve their goals they must be driven by their own kind of Culture known as the organizational culture. These cultures are significant and influences the members behaviors and attitudes. Company's culture provides a better framework that directs people's behavior and organizes the work (Bateman & Snell, 2014). Culture affects the behavior of individuals and what it takes to be a good standing and it will direct the appropriate behavior in circumstance faced. According to Amah (2012) culture is quality of excellent in any organization and it is viewed as the DNA in any organization invisible and the naked eye may not be able to see it which helps in shaping what happens in the workplace.

Institutional Theory Focuses on the way in which Society and bodies within society are called sociology Tennessee to the organization and does it contribute to achievement of Survival and success in the organization (Powell & DiMaggio, 1991). Does the idea that organization I highly dependent on the environment suggest the practices that organization especially the public agencies and statutory bodies are responsible to the structures and rules which are built in the larger pictures. In case of state corporations this theory is applicable and therefore it is pertinent to this study.

The forces from the external environment influences the adoption of the culture in the organization and the processes. These Isomorphism forces as evidenced by Deephouse (2011) are the reflection of the focal organization to other organization in the world. According to Carruthers (2015); Galaskiewicz and Wasserman (2014) Some of the scientific evidence of how that organization might be forced to copy other organization under uncertain

environments. They claimed that the action to adopt processes procedures structures and systems are being justified

Mohdi Saudi (2014) states that members in organizations are to acts rational since the organization cultures only acts as a tools that enhances the productivities of the organizations. Thus, the managements in the organizations must make rationally choices in focusing on the explicitly goals. However, the Institutional Theories have shaped the organizations structure of any organization through internal and external constituents (Brignall & Modell, 2010). Hence, the legitimacies and long-term survivals have been secured through the adoptions of the rationalized institutional myths (Meyer & Rowan, 2011).

In conclusion, institutional theory fits well within the context of the present study because it provides a framework for identifying how norms, beliefs, and rules within institutional contexts influence everyday interpersonal communication, such as social support. Further, investigating how larger belief systems influence everyday interpersonal interactions provides a framework for researchers to interpret patterned behaviors enacted by institutional members and, potentially, identify the origins (such as institutional norms, rules) of these behaviors. Institutional theory is useful in examining organizational contexts because especially, it can explain why and how similar behaviors are used in carrying out organizational work across the judiciary in Kenya. Specifically, in the judiciary it is useful to understand how members of the institution go about interacting with clients in ways that are beneficial to clients' justice. The institutions theory is relevant to this study from the perspectives of the judiciary as a public agencies and a regulatory body in Kenya.

### **2.2.2 Resources Based-View Theory**

Developed by Penrose (1959), this theory supports utilization of resources efficiently. The theory argues that to achieve superior performance resources of the organization must be controlled. The theory proposes that how firms controls their resources determined key performance. According to Morhency and Pandian (1992), the main focus of resource-based view is the capability of the organization to clarify the performance heterogeneity and sustainability. According to Collini and Montgomery (1998), resources are substance over watch which should gain dominance in aggressive marketplace in order to ensure capability recognition safeguarding the resources build up and enabling differentiating product in the marketplace.

Every organization has a diverse intangible and tangible resources (Barney, Wright & Ketchen, 2001). Barney (2001) established and studied the contributors of resource-based view as a key resource in the firm in established performance. This theory assumes that employees and people are inspired to utilize scarce resources and an opportunity to decide what is good for them and the organization and this makes a firm competitive in the marketplace. In this study resource-based view play the key role in explaining how the utilization of scarce economic resources in the firms can be utilized to maintain their competitive advantage in the judiciary system in Kenya.

Resources are generally the key construct and they include the competencies capabilities and financial resources (Barney & Hesterly, 2010). Resources in strategic management literature are defined as the stocks all accessible things that the firm's process. The Firm strengths are the competencies that will enable a better differentiated products or services of quality by

building the systems of technology to campaign for customers' needs and hence enabling the firms to compete efficiently and effectively than other companies in the markets (Defilippi, 1990; Arent & Leveque, 2010 & Anderson, 2011). Resource-based view contributes a lot in management of strategies through its connection and utilization of institutions important resources to ensure high performance (Mckelvie & Davidson, 2009).

According to Amt and Shoemake (1993); Baney (2007); Mckelvie and Davidson (2009) the complex skills of packages, experience, obtained knowledge the ability to facilitate the company's resources enables the activities in the firm to make use of resources and ensure that these proper coordination in putting the resource in the proper production and utilization of the firm's capabilities. Resource-based view will accumulate resources and capabilities of a firm which will help in facilitating and producing above ordinary and the firm will benefit from the higher performance.

Physical substances are the tangible resources that the organization may possess such as raw material(s), facilities and equipment's while intangible resource(s) may include the companies value, process, network brand names which may not be possible to include them in the books of account. Rouse and Daellenbach (2009) posited that these intangibles resources are mostly used to promote enhanced productivity when compared to the tangibles resource success.

According to Kenneth (2011) resource based-view contributing an enabling environment to the manager(s) to check relevance of contributors that exist for greater productivity to prevail. This will enable the managers to position themselves in the marketplace to make sure that the market is not affected and by this way the managers are put in place whereby they will combine these resources both intangible and tangible resources for the better competitive

performance. According to Lockett, Thompson and Morgenstern (2009) benefit provided by resource-based view to the firm is providing the factors that will create a better and superior performance to the firm. Thus resource-based view will allow the organization executives to select the vital and significant factors strategically that will be invested in to give a probable strategy result.

According to resource-based view for a company to have capabilities resulting to greater performance, the resources used to generate the performance must be rare, of great value, inability of competitors to substitute and imitate. These indicate that there is no alternative to superior performance than having a superior skills and competence within the employees.

### **2.2.3 Durkheim's Theory of Culture**

Durkheim's Theory of Culture was developed by Durkheim in 1890. The theory defines culture as a holistic combination of deep set of values, beliefs, and traditions in the natural collective system which should be given a close attention. The theory proposes that the performance of any organization must recognize the culture concepts. It argues that through the culture businesses influence their achievements on the set objectives.

Subcultures may influence the integration in the overall organization but they may also provide the dissent in the centers of many organizations (Wuthnow & Witten, 1998). Cleavages in culture are unlikely to occur on the status divisional lines and occupational status. According to Zheng and McLean (2010), the existence of evidence of subcultures has found different practices in any organization in the judicial system work and this gives an organization and these professionals a chance to share fully with the colleagues outside and within the organization which enables the subgroups converge and have a collective mission. These

cultures may eventually affect our employees carry their work in a day-to-day tasks hence influencing the whole organizational performance.

#### **2.2.4 Schein's Models of Organization Culture.**

This model was developed by Schein in 2004. The model proposes that culture exists in three levels simultaneously; values, artifacts and basic assumptions. It argues that assumptions will represent the taken for granted beliefs about human nature and reality. It proposes that values are philosophies, principles, social goals and standards which are considered to have intrinsic worth. Artifacts are the tangibles, visible and audible results grounded activities in the assumptions and values. The organizational culture concept was popularized in the early 1980s and roots can be traced back in the relation of human view of organization that originated in 1940s. The theories in human relationship fueled the non-material informal and intrapersonal moral basis of cooperation's and commitments is more significant in a formal instrumentals and materials controls stressed by rational systems theorists. The inspiration of human relationship perspective was drawn from the earlier through political and social work on culture associated with group and Society in 1970s by researchers such as Gertz (1973), Med (1934), Durheim (1964) and Weber (1958). Different concepts of cultures stemmed from two distinct disciplines that is anthropology and Sociology and have been applied in many studies since the early 90s.

The stemming of increased interest in culture as lead or contributed to the development of many theories that aim at explaining the catcher and the when is Asian and its effects on the organizational performance. Numerous researchers such as Hofstede, Schein, Deal and Kennedy (2004) and Schwartz (2011) have some models that explain organization culture.

Edgar Schein (2004) is the mostly used organization culture model which was interrupted by the functionalists views and describe cultures as the basic assumption discoveries invented and develops for a given group which helps to learning and coping with the problem(s) that are externals and internals for the purposes of ensuring that considered valid and therefore to teach new members to correct way that they perceive and feel in relations to their problem.

Schein's models of culture(s) in the organizations has already been used by several researchers in their studies such as Abdallah (2013) who used the model to bring the relationships between the performance of the organization United States agencies in Kenya and organizational culture. Schein's Model was also used by Yang (2015) who concluded that the culture in the renovation has a great-bearing on the effective ness of the judiciary system in Kenya. Study will utilize Schein's model to enhance deep understanding all the relationship between the Culture in the judiciary system in Kenya and their performance. To understand the role of Schein's Model, the relationship between internal and external culture in the judiciary system in Kenya will be established through the comparison of the cultural attributes and the judiciary system performance.

The literature suggests that it would be worthwhile to carefully understand the effects of organizational culture in the judiciary system in Kenya so as to directly or indirectly determine the effect on its performance. Specific to the significant role of judiciary in Kenya is to help define and bring out the cultural orientation that will represent and promote the context and behavior, values relationship between workers in the work systems. Therefore, this model will be useful in guiding the study in establishing relationship assumptions as possible values, artifacts that should reflects in the organizations culture in order to promote judicial system performances.

## **2.3 Empirical Literature Review**

The empirical study presents literature related to the study variables. The study variables considered were hierarchy cultures, collaborative culture, innovation culture and competitive culture

### **2.3.1 Hierarchy Culture and Organizational Performance**

Erдем (2012) studied the effects of hierarchy structure on performances of companies in United States of America. The study used descriptive analysis. Data was collected from employees in McDonald's and Ford Motor Co. ltd. For the period 2011 to 2012. The study indicated that hierarchy culture leads to worker alienation, purposelessness leads to worker alienations and decreases in the sense of autonomy. The study recommended that hierarchical authorities should be reduced at all levels to ensure coordination between and amongst departments. The current study filled the gap identified in that study used descriptive while correlation, descriptive/inferential analysis was done.

Haris (2010) assessing the effects of organization cultures on organizational performances in U.K. The variable of the study were hierarchical culture, collaborative culture and competitive culture. Descriptive and Inferential were used. The study found that more formalization enterprises usually possesses formalization controls and processes, thus, they have better developed corporate performances through its effectives-managements. The study recommended that companies should have efficient cost control mechanisms to survive in the dynamic market. The gap identified was that the study was done in developed country United Kingdom, while the current study was done in Kenya.

Harris and Ogbonna (2013) studied on organizational culture on performance of listed companies. The measures factored in the study were; bureaucratic culture, collaborative culture, competitive culture and innovative culture. Data was collected from 17 companies in United Kingdom. Descriptive and inference statistic were used to present data. The study found that hierarchy cultures is not the best culture as compares to other types of cultures. The inferential statistics presented that Hierarchical culture and organizational performance are negatively and insignificantly correlated. Study recommended that company should have a formal and organized control and processes for better development of productivity of the organization and effective management. The study presented the geographical gap in that it was done in United Kingdom where the culture is more developed than Kenya. The effect of organizations culture on organization performances in judiciary in Kenya has been the main focus.

Bogdanowicz (2014) studies the effects of formal and corporate culture on organizational performance. The studies independent variables were; internal control factors, external control factors, hierarchy culture and leadership. The study found that organization can be seen as a formal or structured place to work and the process must be well defined procedures which will govern the organization operations. The study found that effective leaders helps in good condition and organizing of every expertise opportunity in the organizations. The study found that Hierarchical cultures will be used to strategize the standardized rules and procedures which will help the organization attain set targets. The research presented a methodological gap in that data was only described by the researcher. This study used both descriptive and inferences.

### **2.3.2 Collaborative Culture and Organizational Performance**

Cameron and Quinn (2016) assessed the contributors of high-quality level management and implementation of strategies of small and mediums Enterprises in Singapore. The study considered the contributors of high quality management is the leadership culture and efficiency in management. Data was collected from 3621 smalls and mediums Enterprises and the respondents were the managers of the owners of the small and medium Enterprises. Descriptive research design was used data was presented in tables. The study found that in order to achieve high quality level of management, it is vital for the organization to set values in the collaborative culture. The study found that those who support the management in strategy implementation will focus on improving the internal process stability and thus reducing variability processes. The study recommended that organization should pursue collaborative culture which will help in strategy implementation stability detection of errand measurement. The study presented a gap in that it concentrated on enterprises and business making profits. The focus was judiciary's performance.

Lawler (2011) studied the effects of organizations culture on employee performances in the organization. This study considered collaborative culture, leadership and competitive Culture is the independent variables when the employee performance was the dependent variables. The study used description and exploration research design. Data was collected from employees working in several companies in United Kingdom. Purposive sampling was used. The study found that collaborative culture influences employee's performance. The study presented a contextual gap in that the dependent variable was employee performance while the current dependents variable was organization performance (performance of judiciary) in Kenya.

Jones (2015) studied the effect of employee involvement in organization activities and performance of the companies in Nigeria. Data were presented through the use of frequency means and figures. Data was obtained from 721 employees working in manufacturing companies. The study found that the involvement of employees through collaboration in the activities of the organization demonstrate improvement in performance and will in future leads to better investment. The study recommended that it is vital for the organization to evaluate the involvement status of its employees and contributing factors on employee's performances. The study was done in manufacturing companies in Nigeria while the current study concentrated on judiciary performance in Kenya.

Davidson (2013) determined the influence of organizational performances in small and medium Enterprises in United State of America. Causal-Effect Research design was used. Data was collected from 121 Smalls and Medium Enterprises. The study found that the determinants of performances of small and medium-Enterprises were the human skills sense of possessiveness and assumptions instructed to the employees in a responsible manner which will help them collaborate to serve the company's interest. The study found that involvement was have is impetus for the employees to become affected members in the team even with informal organizational culture. The study commented that this kind of arrangement of collaborative culture and answers ownership and commitment within the employees' environment and will develop a sense of initiation and application of their function achievement of the organization objectives. The study presented both contextual and conceptual gap in that it concentrated on the SMEs performance and determinants of performance while current study concentrated on the organizational performance and more specifically on judiciary performance in Kenya.

### **2.3.3 Innovation Culture and Organizational Performance**

Tseng (2010) assessed the correlations between organizations culture and conversions knowledge on corporates performances in China. These variables were clan, Adhocracy culture, hierarchical and innovative culture. The indicators of innovation culture were the new products and services developments, growths, adaptability, efficiency and experimentation, productivity. Researcher used descriptive methods. Listed companies in China were the main source of data. The indicators of innovative culture had great potential effects on performances of the organization and productivities. The study recommended that organizations should emphasize on new product development, service development efficiency and experimentation which will improve their organizational performance. The findings were based on companies in China. The judiciary system in Kenya was targeted by the current study.

Greenberg (2011) study the effect of organizational culture on the performances of pharmaceutical companies in Netherland. Description and inferences researches were used. 61 selected companies were targeted. Data was analyzed with the help of description statistics and inferences statistics. The study found that organizational culture especially innovative culture generally and constantly will influence the organizational performance. The study found that external forces such as workforces change and changes of the design of the organizations such as merger and acquisition will change the organization cultures in certain ways. The study recommended that the degree of this change will be determined by how creative and innovative the organizations approaches the issues. The study was done on pharmaceutical companies in Netherlands. Judiciary performance was the context in the study.

Harris and Ogbonna (2013) studied on organization culture on company performances. The measures of culture in the study were; bureaucratic culture, collaborative culture, competitive culture and innovative culture. Data was collected from 17 companies in United Kingdom. Correlation analysis and descriptive methods were used. The study found that innovative culture greatly influences organizational performance. The inferential statistics presented that innovation culture and organizational performance are positively and significantly correlated. The study presented the geographical gap in that it was done in United Kingdom where the culture is more developed than Kenya. The current study determines the effects of organizations culture on organizations performances in judiciary.

Denison and Mishra (2016) assessed the influence of organizational culture on organizational effectiveness. Research design used was descriptive and data was collected from 73 employees working several departments. The study found that organizational effectiveness is greatly affected by the embassies on flexibilities and discretions from those that emphasizes stabilities and controls in the organizations. The findings were that organization will be effective and they are constantly evolving and reinventing themselves through improving on innovation culture and frequent changes through technology. The study recommended that organization should be effective in trying to be stable and predictable in using the innovative culture for the purposes of remaining agile and versatile in ever-changing environment. The dependent variable of the study was organizational effectiveness while the current study dependent variable was organization performance.

### **2.3.4 Competitive Culture and Organization Performance**

Martin (2012) carried-out a study to establish the different perspective on cultures on organizational performances. The variables used in the study and differentiation integration and fragmentation. The study used description and exploration methods. Data was collected from 117 employees working in manufacturing companies in Ghana. The study found that from integrations standpoints organization member(s) will maintain consensus regarding the organization culture. Study found that differentiations perspectives will enable organization to have different sub-cultures in the organization that provides a singular-view on organizational culture. The findings were that pregnant Asian culture will suggest that there is an ability action symbolic or ideological way in which culture renders the process of creation ideas and mostly open to individual's interpretations. The study recommended that the organization should use the three different perspectives on culture for the betterment of achieving the objectives set. The study presents a gap in that they concentrated on the perspectives of Culture while the current study concentrated on organizations cultures and its effect on organizational performances.

Haris (2010) carried out a study on the effects of organization cultures on organizational performances in U.K. The study variable were hierarchical culture, collaborative culture and competitive culture. Descriptive and Inferential research design was used. The study found that competitive culture influences organizational performance and that organization have better developed corporates performance because of its considerate competitive culture. The study recommended that companies should have efficient cost control mechanisms to survive in the dynamic market. The gap identified was that the study was done in developed country United Kingdom, while the current study was done in Kenya.

Kim (2014) carried out a study to determine the effect of competitive culture on the performance of the organization. Study was based on descriptive analysis. Data was sourced from employees working in several departments in companies in UK. Research assistants helped collect data. The study found that markets-oriented corporates Culture is increasingly considered to be a key elements in superior corporates performances and will facilitate organizations innovativeness which will in turn affect the productivity of the organization. The study recommended that organizations should take advantage of competitive culture in ensuring that organization to maintain its competitiveness in the marketplace. The study presented the methodology gap in that the results presented the findings on inferential statistics. Currently, the researcher aimed to establish effects of organizational culture on performances and presented both descriptive and inferential statistics.

Lawler (2011) did a study on the effects of organizations cultures on employee's production in the organization. This study considered collaborative culture, leadership and competitive Culture is the independent variables when the employee performances was the dependent variables. The study used description and exploration research design. Data collection was from employees working in several companies in United Kingdom. Purposive sampling was used. The study found that competitive culture influences employee performance. The study presented a contextual gap in that the dependent variable was employee performance while the current dependent variable was organizational performance (performance of judiciary) in Nyeri.

## 2.4 Summaries of Literature Review and Knowledges Gap

**Table 2.1 Previous Research Summaries and Knowledge Gaps**

<b>Researcher</b>	<b>Focus</b>	<b>Methodology</b>	<b>Finding</b>	<b>Knowledge gap</b>	<b>Current Study</b>
Erdem (2012)	Effects of hierarchy structures on performances of companies in United States of America	The study used descriptive analysis	The study indicated that hierarchy culture leads to worker alienation, purposelessness leads to worker alienation and decrease in the sense of autonomous	The methodological gap was presented in the reviewed study	The inferential information was generated
Haris (2010)	Effects of organizational culture on organizational performance in U.K	Descriptive and Inferential methods	Formalized controls and process are found in more formalized companies.	The gap identified was that location gap. The study was done n developed country	The current study was done in Kenya.
Harris and Ogbonna (2013)	Influence of organizational culture on performance of the organization	Descriptive and inferential statistics were used	The study found that other forms of culture contributes greatly to performance more than hierarchy culture	The study presented the geographical gaps in that it was done in United Kingdom	The study established how culture in the law courts and judiciary in Kenya affects performance
Bogdanowicz (2014)	effect of formal and corporate culture on organizational performance	Descriptive	The study found that organization can be seen as a formal or structured place to work and the process must be well defined procedures which will govern the organization operations	The study presented a methodological gap	Correlation, and inferential analysis was used

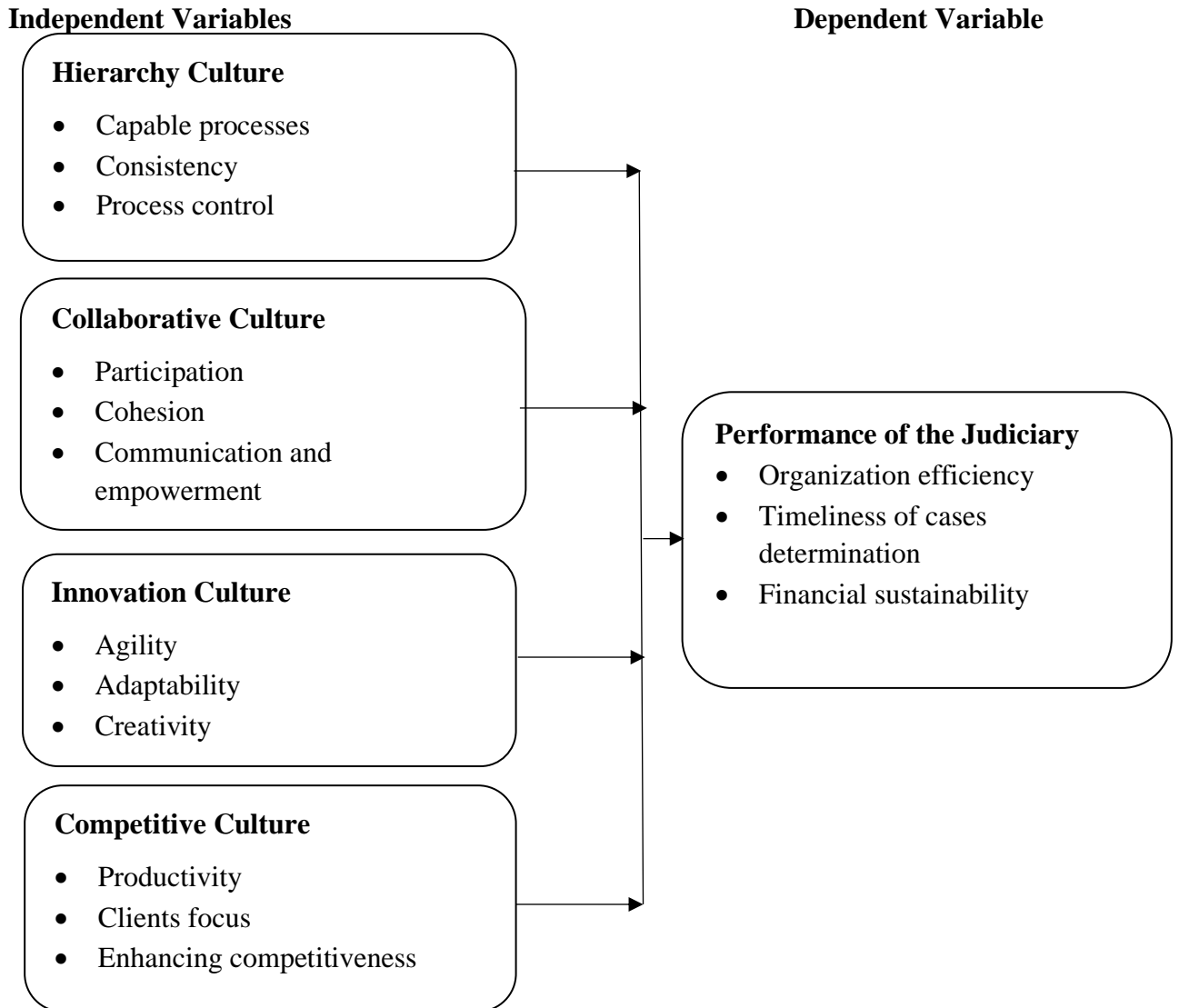
Cameron and Quinn (2016)	Assessed the contributors of high-quality level management and implementation of strategies of small and medium Enterprises	Descriptive method	Results indicated that in order to achieve high quality level of management is vital for the organization to set values in the collaborative culture.	The study presented a gap in that it concentrated on small and medium Enterprises	The current study concentrates on the performance of judiciary in Kenya.
Lawler (2011)	Effect of organizational culture on employee performance	Lawler used Descriptive methods and exploratory	Collaborative culture was found to be influencing employee performance.	The study presented a contextual gap	The current dependent variable was based on judiciary in Kenya
Jones (2015)	effect of employee involvement in organization activities and performance of the companies in Nigeria	Descriptive research design was used	Involvement of employees through collaboration in the activities of the organization demonstrate improvement in performance	The study was carried out in manufacturing companies in Nigeria	This study concentrated on judiciary performance in Kenya
Davidson (2013)	Influence of organization performances in small and medium Enterprise in United States of America	Causal-Effect Research design was used	The study found that the determinants of performance of small and medium Enterprises were the human skills sense of possessiveness and assumptions instructed to the employees in a responsible manner	The study presented both contextual and conceptual gap in that it concentrated on the SMEs performance and determinants of performance	The current study concentrated on the organizational performance and more specifically on judiciary performance in Kenya.
Teng (2010)	Correlations between business cultures and conversion on corporates performances in China	Descriptive research designs is used	The study found that the indicators of innovative Culture have great potential effects on organization performance and productivity	The study presents geographic gap in that it was done in China	The current study was done in Kenya

Greenberg (2011)	Effect of organizational culture on the performance of pharmaceutical companies in Netherland	Descriptive	Organizational culture especially innovative culture generally and constantly will influence the organizational performance	The study was done on pharmaceutical companies in Netherlands	Performance of Judiciary was the main focus
Denison and Mishra (2016)	Influence of organizational culture on organizational effectiveness.	Influence of organizational culture on organizational effectiveness.	Organizational effectiveness is greatly affected by the embassies on flexibility and discretion from those that emphasizes stability	The dependent variable of the study was organizational effectiveness	The current studies dependent variable was organizational performance.
Martin (2012)	The different perspective on culture on organizational performance.	The study used both descriptive and exploratory research design	The study recommended that the organization should use the three different perspectives on culture for the betterment of achieving the objectives	The study presents a gap in that they concentrated on the perspectives of Culture	The current study concentrated on organization culture and its effect on organizational performance.
Kim (2014)	Effect of competitive capture on production in the organizations	Descriptive Research Designs	Market-oriented corporate culture is increasingly considered to be a key elements in superior corporates performances and will facilitate organizations innovativeness	The study presented the methodology gap in that the results presented the findings on inferential statistics	The research was carried out on the effect of organizational structure on organizational performance

**Source: Research Empirical Review (2019)**

## 2.5 Conceptual Framework

The conceptual framework is a pictorial representation of the interrelationship amongst variables in the study. The independent variable was organizational culture which was operationalized using hierarchy Culture, collaborative culture, innovative and competitive culture. The dependent variable was judiciary performance.



**Figures 2.1: Concept Framework**  
**Sources: Research (2019)**

## **CHAPTER THREE**

### **RESEARCH METHODOLOGY**

#### **3.1 Introduction**

The research section presents the method used to collect and analyze data and how data was presented and interpreted.

#### **3.2 Research Design**

The study used descriptive research design to explain the relationship that exist between organizations cultures and performances at judiciary system in Nyeri County. The reason for choosing the particular research design was because it establishes the relationship through the analysis of factors under consideration and it reports the way things are without interfering with the respondent's views. Description research is concerns with establishing where, how and what of a certain happening (Kothari, 2011). Descriptive research enabled the researcher to generalize the results to an extended population.

The significant and appropriate to use of data requires elements or units of observation are made through the natural setups and environment (Mugenda & Mugenda, 2012). Descriptive research was used to and collecting employee's attitudes and opinion(s) and it is efficient way in obtaining data to describe the opinions and attitudes of the employees within the judiciary in Nyeri County and enabled the researcher to develop to the relationships between organization cultures and performances of the judiciary in County of Nyeri.

### 3.3 Target Population

The study's population of interest was defined as a group of things, people, elements, households, services, firms events which are being investigated. According to Cox (2012) target population should fit ascertain researcher specification and which should have a homogenous population. The four law courts in Nyeri was targeted. The researcher targeted all the 120 staff working in Nyeri Law Courts, Othaya Law Courts, Karatina Law Courts and Mukurweini Law Courts according to the judiciary case audit and institutional capacity survey. This population provided a significant representation of the judiciary in the whole country, Kenya.

**Table 3.1 Target Population**

<b>Category</b>	<b>Population</b>	<b>Percentage</b>
Nyeri Law Courts	49	41
Othaya Law Court	24	20
Karatina Law Court	30	25
Mukurweini Law Court	17	14
<b>Total</b>	<b>120</b>	<b>100</b>

**Source: Judiciary Survey Kenya (2019)**

### 3.4 Sampling Technique and Sample Size

A sample is drawn from a sample frame which contains the source of material. It consist of a list of those within the population who are sampled to include household, institutions and individuals (Chandran, 2014). A sampling frame is the list of elements from which a sample is drawn (Cooper & Schindler, 2010). Sampling frame provides a tool from which a particular

members of the target population are contained. The Magistrates, prosecutors, Court Clerks and other support staff from the law court in Nyeri formed the sampling frame.

Simple and stratified random sampling was used to select the magistrate, prosecutors, court Clerks and other staff members to represent the population. Stratified sampling enabled the population to be divided into sub populations. The researcher used the stratified method of sampling in order to obtain a sample representation of the entire population. A sample was arrived at obtaining representation from each subgroup of a population also called the stratum (Cooper & Schindler, 2010). The study used several structures which was required to have unequal proportion for each stratum in the sample. The stratum was arranged according to their division of working department within the law courts in Nyeri County. The advantages for choosing this methods was the cost of observation or below and the estimates for each subpopulation was used. Sampling ensured that each member the population had an equal chance of being selected. It was preferred method because it was free from bias (Mugenda & Mugenda, 2012).

Stratified random sampling was used to arrive at 96 respondents from all the categories from the possible 120 target population. 96 of the respondents represented 80% of the total population and according to Kothari (2011) argue that representation of 30% of the population gave reliable results. Mugenda and Mugenda (2012) added that if the population is within each stratum on the sample is known then 80% is an adequate representation. 80% of the sample was a good representation can also avoid having very few respondents in the case of non-response. The law courts employees are the suitable source of information and provided the required details to answer the research questions. The sample was represented in the table below.

**Table 3.2 Sample Size**

<b>Categories</b>	<b>Populations</b>	<b>Samples Ratio</b>	<b>Samples Sizes</b>
Magistrates	14	0.8	11
Prosecutors	14	0.8	11
Court clerks	20	0.8	16
Support staff	72	0.8	58
<b>Total</b>	<b>120</b>	<b>0.8</b>	<b>96</b>

**Source: Survey Data (2019)**

### **3.5 Data Collection Instrument**

The main methods of sourcing data for analysis according to Cox (2012). The researcher's tools for collecting data depended on the subject problem being studied, design, objectives, results expected, data and the research topic. This is because each instrument will collect a unique and specified data. The researcher targeted the primary data therefore questionnaire was the appropriate tool. Questionnaire consisted of open-ended and closed-ended questions and the instruments were based on the research objectives. The questionnaire basically consisted of two sections and these sections were, the respondent's background and the second section represented the variables under consideration. This enabled the researcher to gauge and have a cross tabulation between the demographic characteristics and the organizational performance. The section on organizational culture represented the four variables considered which was the measures of the organization culture.

The questionnaire was self-administered to reduce the possibility of biasness to the respondents and to ensure that the objectives were met. It was considered the best collection

tools for the primary data for it shows that the objectives are met within the shortest time possible. It also directs the respondents on what a researcher intended to achieve.

### **3.6 Data Collection Procedure**

University introduction letter was sought to show the respondents the objectives of collecting data. Questionnaire was used for it is valuable and efficient in terms of reducing time, financial resources and efforts (Uma, 2011). Questionnaire can be simple and easy to answer to the respondents and motivates the responses to respond quickly and in unbiased manner. Although there are some of the limitation of the questionnaire such as literacy level and it causes fatigue in some cases, if the question is too long. The researcher made the questionnaires simple to understand and easier to fill.

The researcher made sure that the questionnaire was a mixture of closed and open-ended questionnaires in order reduce non relevance and enhance clarity to the respondents. Questionnaires are efficient ways of collecting data from the respondents for they provided a better route for collecting data from an extended sample prior to the quantitative analysis (Kirk & Miller, 2011). The researcher administered the 96 questionnaires individually to employees working in the four law courts in Nyeri County.

### **3.7 Validity and Reliability of Research Instrument**

#### **3.7.1 Validity of Research Instrument**

It is argued that the tools validity when collecting data consists to the extent of data collection tools accuracy and representation of the phenomenon under the study (Bryman & Bell, 2015). The researcher tested content, validity, construct, validity, and predictive, validity.

Validity on predictive is the extent to which the score obtained will predict a score on the same measure Italian (Chen, 2015). To ensure content validity the research consulted widely with experts and a supervisor and ensured that the question captured and measured the specific objectives of the study and this ensured that the research instruments collected the data they were intended to collect and fulfilled the research objectives. The questions on validity arises when the questionnaires do not answer the research objectives and questions raised in section 1.4. The researcher ensured that expert opinion was sought to ensure that the questionnaire captured the details that measured the research questions of the study.

### **3.7.2 Reliability of Research Instrument**

According to Kothari (2011) reliability means consistency in measurements and stability of measurement in which basically the same results should be obtained when the instruments has repeated severally. The researcher ascertained the internal consistency and reliability of research instruments through the use of Cronbach Alpha reliability test. The researcher used a threshold of 0.7 Alpha which According to Gliem and Gliem (2003) is considered acceptable in social sciences otherwise the instruments was deemed unreliable.

According to Cooper (2010), a pilot test is necessary for testing the reliability of data collection instruments. Cox (2012), explains reliability of research as determining whether the research truly measured that which it is intended to measure or how truthful the research results are. Pilot study was conducted to detect weakness in design and instrumentation and to provide proxy data for selection of a sample.

The researcher selected a group of five pilots in the judiciary officials in the law courts which is the capital of Nyeri County. The pilot data was only used to tests the reliability of the

research tools and was not used in the actual study and this allowed for the presentation of the research instruments and tools which ensured that there is clarity to the respondents about what is about to be collected. Piloting provided clarity in the research instruments to the targeted responses and any modification was done early enough in order to achieve the set objectives. The results from piloting helped the researcher to correct any inconsistencies seen to arise from the instruments.

**Table 3.3: Reliability Results**

<b>Variable</b>	<b><math>\alpha</math>=Alpha</b>	<b>Comment</b>
Performance of Judiciary	0.822	Reliable
Hierarchy Culture	0.813	Reliable
Collaborative Culture	0.781	Reliable
Innovation Culture	0.771	Reliable
Competitive Culture	0.789	Reliable

**Source: Survey Data (2019)**

Cronbach Alpha score in table 3.3 indicates that the test score for performance of judiciary was 0.822, the test score for hierarchy Culture was 0.813, the Alpha score for collaborative Culture was 0.781, the test score for innovative culture was 0.771 and the test score for competitive culture was 0.789. The table results presents that the instruments were reliable in establishing the relationship between the independent variable (organizational culture) and dependent variable (performance of judiciary).

### **3.8 Data Analysis and Presenting**

Data analysis and presentation questionnaires collected quantitative data and qualitative data which was analysed through coding by the uses of statistical package for social sciences. Then the data was presented through percentages and frequencies and inferential statistics. Pearson

correlation regression correlation was presented in tables and figures. Content analysis outlined organizational categorization for making applicable inferences and valid conclusion from the context (Kirk & Miller, 2011). This enabled qualitative description and systematic achievement of the set study objectives multiple regression was also conducted to determine the relationship between organizational performance and organizational culture and the model was;

$$Y = \beta_0 + \beta_1 X_1 + \beta_2 X_2 + \beta_3 X_3 + \beta_4 X_4 + \varepsilon$$

Whereby Y = Organization performance

X<sub>1</sub> = Hierarchy Culture

X<sub>2</sub> = Collaborative Culture

X<sub>3</sub> = Innovation Culture

X<sub>4</sub> = Competitive Culture;

β<sub>0</sub> = Constant,

β<sub>1</sub> – β<sub>4</sub> = Intercepts for the independent variables.

And ε=Error-term

### **3.9 Ethics Consideration**

The research is purely submitted for examination purposes for a Master of Business Administration in strategic management degree. The researcher was strictly guided by the university code of conduct. The respondents were treated with respect and information was

treated with confidentiality. NACOSTI Permit and authorization from the University was sought. The respondents were allowed to respond to the question freely and voluntarily. The materials sourced from the journals and books were referenced and cited.

## CHAPTER FOUR

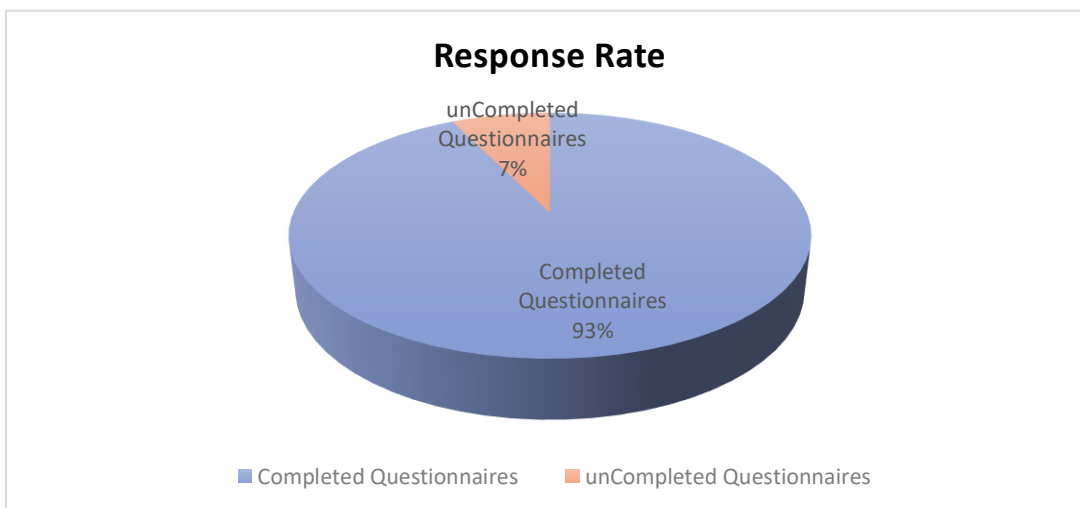
### RESEARCH FINDINGS AND DISCUSSIONS

#### 4.1 Introduction

The aim of the research was to analyse the effect of organizational culture and judiciary performance in Nyeri County Kenya. Organizational culture was measured by collaborative culture, hierarchy culture, innovative culture and competitive culture. Judiciary performance was measured by efficiency, timely case determination and financial effectiveness. The findings were presented in sections below.

##### 4.1.1 Response Rate

The sample population consisted of 96 employees who were all given a questionnaire to fill. The respondents who completed the questionnaire were 89 and were collected after five (5) working days. This represented 93% response rate which according to Mugenda and Mugenda (2009) is an excellent response rate.



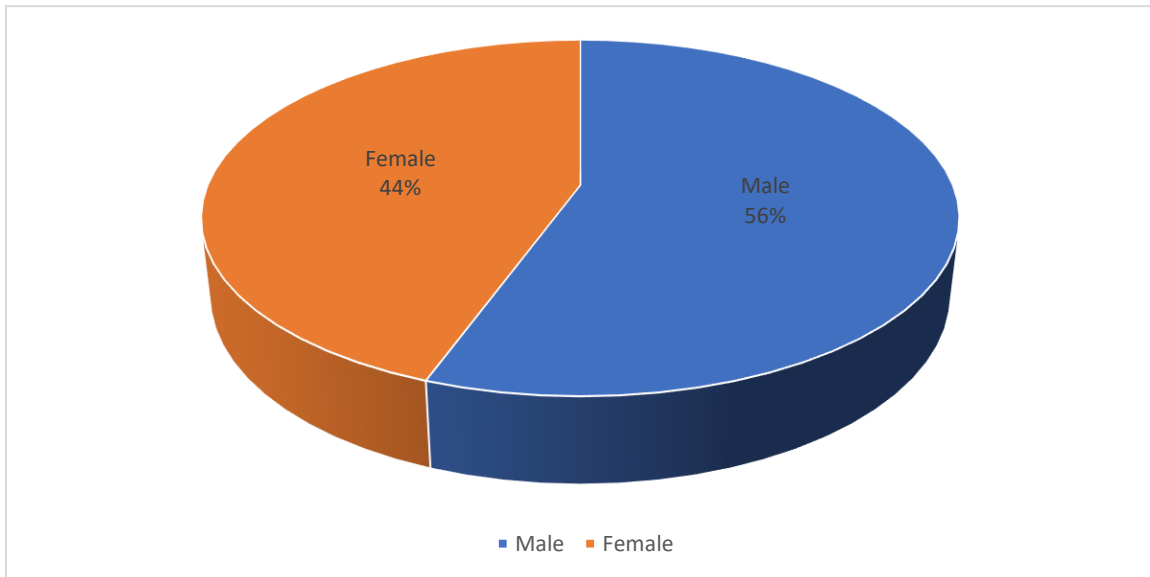
**Figure 4.1 Response Rate**

## 4.2 Demographic Characteristics

The study sought to establish the demographic characteristics of respondents in judiciary in Nyeri County, Kenya. Some of the characteristics sought from the respondents were the gender, the level of education, age and working experience. The results were presented in some sections below.

### 4.2.1 Gender of the Respondents

Figure 4.2 presents the age of the employees working in law courts in Nyeri County.



**Figure 4.2 Gender of the Respondents**

**Source: Researcher (2019)**

The findings indicated that majority of the respondents were men with the highest representation of 56%. The findings in the table also indicates that 44% of the respondents were female. These are clear indications that majority of the employees working in the law courts in Nyeri county are men. Women in Kenya have been underrepresented in the public

institution but the current study indicated that two third gender rule is considered as evidenced by 38% (34/55) representation of women in the law courts in Nyeri County, Kenya.

#### 4.2.2 Highest Level of Education

Table 4.1 presents the findings on the respondent’s highest level of education.

**Table 4.1 Highest Level of Education**

	Frequency	Percent	Valid Percent	Cumulative Percent
Certificate	12	13.5	13.5	13.5
Diploma	25	28.1	28.1	41.6
Valid Degree	41	46.1	46.1	87.6
Masters	11	12.4	12.4	100.0
Total	89	100.0	100.0	

**Source: Survey Data (2019)**

The findings indicated that majority of the respondents had a degree certificate as the highest level of education evidenced by 46.1% of the employees. Employees with diploma were found to be 28.1% of employees working in Nyeri judiciary offices. 13.5% of the employees had a certificate as the highest level of education. The minority (12.4 %) had a master degree as the highest level of education. These are clear indications that majority of the employees working in the law courts in Nyeri County are men and with the highest level of education as compared female. This presents that men have managed to pass with higher grades to qualify for law related subjected and are majorly concentrated in the Kenyans law courts.

#### 4.2.3 Age of the Respondents

The study sought to establish the respondent's age. The age results were presented in table 4.2.

**Table 4.2 Age of the Respondents**

	Frequency	Percent	Valid Percent	Cumulative Percent
18-25 Years	5	5.6	5.6	5.6
26-33 Years	29	32.6	32.6	38.2
Valid 34-41 Years	42	47.2	47.2	85.4
Above 42 years	13	14.6	14.6	100.0
Total	89	100.0	100.0	

**Source: Survey Data (2019)**

The findings in table 4.2 indicates that majority (47.2%) of the respondents had 34 to 41 years. 32.6% of the respondents had 26 to 33 years. Employees with more than 42 years were 14.6%. The minority (5.6%) were below 25 years of age. The table indicates that the employees with 34 and 41 years old were many and had worked for a long period in the judiciary in Nyeri County. This indicates that the views in this study is mostly from mature and knowledgeable respondents who are above 30 years of age.

#### **4.2.4 Work Experience**

The working experience of the respondents working in Nyeri County law courts was established and the results were presented in table 4.3.

**Table 4.3 work experience**

	Frequency	Percent	Valid Percent	Cumulative Percent
Less than 3Years	13	14.6	14.6	14.6
3-7years	18	20.2	20.2	34.8
Valid 8-14years	36	40.4	40.4	75.3
Over 15years	22	24.7	24.7	100.0
Total	89	100.0	100.0	

**Source: Survey Data (2019)**

The findings in table 4.3 shows that majority of the employees had worked for 8 to 14 years in the judiciary and this is represented by 40.4% of the respondents. Employees who had worked for over 15 years were 24.7%, 20.2% had worked for 3 to 7 years while the minority 14.6% had worked for less than three years. This was a clear indication that majority of the respondents had enough experience and could help the researcher to achieve the objectives of the study, that's to establishing the interrelationship between organisational culture and Performance.

### **4.3 Descriptive Analysis**

Descriptive analysis was done to establish the respondents view about the variables under study. The division are used to describe the study findings and presented in tables below.

#### **4.3.1 Hierarchy Culture**

Measures of Hierarchy culture were presented in table 4.4. The analysis was based on data obtained from the respondents.

**Table 4.4 Hierarchy Culture**

<b>Descriptive Statistics</b>					
	N	Minimum	Maximum	Mean	Std. Deviation
There is smooth flow of activities in the court operations in Nyeri County.	89	1.00	5.00	3.9888	1.06060
Nyeri Courts have formal procedure(s) which govern policies and formal rules in enabling smooth running in the institution.	89	1.00	5.00	4.0449	1.26050
The leadership demonstrate efficiency as they maintain low-cost operation	89	1.00	5.00	3.2022	1.11986
The leadership in the organization is generally considered to exemplify smooth-running.	89	1.00	5.00	3.4512	1.12195
The thing that holds the organization together is formal rules and policies as maintaining a smooth-running organization is important	89	1.00	5.00	4.1217	0.9871
The management style in the organization is characterized by security of employment.	89	1.00	5.00	3.1245	1.01245
<b>Average</b>	<b>89</b>	<b>1.00</b>	<b>5.00</b>	<b>3.6555</b>	<b>1.0937</b>

**Source: Survey Data (2019)**

Table 4.4 indicates that there is a smooth flow of activities in the court operations in Nyeri County as indicated by a mean of 3.988 and a standard deviation of 1.0606. Majority of the respondents agreed that the Nyeri law courts have formal procedures which govern policies and formal rules and enabling smooth running of the Courts (Mean=4.04, Std. Deviation=1.26050). There was enormous disagreement on the leadership demonstration on efficiency as they maintain low-cost operations in Nyeri Law courts (Mean of 3.2022 and a standard deviation of 1.1198). A mean of 3.4512 and a standard deviation of 1.12195 presents that moderately the leadership in the organization is generally considered to exemplify smooth-running. Majority of the respondents argued that the thing that holds the organization together is formal rules and policies as maintaining a smooth-running organization (Mean= 4.1217).

The management style in the judiciary ensures that there is security in employment as evidenced by a mean of 3.1245 and a standard deviation of 1.01245. Majority of the employees argued that leadership in the County do not demonstrate efficiency and the desire to maintain low costs operations in the law courts in Nyeri County.

The findings support Haris (2010) on a study which assessed the effect of organisational culture on organisational performance in United Kingdom. The study found that there are more formalization Enterprises which usually processes formalization controls and processes that will generate more corporate performance through the effective management. The study also supports Harris and Ogbonna (2013) on a study of organisational culture on performance of listed companies in United Kingdom. The study found that company that have formal and organised control processes do have a better development and productivity through the effective management.

#### **4.3.2 Collaborative Culture**

The study sought to establish the effect of collaborative Culture on performance of judiciary in Nyeri County. Measures of collaborative culture were presented in table 4.5 below. The respondents indicated their views regarding the statements presented to them.

**Table 4.5 Collaborative Culture****Descriptive Statistics**

	N	Minimum	Maximum	Mean	Std. Deviation
Nyeri Courts encourages citizens in the County to share ideas	89	2.00	5.00	4.0899	.97282
The Courts emphasizes human development and teamwork in the work place	89	2.00	5.00	3.9888	1.07126
The managements style in the organizations is characterizes by participations of all stakeholders	89	1.00	5.00	2.8989	1.20647
The thing that holds the organization together is loyalty of the employees to the organization	89	1.00	5.00	3.8971	0.99145
The organization is a very hospitable, personal workplace as it is like an extended family as people seem to share a lot of ideas among themselves in the organization.	89	1.00	5.00	4.0458	1.14519
Working together influences performance of the judiciary in Kenya	89	1.00	5.00	3.4445	1.05508
<b>Average</b>	<b>89</b>	<b>1.00</b>	<b>5.00</b>	<b>3.7275</b>	<b>1,.07371</b>

**Source: Survey Data (2019)**

According to respondents targeted, Nyeri Courts encourages citizen in the County is sharing ideas related to processing of information the measures that were necessary in ensuring efficiency and effectiveness is maintained in Nyeri Law Courts (Mean= 4.0899, standard deviation= 0.97282). Majority of the respondents (Mean=3.9888, Std. Deviation= 1.07126) agreed that the court emphasizes on human development and teamwork in the workplace throughout all the department within Nyeri law courts. However, it was evident that the management Styles in the organization is not characterized by participation of stakeholders in all the Aspects in related to Court functioning as evidenced by a low mean of 2.8989 and a standard deviation of 1.20647. A mean of 3.8971 and a standard deviation of 0.99145 indicates

that the thing that holds the organization together is loyalty of the employees. The findings indicates that the organization is a very hospitable, personal workplace as it is like an extended family as people seem to share a lot of ideas among themselves in the courts (mean=4.0458, standard deviation=1.07126).

This finding supports Davidson (2013) on determination of the influence of the financial performance of small and medium Enterprises in the United States of America. The study found that involvement of employees had a positive impetus for the employees in becoming the members of a team with informal culture. The findings indicate that commitment and ownership within the employees creates an environment which helps in developing a sense of ownership and application of their functioning in achievement of the organizational objectives. The findings also support Jones (2015) study on the effect of employee involvement in organizational activities and the performance of companies in Nigeria. The study found that involvement of employee through collaboration on the activities related to the performance of the organization helps in better investment.

### **4.3.3 Innovation Culture**

The study sought to establish the interrelationship between innovation culture and performance of judiciary in Nyeri County. The results were presented in Table 4.6.

**Table 4.6 Innovation Culture**

Descriptive Statistics					
	N	Minimum	Maximum	Mean	Std. Deviation
Majority of the employees in the courts are allowed to have ideas that will enable easier processing of data in the Courts.	89	1.00	5.00	4.4270	1.12766
The Courts in Nyeri County encourages new ideas and developments in their normal operations	89	1.00	5.00	3.9213	1.06840
There are unique measures of handling new cases in Nyeri County Courts	89	1.00	5.00	4.2135	1.09204
The organization emphasizes acquiring new resources and creating new challenges as trying ideas in the courts	89	1.00	5.00	4.3127	1.07845
The management style in the court is characterized by uniqueness of services	89	1.00	5.00	3.8045	0.89741
The leadership in the organization is generally considered to show innovation	89	1.00	5.00	4.0184	1.01452
<b>Average</b>	<b>89</b>	<b>1.00</b>	<b>5.00</b>	<b>4.1162</b>	<b>1.04641</b>

**Source: Survey Data (2019)**

The results indicated that majority of the employees in the court were allowed to have ideas that will enable easier processing of data in Nyeri law Courts (Mean=4.4270, Std. deviation=1.12766). The respondents agreed that the courts in Nyeri County encourages new ideas and development of existing expertise through their normal operations of the business as evidenced by a mean of 3.9213 and a standard deviation of 1.06840. It is clearly evident that there are unique measures new cases in Nyeri County law courts as evidenced by a mean of 4.2135 and a standard deviation of 1.09204. The institutions emphasizes acquiring new resources and creating new challenges as trying ideas in the courts (Mean=4.3127, Standard deviation=1.07845). The management style in the court is characterized by uniqueness of services (Mean=3.8045, standard deviation=0.89741). The leadership in the organization is

generally considered to show innovation as evidenced by a mean of 4.0184 and a standard deviation of 1.01452. The employees argued that there has been a lot of unique measures of handling cases and Innovation is encouraged at all levels in the courts.

The findings of this study supports Tseng (2010) who assessed the correlation between organizational culture and corporate performance in China. The study found that new ways of doing things and development, growth, adaptability, efficiency and experimentation helps in improving productivity. The study findings also supports Greenberg 2011 study on the effect of organizational culture on performance of pharmaceutical companies in Netherlands the study. The study found that external forces such as new Innovations, workforce change and designs in the organization helps in changing the organizational culture and helps in improving the performance of the organization.

#### **4.3.4 Competitive Culture**

Statements related to competitive culture were presented to the respondents. There comments were analysed and presented in table 4.7

**Table 4.7 Competitive Culture**

Descriptive Statistics					
	N	Minimum	Maximum	Mean	Std. Deviation
Employees working in the courts are determined to achieve the yearly set targets in every department.	89	2.00	5.00	4.2921	.78628
The courts encourages competitive actions and achieving stretched targets	89	2.00	5.00	4.4157	.63620
The court style of leadership in Nyeri County is characterized leaders with strive for excellency.	89	1.00	5.00	4.4382	.95293
There is aggressiveness of employees to meet stakeholders expectations	89	2.00	5.00	4.2178	1.00124
The courts are very results-oriented workplace, people are very competitive	89	1.00	5.00	3.4512	.97452
The court management emphasizes on holding the organization together for improved organizational achievement	89	1.00	5.00	4.25124	1.22145
<b>Average</b>	<b>89</b>	<b>1.00</b>	<b>5.00</b>	<b>4.1777</b>	<b>0.92867</b>

**Source: Survey Data (2019)**

The results presented a mean of 4.2921 and a std. Deviation of 0.78628 indicating that employees working in the courts were determined to achieve the yearly set targets. A mean of 4.4157 and a standard deviation of 0.63620 presents that the courts encourages competitive actions and achieving stretched targets in all departments within the Courts. The study findings indicates that there is aggressiveness of employees to meet stakeholders expectations in the law courts in Nyeri as evidenced by a high mean of 4.2178 and a standard deviation of 1.00124. The findings presents that the courts are very results-oriented workplace, employees are very competitive as represented by a mean of 3.4512 and a standard deviation of 0.97452. Majority of the employees (Mean= 4.4382, Std. Deviation=0.95293) indicated that the court style of leadership in Nyeri County is characterized by leaders with strive for excellence. They argued

that, this evidenced by the speed of handling cases and the matter with which pending cases were handled.

The study supports findings by Kim (2014) who carried out a study to determine the effect of competitive culture on the performance of the organization. The study found that markets-oriented corporates cultures increasingly considers to be a key elements in superior corporates performances and will facilitate organizations innovativeness which will in turn affect the productivity of the organization. The study supports Lawler (2011) on a study on the effects of organizations cultures on employee’s performance. The study found that competitive culture influences employee performance.

#### 4.4 Performance of Judiciary In Nyeri

The study sought to establish the level of judiciary performance in Nyeri County. The findings were presented in table 4.8.

**Table 4.8 Performance of Judiciary**

	N	Minimum	Maximum	Mean	Std. Deviation
There is clear flow of information to all stakeholders in Nyeri courts.	89	1.00	5.00	4.3933	.98417
Courts cases in Nyeri County are handled effectively and no backlogs of cases in the recent past	89	1.00	5.00	2.5169	1.00128
The courts are able to effectively operate within their budgets	89	2.00	5.00	4.4607	.76954
The flow of information is done to all the stakeholders	89	1.00	5.00	3.6457	1.12452
Timely cases always consider the views of all the parties	89	1.00	5.00	4.1245	0.89754
The allocated finances are enough to support all the operations in the courts	89	1.00	5.00	3.8978	1.12451
<b>Average</b>	<b>89</b>	<b>1.00</b>	<b>5.00</b>	<b>3.8398</b>	<b>0.9385</b>

**Source: Survey (2019)**

The study findings in table 4.8 indicates that there was clear flow of information to all stakeholders in Nyeri courts (Mean=4.3933, Std. Deviation=0.98417) and that the communication is done to all the stakeholders in the County (Mean=3.6457, standard deviation=1.12452). Majority of the respondents disagreed (2.5169, Std Deviation=1.00128) that Courts cases in Nyeri County are handled effectively and no backlogs of cases in the recent past and that timely cases always consider the views of all the parties in court (Mean=4.1245, Standard deviation=0.89754). However, a mean of 4.4607 and a standard deviation of 0.76954 presented that the courts are able to effectively operate within their budgets and that the allocated finances are enough to support all the operations in the courts (Mean=3.8978, Standard deviation=1.12451).

#### **4.5 Inferential Analysis**

Inferential analysis presented results related to correlation analysis, analysis of variance, model summary and regression analysis coefficient.

##### **4.5.1 Correlation Analysis**

The study sought to establish the correlation between variables. Significance values more than 0.8 presents a possibility of autocorrelation. Autocorrelation occurs when variables have a similar observation.

**Table 4.9 Correlation Analysis**

		Correlations				
		Hierarchy Culture	Collaborative Culture	Innovation Culture	Competitive Culture	Judiciary Performance
Hierarchy Culture	Pearson Correlation	1				
	Sig. (2-tailed)					
	N	89				
Collaborative Culture	Pearson Correlation	-.166	1			
	Sig. (2-tailed)	.120				
	N	89	89			
Innovation Culture	Pearson Correlation	.083	.222*	1		
	Sig. (2-tailed)	.437	.036			
	N	89	89	89		
Competitive Culture	Pearson Correlation	.148	-.038	-.086	1	
	Sig. (2-tailed)	.167	.723	.425		
	N	89	89	89	89	
Judiciary Performance	Pearson Correlation	.780	-.065	.518	-.166	1
	Sig. (2-tailed)	.000	.543	.000	.001	
	N	89	89	89	89	89

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

**Source: Survey (2019)**

The findings in Table 4.8 indicates that the significant values for all the variables were all less than 0.8. The correlation between Hierarchy Culture and performance was positive and significant (P=0.780, sig=0.000). The correlation between collaborative Culture and performance was negative and insignificant (P=-.065, sig=.543). The correlation between

innovative Culture and performance was positive and significant (P=.518, sig=0.000). The correlation between Competitive Culture and performance was negative and significant (P= -.166, sig=0.000)

#### 4.6 Regression Analysis

The study sought to determine the interrelationship between variables. Model summary, ANOVA table and regression coefficients were presented in the table below.

##### 4.6.1 Model Summary

**Table 4.10 Model Summary**

Model Summary				
Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.768 <sup>a</sup>	.590	.488	1.54037

a. predictors: (constant), competitive culture, collaborative culture, hierarchy culture, innovation culture

**Source: Survey (2019)**

The model summary presents the correlation coefficient (R) and coefficient of determination (R<sup>2</sup>). Coefficient of correlation indicates. Correlation coefficient the strength of the relationship and the nature of the relationship while the coefficient of determination measures the extent to which the dependent variable is predicted by the independent variable. The results in table 4.8 (R= 0.768) indicates that there was a strong positive relationship between the independent variable (Competitive culture, Collaborative culture, Hierarchy culture and Innovative culture) and the dependent variables (judiciary performance). The value of the adjusted r-squared (0.488) indicates that the changes in the judiciary performance was 48.8% determined by the changes in competitive culture collaborative culture hierarchy culture and innovative culture.

### 4.6.2 Analysis of Variance

The analysis of variance presents the significance of the whole model. It entails the comparison of F-statistics and F calculated. The study indicates that the whole model was significant since the F-statistics was 2.235 while the F calculated to was 1.623 and since the F calculated was less than F-statistics then the model was good in explaining the changes in judiciary performance as a result of changes in competitive culture, collaborative culture hierarchy culture and innovative culture.

**Table 4.11 Analysis of Variance**

**ANOVA<sup>a</sup>**

Model	Sum of Squares	df	Mean Square	F	Sig.
1 Regression	15.454	4	3.863	1.628	.005 <sup>b</sup>
Residual	199.310	84	2.373		
Total	214.764	88			

A. Dependent Variable: Judiciary Performance

B. Predictors: (Constant), Competitive Culture, Collaborative Culture, Hierarchy Culture, Innovation Culture

**Source: Survey (2019)**

### 4.6.3 Regression Coefficients

Regression coefficient presents the coefficients of the independent variables. These coefficients presents the changes of Y- dependent variable in terms of the magnitude and direction as a result of changes in the specific independent variable. Table 4.12 presents the findings.

**Table 4.12 Regression Coefficients**

**Coefficients<sup>a</sup>**

Model	Unstandardized Coefficients		Standardized Coefficients	t	Sig.
	B	Std. Error	Beta		
(Constant)	12.491	1.909		6.543	.000
1 Hierarchy Culture	.168	.090	.204	1.876	.004
Collaborative Culture	-.029	.084	-.037	-.339	.235
Innovation Culture	.102	.131	.018	.070	.000
Competitive Culture	-.197	.106	-.198	-1.855	.007

A. Dependent Variable: Judiciary Performance

**Source: Survey (2019)**

The findings in table 4.12 indicate that holding factors (collaborative culture, innovative culture, competitive culture, and hierarchy culture) constant judiciary performance would be 12.491 units. The coefficients of various independent variable were  $\beta_1 = 0.168$ ,  $\beta_2 = -0.029$ ,  $\beta_3 = 0.102$  and  $\beta_4 = -0.197$ .

The coefficient of  $X_1$  ( $\beta_1 = 0.168$ ,  $P = 0.004$ ) indicates that there was a positive and significant relationship between hierarchy culture and judiciary performance. These results also indicate that hierarchy culture can be used in explaining the changes in judiciary performance. It also indicates that a one unit change in Hierarchy culture results in 0.168 unit changes in judiciary performance. The study is supported by Erdem (2012) that Hierarchy culture leads to worker alienation which leads to positive changes in employee performance.

The collaborative culture coefficient that is the coefficient of  $X_2$  ( $\beta_2 = -0.029$ ,  $P = 0.235$ ) indicates that the relationship between collaborative culture and judiciary performance was

negative and insignificant. This indicates that collaborative culture changes cannot be used to significantly predict the changes in the judiciary performance. The study disagrees with Davidson (2013) who found that the relationship between collaborative culture and performance of an organisation was positive and significant. The findings also disagree with Lawler (2011) who found that the relationship between collaborative culture and employee's performance was positive and significant.

The findings on the effect of innovative culture on performance judiciary in Nyeri County presented by the coefficient of  $X_3$  ( $\beta_3 = 0.102$ ,  $P = 0.000$ ). The findings indicate that innovative culture significantly and positively effects the changes in judiciary performance. The findings indicate that a positive unit change in innovative culture will result to the positive unit change in judiciary performance. The coefficient indicates that a unit change in innovation culture will cause 0.102 units changes in judiciary performance. The findings support Denison and Mishra 2016 who assessed the influence of organisational culture on organisational effectiveness. The findings indicated that the effect of innovation culture positively and significantly explained the changes in organizational effectiveness.

Competitive culture effect on organisational performance was found to be negative and significant ( $\beta_4 = -0.197$ ,  $P = .007$ ). This indicates that a positive change in competitive culture will result to a negative change in judiciary performance. The coefficients of competitive culture indicated that a unit change in competitive culture resulted into -0.197 unity changes in judiciary performance. The findings disagree with Martin (2012) findings that competitive culture positive changes will result to positive changes in organisational performance.

## **CHAPTER FIVE**

### **SUMMARY OF THE STUDY, CONCLUSION AND RECOMMENDATION**

#### **5.1 Introduction**

The study aimed to analyse the effect of organizational culture and judiciary performance in Nyeri County Kenya. Organizational culture was measured by collaborative culture, hierarchy culture, innovative culture and competitive culture. Judiciary performance was measured by efficiency, timely case determination and financial effectiveness.

#### **5.2 Summary of the Findings**

The first objective was to determine the effect of Hierarchy culture on judiciary performance in Nyeri County. The findings indicated that there is a smooth flow of activities in the court operations in Nyeri County. Majority of the respondents agreed that the Nyeri law courts have formal procedures which govern policies and formal rules and enabling smooth running of the Courts. Majority of the employees argued that leadership in the County do not demonstrate efficiency and the desire to maintain low costs operations in the law courts in Nyeri County.

The second objective was to establish the effect of collaborative culture on performance of judiciary in Nyeri County. The study found that Nyeri Courts encourages citizen in the County in sharing ideas related to processing of information the measures that were necessary in ensuring efficiency and effectiveness is maintained in Nyeri Law Courts. Majority of the respondents agreed that the court emphasizes on human development and teamwork in the workplace throughout all the department within Nyeri law courts. It was evident that the

management styles in the organization is not characterized by participation of stakeholders in all the aspects in related to court functioning.

The third objective was to establish the interrelationship between innovation culture and performance of judiciary in Nyeri County. The results indicated that majority of the employees in the court were allowed to have ideas that will enable easier processing of data in Nyeri law Courts. The employees agreed that there has been a lot of unique measures of handling cases and innovation is encouraged at all levels in the courts.

The fourth objective was to assess the effect of competitive culture on judiciary performance. The results presented that employees working in the courts were determined to achieve the yearly set targets. The courts encourages competitive actions and achieving stretched targets in all departments within the Courts. Majority of the employees indicated that the court style of leadership in Nyeri County is characterized by leaders with strive for excellence. They argued that, this evidenced by the speed of handling cases and the matter with which pending cases were handled.

### **5.3 Conclusion of the Study**

The study concludes that there was a strong positive relationship between independent variable (Hierarchy culture and Innovative culture) and the dependent variables (judiciary performance) and weak negative relationship between competitive culture and performance. Collaborative culture had an insignificant relationship with performance. The study concludes that there was a positive and significant relationship between hierarchy culture and judiciary performance. The study concludes that hierarchy culture can be used in explaining the changes in judiciary performance. The collaborative culture coefficient presents that the relationship between

collaborative culture and judiciary performance was negative and insignificant. This indicates that collaborative culture changes cannot be used to significantly predict the changes in the judiciary performance.

The study concluded that innovative culture significantly and positively effects the changes in judiciary performance. The findings indicate that a positive unit change in innovative culture will result to the positive unit change in judiciary performance. The findings indicated that the effect of innovation culture positively and significantly explained the changes in organizational effectiveness. The study concludes that a positive change in competitive culture will result to a negative change in judiciary performance. The coefficients of competitive culture indicated that a unit positive change in competitive culture resulted in a positive unit changes in judiciary performance.

#### **5.4 Recommendations of the Study**

The study recommends that hierarchy culture should be embraced by judiciary service in delivering justice in line with the constitution and other laws for it had positive and significant effect on judiciary performance. Policy should be put in place to ensure that case verdicts are available and posted online within the shortest time possible. Based on the innovative culture, the study recommends that courts and judges should encourage innovation and use of technology in the court for this could reduce the increased pending cases. Use of virtual hearing of cases could help in reducing the transmission of the Corona virus.

The study recommends that coordination through the use of information and communication technology should be the priority to ensure every step in handling cases in the courts is automated and this should be communicated to the citizens earlier enough to allow decision

making in advance and avoid unnecessary hiccups related to client's complaints, backlogs of cases and increased costs of handling cases.

### **5.5 Suggestion for Further Study**

The current study concentrated on the effect of organization culture on performance of judiciary in Nyeri County, Kenya. The variables considered included; collaborative culture, hierarchy culture, innovative culture and competitive culture. The study was carried out in Nyeri law courts in Nyeri County, Kenya, related studies should be done in other counties to compare the findings.

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## APPENDICES

### APPENDIX I: QUESTIONNAIRE

The questionnaire seeks to find out the effect of organization culture on performance of judiciary in Kenya, a case of Law courts in Nyeri County. The study is strictly for academic purposes only.

(Tick on the spaces provided)

#### SECTIONS A: DEMOGRAPHICS

##### 1. Respondents Genders

Male [     ]

Female [     ]

##### 2. Indicate your Highest Levels of education

Certificates [     ]

Diplomas [     ]

Degrees [     ]

Masters [     ]

PHD [     ]

Other Specify .....

##### 3. What is your age bracket?

18-25 Years [     ]

26-33 Years [     ]

34-41 Years [     ]

Above 42 years [     ]

##### 4. How long have you been in this station?

Less than 3 Years [     ]

3-7 years [     ]

8-14 years [     ]

Over 15 years [     ]

**5. How long have you been in the judiciary?**

- Less than 3Years [     ]
- 3-7years [     ]
- 8-14years [     ]
- Over 15years [     ]

**SECTION B: HIERARCHY CULTURE**

6. Kindly indicate how you rate the following factors on hierarchy culture. Use a scale of 1-5 Where this key will be used; 1 = not sure, 2= strongly disagree, 3 = disagree, 4 = agree, 5 = strongly agree.

<b>Hierarchy Culture</b>	1	2	3	4	5
There is smooth flow of activities in the court operations in Nyeri County					
Nyeri Courts have formal procedure(s) which govern policies and formal rules in enabling smooth running in the institution.					
The leadership demonstrate efficiency as they maintain low-cost operation					
The leadership in the organization is generally considered to exemplify smooth-running					
The thing that holds the organization together is formal rules and policies as maintaining a smooth-running organization is important					
The management style in the organization is characterized by security of employment.;					

7. Indicate some of the challenges related to management you encounter in the courts.....

**SECTION C: COLLABORATIVE CULTURE**

8. The following statement relates to the indicators of collaborative culture. Indicate from a scale of 1-5 how you agree with the statement(s) presented. 1 = not sure, 2= strongly disagree, 3 = disagree, 4 = agree, 5 = strongly agree.

<b>Collaborative Culture</b>	1	2	3	4	5
Nyeri Courts encourages citizens in the County to share ideas					
The Courts emphasizes human development and teamwork in the work place					
The managements style in the organizations is characterizes by participations of all stakeholders					
The thing that holds the organization together is loyalty of the employees to the organization					
The organization is a very hospitable, personal workplace as it is like an extended family as people seem to share a lot of ideas among themselves in the organization.					
Working together influences performance of the judiciary in Kenya					

9. Kindly conditions that contribute to poor collaboration within departments in the County.....

#### **SECTION D: INNOVATION CULTURE**

10. The statements presented on innovation culture requires you to indicates the extent to which you agree with the statements. The Key of 1-5 will be used. 1 = not sure, 2= strongly disagree, 3 = disagree, 4 = agree, 5 = strongly agree.

<b>Innovation Culture</b>	1	2	3	4	5
Majority of the employees in the courts are allowed to have ideas that will enable easier processing of data in the Courts.					
The Courts in Nyeri County encourages new ideas and developments in their normal operations					
There are unique measures of handling new cases in Nyeri County Courts					
The organization emphasizes acquiring new resources and creating new challenges as trying ideas in the courts					
The management style in the court is characterized by uniqueness of services					
The leadership in the organization is generally considered to show innovation					

**SECTION E: COMPETITIVE CULTURE**

11. The following facets of competitive culture are presented to you to indicate the extent they influence performances. Use a scale of 1 -5 where ; 1 = not sure, 2= strongly disagree, 3 = disagree, 4 = agree, 5 = strongly agree.

<b>Competitive Culture</b>	1	2	3	4	5
Employees working in the courts are determined to achieve the yearly set targets in every department.					
The courts encourages competitive actions and achieving stretched targets					
The court style of leadership in Nyeri County is characterized leaders with strive for excellency.					
There is aggressiveness of employees to meet stakeholders expectations					
The courts are very results-oriented workplace, people are very competitive					
The court management emphasizes on holding the organization together for improved organizational achievement					

**SECTION F: ORGANIZATIONAL PERFORMANCE**

12. Kindly indicate how you rate achievement of the following performance indicators? Use a scale of 1 to 5 where; 1 = not sure, 2= strongly disagree, 3 = disagree, 4 = agree, 5 = strongly agree.

<b>Organizational Performance</b>	1	2	3	4	5
There is clear flow of information to all stakeholders in Nyeri courts					
Courts cases in Nyeri County are handled effectively and no backlogs of cases in the recent past					
The courts were able to effectively operate within their budgets					
The flow of information is done to all the stakeholders					
Timely cases always consider the views of all the parties					
The allocated finances are enough to support all the operations in the courts					

13. Name some of the challenges associated with poor judiciary performance in Kenya.....  
 .....  
 .....

**YOUR TIME WAS HIGHLY APPRECIATED**

## APPENDIX II: DATA COLLECTION AUTHORIZATION LETTER



KENYATTA UNIVERSITY  
GRADUATE SCHOOL

E-mail: [dean-graduate@ku.ac.ke](mailto:dean-graduate@ku.ac.ke)

Website: [www.ku.ac.ke](http://www.ku.ac.ke)

P.O. Box 43844, 00100  
NAIROBI, KENYA  
Tel. 810901 Ext. 4150

Internal Memo

FROM: Dean, Graduate School

DATE: 26<sup>th</sup> November, 2019

TO: George Kigamba Njugi  
C/o Business Administration Dept.

REF: D53/EMB/PT/37911/2017

SUBJECT: APPROVAL OF RESEARCH PROJECT PROPOSAL

This is to inform you that Graduate School Board at its meeting of 6<sup>th</sup> November, 2019 approved your Research Project Proposal for the M.B.A Degree Entitled, "Organization Culture and Organizational Performance at Judiciary in Nyeri County, Kenya"

You may now proceed with your Data Collection, Subject to Clearance with Director General, National Commission for Science, Technology and Innovation and Kenyatta University Management.

As you embark on your data collection, please note that you will be required to submit to Graduate School completed Supervision Tracking Forms per semester. The form has been developed to replace the Progress Report Forms. The Supervision Tracking Forms are available at the University's Website under Graduate School webpage downloads.

Thank you.

  
ANNBELL MWANIKI  
FOR: DEAN, GRADUATE SCHOOL

c.c. Chairman, Business Administration Department.

Supervisors:

1. Dr. David Kiiru  
C/o Department of Business Administration  
Kenyatta University


**APPENDIX III: DATA COLLECTION PERMIT**

  
**REPUBLIC OF KENYA**

  
**NATIONAL COMMISSION FOR  
SCIENCE, TECHNOLOGY & INNOVATION**

Ref No: **877218** Date of Issue: **29/November/2019**


**RESEARCH LICENSE**



**This is to Certify that Mr.. GEORGE NJUGI of Kenyatta University, has been licensed to conduct research in Nyeri on the topic:  
ORGANIZATION CULTURE AND PERFORMANCE OF JUDICIARY IN NYERI COUNTY, KENYA for the period ending :  
29/November/2020.**

License No: **NACOSTI/P/19/3064**

**877218**  
Applicant Identification Number

  
Director General  
**NATIONAL COMMISSION FOR  
SCIENCE, TECHNOLOGY &  
INNOVATION**

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1. The License is valid for the proposed research, location and specified period
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off Waiyaki Way, Upper Kabete,  
P. O. Box 30623, 00100 Nairobi, KENYA  
Land line: 020 4007000, 020 2241349, 020 3310571, 020 8001077  
Mobile: 0713 788 787 / 0735 404 245  
E-mail: [dg@nacosti.go.ke](mailto:dg@nacosti.go.ke) / [registry@nacosti.go.ke](mailto:registry@nacosti.go.ke)  
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