The Dark Side of E-justice Implementation. An Empirical Investigation of the Relation Between Cultural Orientation and Information System Success

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Abstract This paper investigates the relationship between individual cultural orientation and information system individual impact in the Court of Naples. The findings show that flexibility and discretion within courts are successful factors for implementing information systems at individual level. This study contributes to the literature on information system and organizational culture in different ways. First, we corroborate the findings that flexible organizations are a more fertile ground for Information and Communication Technologies implementation and the success of information systems or to materialize the contribution of these systems to improving individual performance. Moreover, we investigate the relationship between individual cultural orientation and information system individual impact in a specific sector of Public Administration, i.e. judicial system, that has received less attention by scholars compared to other public sectors.

1 Introduction

Over the past decades the Italian Judicial System (JS) has faced a crisis of performance, such as the unacceptable length of proceedings, a large number of both pending civil and criminal proceedings, although it has had a significant amount of money invested. As a consequence, the Italian Legislator has made efforts to realize a modernization process of the JS aimed at changing the organization of courts, at introducing management approach and performance measurement and at

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implementing information and communication technologies (ICT). Italy has been one of the European Countries that has invested the most in ICT to develop an "e-justice approach" to improve court performance.

Despite the modernization process and the considerable investment in e-justice, to date the results achieved have been limited and the Italian JS is still characterized by poor performance. The contribution of ICT in improving performance is still not enough sufficient, probably because the cultural background, that should favor the ICT and Information System (IS) implementation, is not adequate.

This emphasizes the relevance of the aim of our study, that investigates the relationship between individual cultural orientation and IS implementation.

The paper is organized as follows: Sect. 2 shows a literature review on cultural orientation and information system implementation; Sect. 3 describes the sample and the research model; Sect. 4 highlights the results obtained by the study and the discussion about them. Finally, Sect. 5 draws some final considerations and the main limits of this study.

2 Literature Review and Hypotheses Development

2.1 The Role of ICT Within Judicial System

The JS plays a fundamental role in the socio-economic progress of each country, a role widely recognized not only in the business administration studies [1–3], but also by legislators who have repeatedly intervened for improve their performance.

During the last years, the Italian JS has faced a dramatic performance crisis [4]. Previous studies [1, 5–9] found that the Italian JS is more inefficient and ineffective compared to that of other industrialized countries, as well as the developing ones.

In Italy, in particular, legislator started a process of modernization through numerous legislative reforms. Consistent with what happened in all the public administrations, even in the JS legislator implemented innovative organizational and management logics: the recognition of greater autonomy to executives administrative; the introduction of service monitoring tools, as well as of assessing both the costs and results; the implementation of e-justice solutions aimed at using ICT to improve efficiency and effectiveness of JS [10, 11].

The rise of digital technologies in JS augments the relevance of the IS and, in particular, of the information systems success (ISS). In fact, according to DeLone and McLean [12, p. 10], "IS success or effectiveness is critical to our understanding of the value and efficacy of IS management actions and IS investments".

IS success is a complex, interdependent, and multi-dimensional construct [13] and defining success depends on various variables, such as the setting, the objectives, and the stakeholders [14]. Previous studies developed a great number of systems success measures [e.g. 15, 16], but the DeLone and McLean [12, 17] model is the most used by researchers to investigate this issue [e.g. 18–21].

DeLone and McLean [17] classified the dimensions of IS success into six categories: (1) system quality, the measurements of IS itself; (2) information quality, the measures of IS output; (3) information use, recipient consumption of IS output; (4) user satisfaction, recipient response to the use of IS output; (5) individual impact, the effect of information on the behaviour of the recipient; and (6) organizational impact, the effect of information on organizational performance.

In this paper we focus on the fifth category, the individual impact dimension, that emphasizes the extent to which information can influence the tasks executed by user, changing work practices [22, p. 133]. More specifically, we investigate the relationship between individual cultural orientation (ICO) and information system individual impact (ISII). The ICO, in fact, is considered an important factor to perceive and achieve ISS [23].

Although numerous studies have been conducted on the relationship between organizational culture, typically focused on values, and technology, the effects of particular cultural values on differences in technology outcome, such as ISS, has been less investigated [24].

2.2 *The Individual Cultural Orientation*

To measure our ICO variable, we refer to the Competing Values Framework (CVF) [25], the Organizational Culture Assessment Instrument (OCAI) [26] and the Court Culture Assessment Instrument (CCAI) [27]. These models are instruments developed to assesses the overall organizational culture profile. The CVF was initially based on research to identify indicators of organizational effectiveness [25, p. 363]. Based on the CVF, Cameron and Quinn [26, 28] developed a general matched scale, the OCAI, and Ostrom and colleague [27] developed a specific scale for courts, the CCAI.

Several empirical studies in various fields have been published testing the validity and reliability of the CVF, OCAI, and CCAI in different sectors, including JS [4, 25, 27, 29, 30].

Figure 1 reports the framework we used.

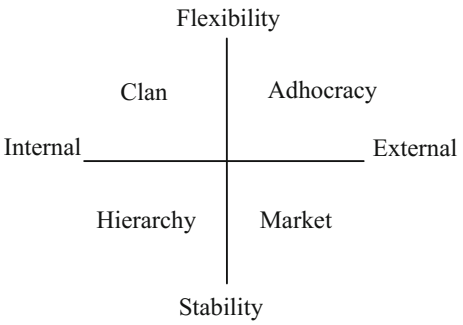

Fig. 1 The framework

Our framework identifies four types of cultural orientation—clan, adhocracy, hierarchy, and market—on the basis of two dimensions: flexibility versus stability and internal orientation versus external orientation. The flexibility versus stability dimension emphasizes values as spontaneity, change and dynamism with respect to values of stability, order and control. The internal orientation versus external orientation dimension refers to the choice between focusing on internal dynamics or interacting with the external environment.

A clan culture concentrates on internal orientation and flexibility. According to Cameron and Quinn [26, p. 37], "The clan culture is typified by a friendly place to work where people share a lot about themselves. It is like an extended family". The culture of the clan is based on a family organization. Fundamental values concern the sharing of goals, cohesion, participation, and sense of community. Teamwork, staff involvement programs, sense of affinity between individuals replace hierarchical rules and procedures, as well as market orientation and profitability. The core assumptions of the clan's culture are that the environment can be best managed through teamwork and human resources development, which is crucial to develop a responsibility-based program by facilitating participation among members, affiliation and loyalty. According to CVF, a serene working environment represents the clan's culture, where collaborators share many aspects of their lives as if they were an extended family where leaders are considered mentors or parental figures. The organization is catalyzed by values such as loyalty and tradition, and affinity between people is very high. The organization promotes teamwork, participation and consensus. Success is in responding to customer needs.

The adhocracy culture focuses on external orientation and flexibility. These organizations are "characterized by a dynamic, entrepreneurial, and creative workplace" [26, p. 40]. Adhocracy orientation is based on a rather turbulent environment whose conditions are constantly changing. It represents something dynamic, temporary, and specialized where flexibility and sense of fit are the values that can adapt to uncertainty, ambiguity and lack of information. The purpose of organizations that engage in this culture is to develop products and services that are adapted to future changes or generating them. The task of managers is to promote entrepreneurship, creativity, and readiness to act. In managing relationships there is little authority, but power passes from one person to another depending on which problem is to be solved, based on assigning it to the individual or team skills. Another characteristic of adhocracy cultures is the provisionality of roles that change according to problems and needs. Effective leadership is visionary, innovative and risk-oriented. Key factors are readiness and speed in change, while goals are rapidity in long-term growth and the acquisition of new resources.

The hierarchy culture concentrates on internal orientation and stability; it is typical of organizations characterized by a clear authority, standardized rules and procedures, and control and accountability mechanisms [26]. The hierarchy culture refers to Weber's hierarchy or bureaucracy that "was the ideal form of organization, because it led to stable, efficient, and highly standardized products and services" [26, p. 34]. Hierarchical culture orientation is typical of people that perceive to work in a formalized and structured workplace, where the procedures determine the

way people act. Successful leaders, in this kind of organization, are perceived as successful coordinators and organizers. The long-term goals to be pursued lie in stability, in anticipating future developments and in efficiency. Personnel management must ensure work and predictability. Large organizations are generally dominated by a hierarchical culture, due to the large number of standardized procedures, multiple hierarchical levels, and emphasis on bureaucratic rules. There is no discretion in carrying out operations to meet the required standards. The environment was considered relatively stable, the tasks and functions could be integrated and coordinated, the uniformity of the products and services was maintained, and the workers and duties were under control. The rules and procedures were standardized and the coordination mechanisms were the key to success.

The market culture is characterized by dimensions of stability and external orientation; this type of cultural orientation emphasizes transactions with external environment, highlighting a results-oriented workplace and aspects as efficiency and competitiveness [26, p. 36]. Market cultural orientation is usual for workers that consider their organization as oriented to the outside. The values on which this organizational culture is based are competitiveness and productivity, while the underlying assumptions are that the external environment is hostile, consumers have difficult expectations to meet and are interested in value. The main objective of the organization is to strengthen its competitive position. Consequently, it follows that profit maximization orientation is the main aspiration of management. Market culture takes place in a result-oriented workplace where aspiration to victory is the catalyzing element of individuals. Success is defined in terms of market share and degree of penetration. The emphasis on conquest keeps the organization together. The organizational style is based on competition.

Previous studies highlighted that flexibility generally characterizes more favorable outcomes in terms of ISS [e.g. 24, 31]. In agreement with the literature, we expect that an ICO that emphasizes flexibility values is positively associated with ISII. Therefore, we hypothesize that:

***H*$_1$** *Dominant clan ICO positively influences ISII*
***H*$_2$** *Dominant adhocracy ICO positively influences ISII*
***H*$_3$** *Dominant hierarchy ICO negatively influences ISII*
***H*$_4$** *Dominant market ICO negatively influences ISII.*

3 Method

3.1 Data Collection and Sample Analysis

Our study was conducted in the court of Naples in Campania region in Southern Italy.

The sample was selected with the deliberate aim of understanding whether the ICO of administrative staff members influences perceived individual performance

improvement due to IS implementation. The court of Naples is one of the biggest Italian court. The second in terms of pending cases. The number of pending civil proceedings is 76.105 at the beginning of 2017, of which about 26% is pending for 10 years. The Clearance rate, that is the ratio between case resolved and incoming cases, is 1.06. The average number of days court takes to solve a civil dispute is 999.

We conducted a survey using a questionnaire administered to court administrative personnel between May and July 2016. The questionnaire was divided into two sections. The first one was intended for the collection of personal data and information about education, role, job placement, job experience, IS implementation and its impact on respondents' job performance. The second section, on the other hand, contains the questions necessary for the evaluation of users' cultural orientation. In particular, we conducted pre and pilot test to verify and validate the measures used, and obtained feedback from IS users and IS scholars in the first instance. Findings of the pre-test highlighted the reliability and consistency of the scales used. We administered a total of 200 questionnaires to administrative staff of the court and we received a total of 130 complete questionnaires (representing a return rate of 65.00%). To minimize data-entry errors, all the data collected were checked for consistency. This left 104 valid questionnaires.

3.2 Variable Description and Statistics

3.2.1 Dependent Variable

A specific section of the questionnaire captured information we used to assess the extent to which court users perceive IS impact on their performance within court. Our dependent variable is the ISII; it measures "the degree of success of application software in terms of (i) improving the user's quality of work, (ii) making the end user's job easier, (iii) saving the end user time, and (iv) helping fulfill the needs and requirements of the end user's job" [32, p. 66]. It was measured by adapting Etezadi-Amoli and Farhoomand's [32] user-performance four-item scale.

3.2.2 Independent Variables: Individual Cultural Orientation

Another specific part of the questionnaire was designed in accordance with the CVF, OCAI and CCAI with the aim of assessing the users' cultural orientation. We developed our scales on the basis of the above-mentioned models and instruments.

The questionnaire we used was translated into Italian and tested to ensure its comprehensibility. The CVF model is based on the assumption that human organizations are shaped by only two fundamental contradictions: the desire for flexibility, autonomy and change versus the need for control, order and stability; the focus on needs and internal issues of organization (integration and unity) versus the external focus (differentiation and rivalry).

Through these two dimensions, our version of CCAI defines four cultural orientation types (Clan Orientation, Adhocracy Orientation, Market Orientation, Hierarchy Orientation). These archetypes are also called Group, Hierarchical, Rational and Developmental.

For the assessment of the cultural orientation, the opinion of human resources, which are the "bearers" of the corporate culture, are taken into account in relation to 5 dimensions of organizational culture: (1) dominant characteristics (how is the caseflow management); (2) leadership style (paternalist, aggressive, coordinator, etc.); (3) human resources management (does judge encourages group work or individual work, or competition); (4) change management; (5) internal organization.

For each of the 5 organizational aspects mentioned above, our CCAI questionnaire offered respondents a set of 4 possible descriptions of an organization, each corresponding to a different type of culture. For each set of descriptions, respondent had to allot 100 points to the descriptions that best fitted his or her perceptions of the organization. The cultural type that received the highest score was outlined as the current dominant ICO. In the same way, we also obtained for each respondents the preferred ICO. Aggregating the scores provided by all the respondents working in the court of Naples we defined the current and preferred individual cultural type. Individual cultural type is the result of a mix of competing values of each cultural type that emerge in the current dominant and preferred cultural types.

3.2.3 Control Variables

As suggested by the IS literature, several questions were used to capture information at the individual level: age, gender, educational level, job experience and IT experience of respondents, that we used as control variables in order to better evaluate the effect of independent variables on the dependent variable.

4 Regression Analysis

4.1 Empirical Model

To assess the effects of ICO on the ISII in the court of Naples, we tested our hypotheses using single-level regressions that consider ISII as dependent variable, ICO as independent variables and several control variables (Age, Gender, Educational Level, Job experience and IT Experience).

$$ISII = \beta_0 + \beta_1 ICO + \beta_2 Control + \varepsilon \quad (1)$$

4.2 Empirical Results

Table 1 provides the descriptive statistics for the variables we used in the models. The dominant cultural model of the Court of Naples is the Market (or Rational), as showed in Fig. 2; the second is Hierarchy. The high level of Hierarchy values is coherent with typical bureaucratic organization of Italian Public Administrations, that are often characterized by the organization of work based on control and stable bureaucratic processes and routines, by integration and unity. The highest level of Rational, instead, could be due to the reform processes that involved Italian JS in the last decade, introducing an increasing attention to performance improvement (reduction of backlog of cases, reduction of disposition time, etc.) and to stakeholders needs. The prevalence of Rational as dominant model in the court is also coherent with previous studies [30].

The preferred model is Adhocracy, followed by Clan. These results show that court administrative staff members perceive the importance of flexibility in work processes and the need for an external focus, nevertheless the internal orientation is still strong, confirming that the JS is the segment of Italian Public Administration that more slowly changes and innovates itself in the directions designed by the reform processes [33].

The overall results of the regressions consist in 4 models showed in Table 2. Regression results show the effects of four independent variables explaining the ICO (*Clan, Adhocracy, Market* and *Hierarchy*) on dependent variable ISII.

Results of Model 1 confirm hypothesis H1 that Clan orientation positively influences ISII. Similarly, Model 2 confirms H2: Adhocracy orientation positively

Table 1 Sample

Variable	Obs	Mean	Std. Dev.	Min	Max
ISII	104	5.209135	1,464,014	1	7
Clan_Orient	104	22.24038	7,928,681	2	50
Adhocracy_Orient	104	19.66731	7,671,134	4	40
Market_Orient	104	31.07692	1,235,062	10	74
Hierarchy_Orient	104	27.01538	8,637,497	10	70
Clan_Pref	104	27.18269	8.015476	10	50
Adhoc_Pref	104	28.56731	8.546576	10	58
Market_Pref	104	17.97115	8.123389	0	37
Hierarchy_Pref	104	26.27885	9.332537	10	70
Age	104	55.65385	7.800634	24	66
Gender	104	0.3173077	0.4676822	0	1
Education	104	1.326923	0.5475862	1	3
IT_exp	104	13.60096	5.931396	0.5	30
Job_exp	104	25.20192	10.65808	0.5	40

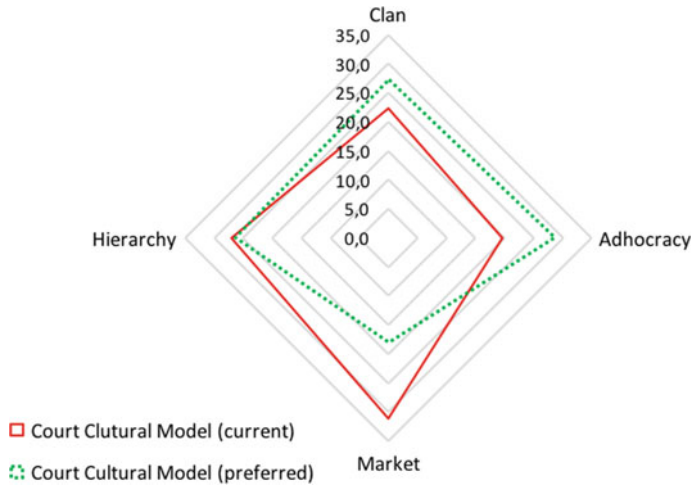

Fig. 2 Court cultural model

influences ISII. Model 3 and 4 confirm H3 and H4, showing negative and significant coefficients for Market and Hierarchy orientations. Market orientation negatively influences ISII; Hierarchical orientation, similarly, negatively influences ISII.

Our findings about the relationships between ISII and ICO corroborate the assumption that organizations characterized by strong stability, where authority, rules and procedures are the principal mechanisms of coordination, experiment much more difficulties in the implementation of new technologies, and in general in the changing or in the innovations. On the contrary, organizations characterized by flexibility are characterized by more favorable outcomes in terms of ISS [e.g. 24, 31].

In model (1), the one that uses Clan_Orient, we found a positive impact of such orientation (the coefficient is equal to 0.0664) on ISII, statistically significant at 0.1% level. By using the explanatory variable Adhocracy_Orient, the positive relation (coefficient is 0.0476) with dependent variable is less but still significant (level of 5%); Different consideration has to be made for models (3) and (4), which include Market_Orient and Hierarchy_Orient, respectively: in model (3) the relationship is negative (−0.0300) and statistically significant at 5% level. In model (4), the relationship is also negative (−0.0327) with a significance of 10% level.

In addition to explanatory variables, all the regressions were set using control variables: *Age, Gender, Education, IT_exp* and *Job_Exp*. These variables have not found to be statistically significant.

As above reported, we found two opposite and significant relationships that can be explained as follows: the cultural orientations based on Clan and Adhocracy are positively (in particular Clan) associated with the degree of success of application software at individual level (ISII).

Table 2 Results

Variable	Model_1	Model_2	Model_3	Model_4
Clan_Orient	0.06645419***			
	3.80			
Adhocracy_Orient		0.0476364*		
		2.51		
Market_Orient			−0.03009145*	
			−2.58	
Hierarchy_Orient				−0.03275016+
				−1.90
Age	−0.00620072	−0.00053567	−0.00694218	−0.00350899
	−0.26	−0.02	−0.28	−0.14
Gender	0.20088435	0.17503175	0.27097303	0.08117954
	0.68	0.57	0.88	0.26
Education	0.13346128	0.28160777	0.2647035	0.16645215
	0.48	0.97	0.91	0.56
IT_exp	0.01633745	0.02259876	0.0180641	0.01501987
	0.65	0.85	0.69	0.57
Job_exp	0.01042143	0.0118711	0.01476234	0.0123051
	0.60	0.66	0.82	0.67
_cons	3.3505817*	3.2663169*	5.4756922***	5.5281567***
	2.41	2.16	3.87	3.77
N	104	104	104	104
r2	0.14607472	0.07893594	0.08191662	0.05449599
r2_a	0.0932546	0.0219629	0.02512796	−0.00398879

T-statistics are provided under the estimated coefficient. We report the two tailed *P*-Value (Sig.): *** Sig. at 0.1% level, ** Sig. at 1%, * Sig. at 5%, +Sig. at 10%. Predictor variables in the multiple regression models are not highly correlated, meaning that there is no multicollinearity between variables

Thus, the family-based cultures with a focus on mentoring, nurturing, and "*doing things together*" (Clan), together with the dynamic and entrepreneurial cultures focusing on risk-taking, innovation, and "*doing things first*" (Adhocracy) have positive impact on ISII.

On the other hand, cultures with a focus on competition, achievement, and "*getting the job done*" (Market), together with more structured and controlled cultures, with a focus on efficiency, stability and "*doing things right*" (Hierarchy) have negative impact on ISII.

5 Conclusions and Limitations

The paper has investigated the relationship between ICO and ISII, giving an important contribution to an open debate started several years ago between e-justice authorities, scholars, and practitioners. This study contributes to the literature on IS and organizational culture in different ways. First, we corroborate the findings that flexible organizations are a more fertile ground for ICT implementation and the success of IS or to materialize the contribution of these systems to improving individual performance. Moreover, we investigate the relationship between ICO and ISII in a specific sector of Public Administration, i.e. JS, that has received less attention by scholars compared to other public sectors.

In particular, research findings have shown that flexibility and discretion within courts are successful factors for implementing IS at individual level. Thus, Clan and Adhocracy orientation are critical to determine success for using IS in courts, so providing interesting implications for court management literature and practitioners. Moreover, this study contributes to court management literature by emphasizing which cultural orientations have most explanatory power in the variation of the user's performance due to IS used in Italian courts.

Our findings also provide useful information for justice authorities and practitioners about IS, underlying the cultural orientations they need to consider for performance improvement. In particular, the results of this research encourage e-justice authorities to closely consider cultural variables in court systems reform design.

Considering the explorative nature of this research, some limitations need to be acknowledged and taken into account in future research. Firstly, the scales used for variables measurement are based on self-report measures and, thus, they might be subject to bias, which distorts the relationship between dependent and independent variables. However, for studies concerning employees' perceptions and feelings, data are usually based on self-assessment. Moreover, our study tests the relationship between a specific dimension of IS success and cultural orientations in just one Italian courts, without conducting a longitudinal analysis, so caution should be exercised when generalizing the results. Further research is required to test the proposed model across a representative national sample of court users.

Finally, another limitation is related to the research model, because it does not consider the effect of cultural orientation on performance of court as a whole. However, our study is aimed at understanding the effect of cultural orientation on success of IS technologies from the perspective of court administrative staff, so focusing on the user performance at individual level of analysis.

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