

ABSTRACT

The proliferation of information and communication technology (ICT) continues to transform public institutions globally. While widely adopted in sectors such as health, education, finance, and the judiciary, the latter presents a uniquely complex context due to its adherence to legal norms, procedural integrity, and institutional legitimacy. In Ghana, the judicial sector is undergoing digitalisation to enhance efficiency, accessibility, and transparency, yet this process unfolds amid entrenched institutional norms, power dynamics, and competing stakeholder interpretations.

Despite the growing literature on e-Justice and digitalisation, a noticeable gap remains in understanding how judicial digitalisation is shaped by institutional dynamics, particularly in developing countries like Ghana. Most prior studies have focused on adoption, implementation, impact, success factors, challenges, and prospects, often neglecting the socio-institutional realities that accompany technology-driven reforms in the judicial sector. This gap necessitates an in-depth examination of how different stakeholders interpret the digitalisation processes and how these interpretations interact with institutional structures, norms, and pressures to shape the trajectory of digitalisation. To address this gap, this study posed two key research questions: (1) *What are stakeholders' interpretations of the digitalisation of the judicial sector in Ghana?* (2) *How do institutional dynamics shape the processes and outcomes of the digitalisation of the judicial sector in Ghana?*

In answering these questions, the study employs a holistic view of institutional theory as the primary analytical lens. Scott's three institutional pillars (regulative, normative and cultural-cognitive) and four key institutional constructs (isomorphism, decoupling, institutional logics, and legitimacy) are integrated into the development of a conceptual framework that positions technology not as a neutral tool but as an institutional artefact. This artefact is shaped by, and simultaneously shapes, the institutional environment into which it is introduced. Guided by the interpretivist paradigm, the study adopts a qualitative single-case approach. The High Court at the Law Court Complex in Accra was selected as the focal point due to its centrality in Ghana's judicial digitalisation agenda. Data was collected through thirty - nine (39) semi-structured interviews with a diverse range of stakeholders, including judges, lawyers, court administrators, ICT professionals, public administrators, and court users. This was complemented by court observations, as well as document analysis covering policy documents, operational reports, strategic plans, and legal frameworks related to the e-Justice system. This triangulated approach enabled the capturing of rich, context-specific insights into how technology interacts with institutional structures within the judiciary.

Findings related to the first research question reveal that stakeholders' interpretations of digitalisation are highly diverse and frequently conflicting. Policymakers and donor organisations predominantly view digitalisation through an efficiency and transparency lens, aligning with broader public sector reform discourses. Conversely, the judicial officers, such as judges and registrars, prioritise concerns around procedural justice, autonomy, and institutional legitimacy, often expressing apprehension that digitalisation might undermine these foundational principles.

Meanwhile, the ICT professionals focus primarily on the technical operability and functionality of the systems. At the same time, court users view digitalisation through the prism of service delivery, speed, and convenience. These divergent interpretations reflect the presence of multiple institutional logics coexisting within the judicial ecosystem. It suggests that the trajectory of digitalisation is defined less by technology

itself than by the institutional logics and negotiations through which technology is interpreted, adapted, and ultimately made meaningful.

In relation to the second research question, the study found that institutional dynamics play a profound role in shaping both the processes and outcomes of digitalisation. Coercive pressures from development partners, coupled with mimetic tendencies to adopt models from other jurisdictions (e.g., Kenya), significantly influenced the initial adoption of Ghana's e-Justice system. However, these pressures often resulted in superficial compliance or decoupling, where formal technological changes are adopted symbolically but are not deeply embedded into daily judicial practices. Judges and court staff, guided by professional and legal logics, frequently negotiated, resisted, or adapted digitalisation in ways that aligned with their understandings of procedural fairness and judicial independence. This negotiation often manifested in workarounds, such as partial utilisation and parallel reliance on manual processes, despite the existence of the Ghana e-Justice system.

Furthermore, the study found that tensions between the efficiency-driven logic promoted by donors and policymakers and the legal-procedural logic upheld by judicial officers generate significant implementation challenges, including inconsistent adoption across courts, stakeholder resistance, and limited achievement of intended outcomes such as reduced case backlogs and improved accessibility. Infrastructural limitations, inadequate training, and limited institutional capacity often constrain successes like electronic filing and case tracking. An unintended outcome was mimetic isomorphism, exemplified by Liberia's engagement in learning from Ghana's e-Justice system.

This study makes several contributions. From a theoretical standpoint, it extends institutional theory to judicial digitalisation in a developing country, showing how technology becomes an institutional artefact that is contested, negotiated, and adapted within organisational fields. Constructs such as isomorphism, decoupling, competing logics, and legitimacy help explain the complex realities of technology-driven change. Unlike prior e-Justice studies that applied only one or two of Scott's pillars, this research offers a comprehensive, holistic institutional framework for analysis.

Empirically, the study offers one of the most comprehensive accounts of judicial digitalisation in Ghana, capturing the voices of multiple stakeholders across the judicial ecosystem. It provides detailed insights into how institutional structures, norms, and pressures interact with stakeholders' interpretations to shape the trajectory of digitalisation. This is significant given the scarcity of empirical research on e-Justice systems in Africa. Methodologically, the study advances the use of an interpretivist, qualitative case study approach within e-Justice studies. By foregrounding the lived experiences, perceptions, and meaning-making processes of stakeholders, the study provides a more profound, context-sensitive understanding of institutional change processes. This approach complements and challenges more technocratic or quantitative studies that have historically dominated the field.

In terms of practical and policy contributions, the study offers actionable recommendations for judicial leaders, policymakers, and development partners, emphasising the design of digital reforms co-created with judicial actors to enhance legitimacy and buy-in. It underscores aligning technological reforms with judicial norms rather than imposing externally driven models, while also highlighting the need for comprehensive capacity-building, sustained infrastructural investment, and feedback mechanisms to refine the Ghana e-Justice system based on end-user experiences. The research has produced four conference publications, and

a paper titled “*Institutional Forces and the Digitalisation of Justice: Interpreting e-Justice Adoption in Ghana’s Judicial Sector*” is under preparation for submission to the *Information Systems Journal*.