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Abstract

Institutional culture is widely regarded as an important foundation of organizational effectiveness because shared norms, leadership practices, employee adaptability, competence and communication shape how institutions respond to change and deliver services. This study examined the effect of institutional culture on judicial performance of High Courts in Kenya. Institutional culture was operationalized through leadership support for ICT adoption, staff openness to change, ICT skills and competence, communication efficiency, and resistance to change. Anchored mainly on Institutional Theory and complemented by Dynamic Capabilities Theory, the study adopted a positivist philosophy and quantitative correlational design. Data were collected through structured questionnaires from 254 respondents drawn from 46 High Court stations using stratified sampling. The measures demonstrated acceptable reliability, with Cronbach's alpha coefficients ranging from 0.766 to 0.875 for the institutional culture dimensions and 0.731 for judicial performance. Descriptive results indicated a generally supportive culture: leadership support ($M = 3.812$, $SD = 0.517$), staff openness ($M = 3.787$, $SD = 0.485$), ICT competence ($M = 3.790$, $SD = 0.538$), communication efficiency ($M = 3.791$, $SD = 0.493$), and reverse-coded resistance to change ($M = 3.752$, $SD = 0.514$). However, institutional culture was weakly and insignificantly correlated with judicial performance ($r = -0.016$, $p = .799$). The regression model was also insignificant, $F(5,248) = 0.424$, $p = .832$, $R^2 = .008$, and none of the five dimensions significantly predicted performance. The study concludes that supportive institutional culture is an enabling condition rather than a sufficient direct driver of judicial performance. It recommends linking cultural interventions with adequate staffing, workflow redesign, infrastructure, technical support and performance-oriented management systems.

Keywords: *Institutional Culture; Judicial Performance; Leadership Support; Staff openness to Change; ICT Competence; Communication Efficiency; High Courts; Kenya.*

1. Introduction

Judicial institutions are expected to deliver decisions fairly, efficiently and within reasonable time, yet their performance depends on more than formal rules and legal procedures. Courts are also organizations in which shared assumptions, routines, leadership practices and patterns of interaction influence how work is coordinated and how employees respond to institutional demands. Ostrom et al. (2007) showed that court culture can shape access, fairness and managerial effectiveness, while Kassem et al. (2017) identified leadership, staff development and communication as important elements of a culture of judicial excellence. Institutional culture is therefore relevant to judicial performance because it provides the internal environment within which policies, technologies and administrative reforms are translated into everyday practice.

The importance of culture has become more pronounced as courts adopt new ways of working. Digital transformation, performance management and growing public expectations require judicial personnel to learn new systems, adjust established routines and coordinate across professional and administrative boundaries. According to Scott (2008), institutions are sustained not only through formal structures but also through normative and cultural-cognitive elements that shape legitimate behaviour. In a judicial setting, this means that reforms may be formally introduced but their practical effects can depend on whether leaders support them, staff are willing to adapt, employees possess relevant competencies and communication systems allow problems to be identified and addressed.

Empirical research generally suggests that supportive organizational cultures are associated with better institutional outcomes, although the strength and form of this relationship vary across contexts. Kassem et al. (2017) found that leadership effectiveness, staff development and communication systems supported institutional excellence in Emirati courts. In the United States, Ostrom et al. (2007) demonstrated that different court cultures were associated with different patterns of access, fairness and managerial effectiveness. Hawilo et al. (2022) similarly showed that cultural values, norms and decision-making behaviours influence courtroom processes and judicial conduct, reinforcing the argument that culture is embedded in the way justice institutions operate.

African public-sector evidence also points to the potential value of adaptive organizational cultures. Huragu and Chuma (2019), studying local authorities in Zimbabwe, found that adaptability and mission orientation contributed to public-sector performance. Within judicial settings, Njuri (2019) reported a positive relationship between organizational culture and Judiciary performance in Nyeri County, Kenya, while Tongi and Ombui (2020) linked supportive organizational conditions and knowledge-management practices with judicial service delivery in Baringo County. These studies suggest that internal cultural conditions can matter, but most have been geographically narrow or have measured specific aspects of service delivery rather than system-level High Court performance.

Kenya provides a particularly important setting for examining this issue. The Judiciary has undergone substantial administrative and technological reform while continuing to face pressures relating to case completion, backlog, service accessibility and public confidence. The institutional environment within High Courts therefore has to support both traditional judicial responsibilities and increasingly technology-enabled work processes. Leadership commitment, willingness to change, digital competence and effective communication may help court personnel adjust to these demands, but structural constraints such as caseload volumes, staffing, infrastructure and procedural complexity may limit the extent to which favourable culture translates directly into performance outcomes (Judiciary of Kenya, 2023; Wangui, 2017).

Despite the intuitive expectation that a supportive culture should improve judicial performance, the existing literature leaves an important empirical gap. First, studies use different definitions of culture and different performance measures, making their conclusions difficult to generalize. Second, Kenyan studies such as Njuri (2019) and Tongi and Ombui (2020) have focused on particular counties or organizational practices rather than a nationwide sample of High Court stations. Third, much of the literature assumes a positive culture-performance relationship without establishing whether specific dimensions of institutional culture independently explain broad judicial outcomes. This study addresses that gap by examining leadership support for ICT adoption, staff openness to change, ICT skills and competence, communication efficiency and resistance to change across High Courts in Kenya (Kassem et al., 2017; Ostrom et al., 2007).

Accordingly, the objective of the study was to examine the effect of institutional culture on judicial performance of High Courts in Kenya. The null hypothesis stated that institutional culture has no significant effect on judicial performance of High Courts in Kenya. By testing the five cultural dimensions jointly and individually, the study provides evidence on whether favourable internal conditions translate into measurable differences in judicial performance and contributes to the wider debate on whether culture is a direct performance driver or primarily an enabling organizational condition (Scott, 2008; Teece et al., 1997).

2. Literature Review and Theoretical Framework

2.1 Concept of Institutional Culture and Judicial Performance

Institutional culture refers to the shared values, beliefs, assumptions and behavioural expectations that shape how members of an organization interpret situations and carry out their work. Culture provides employees with informal guidance about acceptable conduct and can influence coordination, learning, accountability and willingness to embrace organizational change. Cameron and Quinn (2011) emphasize that organizational cultures differ in their orientations toward flexibility, control, internal integration and external adaptation, while Scott (2008) explains that institutions are stabilized through regulative, normative and cultural-cognitive mechanisms. In courts, these cultural forces operate alongside formal legal rules and administrative procedures.

Judicial performance is multidimensional and cannot be reduced to the number of cases completed. Kumar and Singh (2022) argue that court performance encompasses several aspects of institutional functioning, while Ostrom et al. (2007) show that access, fairness and managerial effectiveness are also relevant to evaluating courts as organizations. In this study, judicial performance was considered through outcomes such as case completion, backlog reduction, user friendliness, public confidence and cost effectiveness. This broad conception is important because a cultural practice may improve internal coordination without necessarily producing an immediate change in every performance outcome.

2.2 Theoretical Framework

2.2.1 Institutional Theory

Institutional Theory provides the principal explanation for the role of culture in this manuscript. Scott (2008) argues that organizational behaviour is shaped by regulative rules, normative expectations and cultural-cognitive understandings that define what actors consider legitimate and appropriate. Applied to High Courts, the theory suggests that leadership practices, communication norms, attitudes toward technological change and shared expectations about

competence can become institutionalized and influence how judicial personnel perform their responsibilities. Culture therefore matters because it shapes routine behaviour even where formal procedures remain the same.

The theory is useful for explaining why reforms may produce different results across apparently similar institutions. Formal adoption of a new procedure does not ensure uniform implementation if local norms, expectations and routines differ. Hawilo et al. (2022) demonstrate that courtroom behaviour is influenced by cultural patterns and institutional expectations, while Ostrom et al. (2007) show that court cultures vary in ways that affect organizational functioning. Institutional Theory therefore supports the expectation that supportive cultural conditions should be associated with stronger judicial performance, although it also recognizes that culture operates within wider formal and resource structures (Scott, 2008).

2.2.2 Dynamic Capabilities Theory

Dynamic Capabilities Theory complements Institutional Theory by explaining why favourable internal conditions may not automatically produce performance gains. Teece et al. (1997) argue that organizations achieve advantage not merely by possessing resources but by integrating, building and reconfiguring competencies in response to changing environments. Teece (2014) further emphasizes the organizational capacity to sense opportunities, seize them and transform resource configurations. In a judicial institution, leadership support, employee adaptability and ICT competence can be viewed as capabilities whose value depends on how they are combined with technology, staffing, infrastructure and work processes.

This perspective is particularly relevant to the present study because institutional culture may create conditions for adaptation without independently determining case outcomes. Employees can be open to change and technically competent, yet case completion may remain constrained by workload, procedural requirements or shortages of judicial personnel. Dynamic Capabilities Theory therefore suggests that culture should be interpreted as part of a wider capability configuration rather than as an isolated resource that necessarily generates performance (Teece et al., 1997; Teece, 2014).

2.3 Empirical Review

2.3.1 Leadership Support for ICT Adoption

Leadership influences organizational priorities by signalling what matters, allocating resources and reinforcing expected behaviours. Kassem et al. (2017) found that leadership effectiveness was central to judicial excellence in Emirati courts because leaders shaped employee involvement, staff development, communication and performance management. Supriyadi et al. (2021) similarly reported that organizational culture influenced the performance of judicial personnel through leadership style in Indonesian military courts, suggesting that leadership can provide a mechanism through which cultural expectations are translated into employee behaviour.

Within Kenya, leadership has also been identified as important to judicial reform and ICT implementation. Wamalwa (2021) emphasized leadership in judicial reform, while Mwangi (2022) linked organizational culture to implementation of ICT strategies in the Judiciary. These findings support an expectation that leaders who communicate the value of technology, involve employees in implementation decisions and provide resources can create a stronger environment for performance. However, the literature provides less clarity on whether

leadership support for ICT adoption independently affects broad High Court outcomes such as backlog reduction and case completion (Mwangi, 2022; Wamalwa, 2021).

2.3.2 Staff Openness to Change

Openness to change reflects willingness to learn, adjust routines and accept new ways of working. Huragu and Chuma (2019) found that adaptability was positively related to performance in Zimbabwean local authorities, indicating that public institutions benefit when employees and organizational systems respond flexibly to changing demands. Ostrom et al. (2007) similarly showed that collaborative and networked court cultures can support access, fairness and managerial effectiveness, suggesting that adaptive behavioural orientations have practical implications for court functioning.

In judicial digital transformation, openness is particularly important because new systems alter established filing, hearing, tracking and communication practices. Employees may comply formally with new procedures while continuing to prefer familiar routines, thereby limiting the intended organizational change. Nevertheless, positive attitudes toward change are more likely to facilitate implementation than to determine system-wide performance on their own, since institutional outcomes remain influenced by caseloads, staffing and procedural constraints (Huragu & Chuma, 2019; Scott, 2008).

2.3.3 ICT Skills and Competence

ICT competence concerns employees' ability to use digital systems effectively, participate in virtual processes and resolve basic technological difficulties. Kassem et al. (2017) identify staff development as an important component of judicial excellence, indicating that organizational performance depends partly on employees possessing capabilities that match institutional requirements. From a dynamic capabilities' perspective, human competencies become strategically valuable when they are integrated with complementary organizational resources and routines (Teece et al., 1997).

The Kenyan Judiciary's increasing use of digital processes makes such competence operationally important. However, competence should not be confused with performance itself. Employees may operate systems effectively while case outcomes remain constrained by unreliable infrastructure, complex litigation or insufficient personnel. The literature therefore supports ICT competence as an enabling capability but leaves open the empirical question of whether differences in competence independently predict broader judicial performance (Mwangi, 2022; Teece, 2014).

2.3.4 Communication Efficiency

Communication supports coordination by ensuring that employees understand changes, expectations and procedures and can report emerging problems. Kassem et al. (2017) found effective communication systems to be important to judicial efficiency and institutional excellence. Tongi and Ombui (2020) also linked knowledge-management practices with judicial service delivery in Baringo County, highlighting the importance of moving relevant knowledge to the personnel who need it for coordinated service provision.

Communication is particularly important during institutional change because one-way dissemination of instructions may be insufficient. Effective systems also require feedback channels through which operational difficulties can be escalated and resolved. Institutional Theory suggests that repeated communication reinforces shared meanings and behavioural expectations, but performance gains depend on whether information results in appropriate managerial or technical action (Scott, 2008; Hawilo et al., 2022).

2.3.5 Resistance to Change

Resistance to change can appear as reluctance to adopt new systems, preference for traditional routines or difficulty adjusting to revised work processes. Huragu and Chuma (2019) found that adaptability was associated with stronger public-sector performance, implying that lower resistance should provide a more favourable environment for organizational change. Supriyadi et al. (2021) further demonstrate that employee performance is shaped by the interaction of culture and leadership, indicating that resistance is not simply an individual attitude but can reflect the wider organizational environment.

Hawilo et al. (2022) show that norms and cultural expectations influence courtroom conduct, supporting the view that reactions to change are embedded within institutional arrangements. As new technologies and practices become normalized, employees may increasingly regard them as legitimate and routine rather than disruptive. Institutionalization can therefore reduce resistance, but lower resistance does not by itself resolve structural constraints such as heavy caseloads, limited infrastructure or staffing shortages (Scott, 2008; Hawilo et al., 2022).

3. Methodology

The study adopted a positivist research philosophy and a quantitative correlational design. The approach was appropriate because the study sought to measure institutional culture and judicial performance using standardized indicators and statistically test relationships among variables without manipulating the institutional environment. Quantitative correlational designs are suitable where constructs already exist in organizational settings and the research objective is to estimate the direction, magnitude and statistical significance of relationships among them (Creswell, 2014).

The study was conducted across 46 High Court stations in Kenya. The target population comprised 694 personnel: 93 High Court Judges, 66 Deputy Registrars, 328 Court Assistants and 207 ICT Officers. These categories were selected because they participate directly in judicial administration and technology-enabled court operations and were therefore positioned to assess institutional culture and judicial performance. A sample of 254 respondents was determined and stratified by professional category to preserve representation across the different roles (Creswell, 2014; Mugenda & Mugenda, 2003).

Primary data were collected using a structured questionnaire with closed-ended items measured on a five-point Likert scale ranging from 1 = Strongly Disagree to 5 = Strongly Agree. Institutional culture was operationalized through five dimensions: leadership support for ICT adoption, staff openness to change, ICT skills and competence, communication efficiency and resistance to change. Resistance items were negatively worded and reverse-coded before computing the supportive-culture composite. Judicial performance was measured using ten items reflecting the efficiency and effectiveness of High Court service delivery, consistent with the multidimensional view of court performance advanced by Kumar and Singh (2022).

Reliability was assessed using Cronbach's alpha, with 0.70 adopted as the minimum acceptable threshold. The institutional culture scales recorded satisfactory internal consistency: leadership support $\alpha = 0.872$, staff openness $\alpha = 0.766$, ICT skills and competence $\alpha = 0.875$, communication efficiency $\alpha = 0.772$ and resistance to change $\alpha = 0.813$. Judicial performance recorded $\alpha = 0.731$. Content validity was supported through expert review, while construct validity was assessed through factor analysis, with loadings of 0.50 and above considered acceptable for retained items (Creswell, 2014).

Data analysis combined descriptive and inferential statistics. Frequencies, percentages, means and standard deviations summarized respondent characteristics and institutional culture dimensions. Pearson correlation analysis assessed the bivariate association between the institutional culture composite and judicial performance. Multiple regression then tested the joint and individual effects of the five cultural dimensions at a 5% significance level. Diagnostic tests for normality, multicollinearity, heteroscedasticity and autocorrelation were conducted before hypothesis testing to assess the suitability of the regression model (Creswell, 2014).

The regression model was specified as: Judicial Performance = $\beta_0 + \beta_1(\text{Leadership Support}) + \beta_2(\text{Staff Openness}) + \beta_3(\text{ICT Skills and Competence}) + \beta_4(\text{Communication Efficiency}) + \beta_5(\text{Resistance to Change, reverse-coded}) + \varepsilon$. This specification allowed the study to estimate the unique contribution of each cultural dimension while holding the other dimensions constant, which was necessary because organizational culture comprises related but conceptually distinct practices and orientations (Cameron & Quinn, 2011; Scott, 2008).

4. Results

4.1 Correlation Analysis

The institutional culture composite had a very weak negative and statistically insignificant correlation with judicial performance ($r = -0.016$, $p = .799$). The coefficient was effectively zero, indicating that respondents who reported more supportive cultural conditions did not systematically report higher or lower judicial performance. This result contrasts with studies that have associated supportive court cultures with stronger organizational outcomes and suggests that the direct culture-performance relationship may be more context dependent than commonly assumed (Ostrom et al., 2007; Njuri, 2019).

Table 1 Regression Analysis

R	R ²	Adjusted R ²	Std. Error
0.092	0.008	-0.012	0.351

The five institutional culture dimensions jointly produced $R = 0.092$ and $R^2 = 0.008$, meaning that they explained approximately 0.8% of the variance in judicial performance. The adjusted R^2 of -0.012 indicates that, after accounting for the number of predictors, the model offered no meaningful improvement over an intercept-only model. The result supports a view of culture as one component within a broader institutional configuration rather than a sufficient explanation of court performance (Scott, 2008; Teece et al., 1997).

Table 2 ANOVA for Institutional Culture and Judicial Performance

Source	Sum of Squares	df	Mean Square	F	p
Regression	0.262	5	0.052	0.424	0.832
Residual	30.628	248	0.123		
Total	30.890	253			

The overall regression model was not statistically significant, $F(5,248) = 0.424$, $p = .832$. The evidence therefore did not support the proposition that the five institutional culture dimensions jointly predicted judicial performance. Although this differs from the general positive pattern reported by Kassem et al. (2017) and Ostrom et al. (2007), differences in performance measurement, court context and structural constraints provide plausible reasons why culture may not exhibit a strong direct effect in every judicial setting.

Table 3: Regression Coefficients for Institutional Culture and Judicial Performance

Predictor	B	Std. Error	β	t	p
Constant	3.910	0.377	—	10.378	<.001
Leadership Support	-0.004	0.043	-0.006	-0.089	.929
Staff Openness	-0.050	0.046	-0.070	-1.097	.274
ICT Skills & Competence	-0.007	0.041	-0.011	-0.178	.859
Communication Efficiency	-0.009	0.047	-0.012	-0.195	.846
Resistance to Change (reverse-coded)	0.039	0.041	0.060	0.945	.345

None of the five dimensions had a statistically significant individual effect. Leadership support produced $B = -0.004$ ($p = .929$), staff openness $B = -0.050$ ($p = .274$), ICT skills $B = -0.007$ ($p = .859$), and communication efficiency $B = -0.009$ ($p = .846$). The reverse-coded resistance dimension was positive, $B = 0.039$ ($p = .345$), suggesting that lower resistance was associated with slightly higher performance, but the relationship was not statistically reliable. Accordingly, $H02$ was not rejected (Kassem et al., 2017; Huragu & Chuma, 2019).

5. Conclusion

The study concludes that institutional culture did not have a statistically significant direct effect on judicial performance of High Courts in Kenya. Although leadership support, staff openness, ICT competence and communication were favourably rated and resistance to change was relatively low, the five dimensions jointly explained only 0.8% of the variation in judicial performance. None of the individual dimensions was significant, and the null hypothesis was therefore not rejected. This finding qualifies earlier studies that report positive culture-performance relationships and suggests that the relationship is contingent on context, level of analysis and the performance outcomes being examined.

The broader conclusion is that institutional culture should be treated as an enabling organizational condition rather than an independent guarantee of improved judicial performance. Supportive leadership can encourage reform, openness can ease adaptation, competence can facilitate system use and communication can improve coordination, but these conditions must operate alongside adequate staffing, reliable infrastructure, effective case-management processes and sufficient resources. This systemic interpretation is consistent with both Institutional Theory and Dynamic Capabilities Theory.

6. Recommendations

The Judiciary should sustain leadership support for institutional and technological reform but make that support more explicitly performance-oriented. Court leaders should use case-performance information to identify bottlenecks, assign responsibility for corrective action and connect digital reform with measurable outcomes such as disposal time, case completion and backlog reduction. This would move leadership from general encouragement toward active orchestration of organizational resources, consistent with the dynamic capabilities' perspective.

Continuous capacity development should be institutionalized for Judges, Deputy Registrars, Court Assistants and ICT Officers. Training should extend beyond routine system operation to digital case management, data use, cybersecurity, workflow improvement and troubleshooting. Because staff competence did not independently predict performance, capacity building should be integrated with reliable infrastructure, technical support and redesigned work processes rather than treated as a stand-alone intervention.

Communication systems should be strengthened particularly in the area of upward feedback and problem resolution. High Courts require clear channels through which ICT and workflow difficulties can be reported, escalated, tracked and resolved within defined timelines. The evidence suggests that information dissemination was stronger than problem-resolution communication, and prior research emphasizes that communication and knowledge sharing contribute to coordinated judicial service delivery when information is converted into action.

The Judiciary should continue promoting staff participation in reform and monitor pockets of resistance without assuming that low overall resistance means adjustment challenges have disappeared. Employees should be involved when new systems or procedures are designed and reviewed because participation can surface operational problems and strengthen ownership. At the same time, cultural interventions should be combined with attention to workload, staffing, infrastructure and procedural constraints that employees cannot resolve through attitude change alone.

Future research should examine whether institutional culture influences judicial performance indirectly through mediating mechanisms such as technology utilization, organizational agility, knowledge sharing or process integration. Longitudinal and multilevel studies could also distinguish individual perceptions from station-level culture and assess whether culture becomes more consequential under different levels of caseload pressure, infrastructure readiness or resource availability. Such approaches would respond to the context-sensitive nature of court culture identified in previous judicial research.

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