

AN ANALYSIS OF LEADERSHIP CAPABILITIES AND THEIR INFLUENCE ON THE EFFECTIVE DELIVERY OF CONSTITUTIONAL MANDATES AMONG ARTICLE 59 COMMISSIONS IN KENYA.

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Abstract

Over the years leaders have been faced with a set of challenges in a bid to meet customer expectations in service delivery, Kenya has experienced a fundamental change over the years in delivering public service, with the latest being the establishment of Constitutional Commissions to enhance efficiency and effectiveness in service delivery. This study sought to analyze the leadership capabilities and its influence on the delivery of the Constitutional mandate. The specific objective of the study was to examine the influence of strategic leadership capabilities on delivery of constitutional mandate. The study was guided by the Resource Base Theory, and Dynamic Capacity Theory. The study utilized a mixed-method research design targeting three Constitutional Commissions under Article 59 of the Constitution of Kenya. The study employed a stratified sampling technique, comprising of purposive and simple random sampling. A sample size of 177 respondents was drawn from the target population of 330 from the three constitutional commissions. This study used a questionnaire as the research instruments. Descriptive statistical tools and inferential statistics were used for data analysis. The results showed that the strategic leadership capabilities ($p < 0.05$; $\beta = 0.489$), had a positive performance in the delivery of constitutional mandate by the constitutional commissions. The correlation findings also showed a positive and statistically significant correlation between strategic leadership capabilities and Performance ($r = 0.543$, $p < 0.01$). The study recommends that the constitutional commission, pays close attention to strategic leadership capabilities and adapt their structures to the requirements of the constitution of Kenya.

Key words: leadership; strategic leadership capabilities; constitutional mandate; constitutional commissions

1. INTRODUCTION

Helfat and Peteraf (2003) describe organizational capabilities as the capability of an organization to accomplish a coordinated set of work, applying organizational assets, to accomplish a particular result. Winter (2003) makes a distinction between higher-order or meta-capabilities and ordinary or operational capabilities. Different organizational competencies are recognised as dynamic capabilities in different scholarly literature: Aldridge (2007) defined Strategic capability as the capability to advance wide-ranging based leadership approaches and the capability to employ strategic thinking and govern an organization economically. According to Eisenhardt and Martin (2000) capabilities can be reconfigured via reintegration, recombination, acquirement, and scaling of resources. On the other hand, (Lavies, 2006) describes that the mechanisms for reconfiguring capabilities include replacement of the overall competency portfolio, aptitude development comprising continuous trialling, and ability enhancement through decisive managerial action and organizational investments (Lavie, 2006).

In furtherance of the above discussion; Hitt, Ireland, & Hoskisson (2013) outlined five distinguishable actions that characterize leadership capabilities that significantly contribute to service delivery and strategy execution, this includes; (1) strategic direction: strategic mission and visioning, (2) management of resource portfolio, (3) organization culture, (4) ethical practices, and (5) balanced organizational goals. According to Gryger et al, (2010) capabilities create leadership and governance practices for change especially in learning from past challenges.

Strategic leadership has emerged as the most significant and widely used leadership approach concerned with the organization's internal dynamics. A study by Kirimi and Minja (2010) elaborated that strategic leaders shape strategic intent, strategic mission, and influences strategic actions which yield to strategic competitiveness.

Hitt, Ireland, and Hoskisson (2013) recognized strategic leadership as one of the important drivers for effective strategy implementation. Scholars have indicated that strategic leadership does not come easily, less than 10% of the leaders exhibit strategic leadership capabilities (Beatty, 2010). Research by Spender (2010) advanced that strategic leadership capabilities enable the organization to direct and sustain flexibility while empowering others in the organization to create strategic change and a viable future for the organization. Similarly, strategic leadership has been viewed as one of the competencies that are capable of creating capabilities within an organization through acquisition, recombination, and renewal of these activities and resources (Eisenhardt et al., 2015).

Marx (2015) also argues that Strategic leadership is the ability to express the strategic vision and purpose for the organization while motivating and influencing others to acquire that vision to achieve organizational goals. According to Hristov & Zehrer (2015) strategic leaders have the following role to perform in the success of the organization; (1) setting strategic direction, (2) developing unique competencies, (3) establish strategic control, and (4) building and sustaining the organizational culture. Awwad & Akroush, (2016) purport that an organization led by Strategic leaders, influence the strategic flexibility and competitive advantage of the organization through key initiatives such as developing organization-specific competencies, effective use of modern technology, and building and maintaining organizational culture and structures (Vecchiato, 2015).

The Constitution of Kenya 2010 outline three arms of Government namely; Executive, Legislature, and the Judiciary (Sihanya, 2013). It also provides for 14 constitutional commissions and two (2) independent offices. The independent office and constitutional commissions are expected to bring forth strategic recommendation facing the implementation of the constitution of Kenya. The constitutional commissions are required to check presidential power. The constitutional commissions were established to secure specific constitutional objectives under Article 249 (1) of the constitution of Kenya: (a) To safeguard the sovereignty of the people (b) To ensure the observance of democratic values and principles by State organs; Thus it was hoped that constitutional commissions and independent offices would help secure popular sovereignty, liberty, and service delivery as well as help limit arbitrary and oppressive powers of the Government (Sihanya, 2013). However, events at various constitutional commissions continue to bring into focus the architecture of the governance framework of these independent institutions. The acumen about the nature of leadership capabilities that impact leader behaviour and thriving are instrumental for selecting and developing the necessary competencies that promote credible relationship among subordinates, nurture teamwork and collaborative effort and build core values and norms. Therefore, there is a need to rethink the philosophy of strategic leadership capabilities and their influence in the delivery of constitutional mandate by the

constitutional commission in Kenya.

2. METHODOLOGY

This study used mixed methods design which integrated both qualitative and quantitative data. Mixed method design provided opportunities for testing alternative interpretations of the data, and for arriving at convergence (Polit & Beck, 2003). A survey questionnaire was used to collect data from the constitutional commission. In this study the formula by Kothari and Garg (2014) was used to get a good representative of the population.

$$n = \frac{Z^2 p q n}{e^2 (N-1) + Z^2 p q}$$

$$n = \frac{1.96^2 (0.5) (0.5) 330}{0.05^2 (330-1) + 1.96^2 (0.5) (0.5)}$$

$$n = 177$$

Whereby:

n is the sample size

Z = the standard normal deviate at the required confidence level. Assuming at 95% confidence level the value of Z is 1.96

N = Target population

e = standard error term (the level of statistical significance) as 0.05

p = the proportion in the target population estimated to have characteristics as 0.5

q = 1-p

Table 2.1 Sample Size Distribution

Constitutional Commissions Clusters	Population (Approx.)	Proportional Sample size	Sample percentage %
Kenya National Commission on Human Rights	120	64	36%
Gender and Equality Commission	115	60	34%
Commission on Administrative of Justice	95	53	30%
Total	330	177	100

3. RESULTS AND DISCUSSION

3.1. Results

3.1.1 Response Rate

The researcher distributed a total of 177 questionnaires to the respondents in the three constitutional commission. 135 duly filled questionnaires were returned out of possible 177 giving a response rate of 76.2%. According to Saunders, Lewis and Thornhill (2007) a 30 to 40% response is considered adequate. Based on these assertions, the response rate achieved in this study can be considered sufficient to give the findings adequate reliability.

3.1.2 Gender of the Respondents

The study sought to establish the respondents' gender. The results are presented in Table 3.1.2

Table 3.1.2: Gender of the Respondents

Gender	Frequency	Percentage
Male	55	40.7%
Female	80	59.3%
Total	135	100.0

From the results, 40.7% (55) were male and 59.3 % (80) were female. This is a clear indication that females form the majority of the employees among Article 59 Constitutional Commissions. This is a good distribution which represents a fair gender balancing, an indication of successful efforts of various gender mainstreaming campaigns by various stakeholders and the Kenyan Constitution 2010.

3.1.3 Distribution of Respondents by Period Worked in the Organization

The number of years worked in an organization determines the understanding and experience of a person in the organization. In this study, majority of the respondents (62.2%) had worked in their respective organizations and institutions for more than 4 years and very few had worked with their organizations for less than one year (10.4%) while (27.4%) had worked for 1-3 years. This implies that the majority had good understanding of their organizations and could give reliable information about the leadership capabilities of the organization.

3.1.4 Descriptive Statistics for Strategic Leadership Capabilities

The study analyzed the percentage, mean and standard deviation of the components of strategic leadership capabilities. Table 3.1.4 shows the results of the findings.

Table 1.1.4: Descriptive Statistics for strategic leadership capabilities

Strategic Leadership Item Capacity Level	N	VL %	L %	M %	H %	VH %	Mean	Std Dev
The organization has effective visioning capabilities that translates the organization vision, mission, and values into action in the delivery of constitutional mandate.	135	4.4	9.6	48.1	26.7	11.1	3.3037	.94848
The organization has effective capacity to develop policy, legal and regulatory frameworks and mechanisms that support an integrated approach to budgeting and implementation	135	2.2	8.9	35.6	42.2	11.1	3.5111	.88829
The organization has effective strategic change management capabilities that proactively identify new initiatives in managing change in the delivery of Organisation goals.	135	2.2	5.2	28.9	38.5	25.2	3.7926	.95493

The organization has the capacity to budget, manage and implement programmes towards the achievement of the constitutional mandate	135	2.2	4.4	25.9	44.4	23.0	3.8148	.91574
The organization has the managerial capacities for alignment of policy and legal framework with government 's mission and priorities (vision 2030, SDGs)	135	4.4	3.7	21.5	37.8	32.6	3.9037	1.04292

The findings indicate that the respondents agreed that there was a moderate capacity level in terms of visioning capabilities that translates the organization vision, mission, and values into action in the delivery of constitutional mandate (Mean = 3.3037; Std Dev = 0.94848). Respondents also agreed (Mean = 3.5111; Std Dev = 0.88829) that there was a high-capacity level in terms of developing policy, legal and regulatory frameworks and mechanisms that support an integrated approach to budgeting and implementation. The findings further indicate that there was a high-capacity level to implement strategic change management that proactively identify new initiatives in managing change in the delivery of Organisation goals (Mean = 3.79; Std Dev = 0.954). In addition, respondents concurred that there was a high-capacity level to budget, manage and implement programmes towards the achievement of the constitutional mandate (Mean = 3.8148; Std Dev = 0.91574). Finally, the respondents concurred (Mean = 3.9037; Std Dev = 1.04292) that there was a high managerial capacity level for alignment of policy and legal framework with government's mission and priorities (vision 2030, SDGs).

The study results concur with those of Serfontein (2010) who conducted a study on the impact of strategic leadership on the operational strategy and performance of business organizations in South Africa. This study concluded that effective strategic leadership practices could help business organizations in South Africa to enhance their performance while competing in a turbulent and an unpredictable environment. The findings of the current studies also concur with the study by Yazhou and Jian (2011) which noted that a number of studies suggest that, mission statement promote organizational performance to some extent. Similarly the findings of the current study find support from Dimitrios, Sakas, and Vlachos (2013) who noted that strategic leadership practice supplies a widely shared sense of long-term direction which is necessary for future organizational performance.

3.1.5 Chi Square Test for strategic leadership capabilities

To examine the difference of associations between the bivariate categorical variables, a Chi-Square test for association was done for the independent variables and dependent to test the statistical difference of strategic leadership capabilities among the commissions.

Table 3.1.5: Chi- Square Tests between strategic leadership capabilities and organization

	Value	Df	Asymptotic Significance (2-sided)
Pearson Chi-Square	5.191 ^a	6	.520
Likelihood Ratio	7.096	6	.312
Linear-by-Linear Association	.689	1	.407
N of Valid Cases	135		

Table 3.1.5 shows a Chi-Square value = 5.191, $p = 0.520$. The p value is more than 0.05 and hence there is no statistically difference between how strategic leadership capabilities influence delivery of constitutional mandate among the three constitutional commission. All the three commission have a linear association of 68.9% how strategic leadership capabilities influence delivery of constitutional mandate.

3.1.6 Effects of Strategic Leadership Capabilities on the Execution of Constitutional Mandate

The study analyzed the percentage in regards to the effectiveness of strategic leadership capabilities on the execution of constitutional mandate.

Table 2.7: Effects on the execution of constitutional mandate

Interventions	Percentage		
	Promotion of the people sovereignty	Secured the observation by state organ the democratic values and principles	Promoted constitutionalism
Strategic Leadership Capabilities	44.1%	23.5 %	32.4 %

As Table 3.1.7 shows, about forty four percent (44.1%) of the respondents indicated that, to a great extent, strategic leadership capabilities was effective in influencing the promotion of the people's sovereignty in Kenya, while about thirty two percent (32.4%) said that to a small extent, strategic leadership capabilities was effective in promoting constitutionalism in Kenya. In addition, about twenty four percent (23.5%) of the respondents indicated that strategic leadership capabilities was effective in securing the observation by state organ the democratic values and principles in Kenya.

3.1.7 Correlation Analysis

Correlation analysis was conducted to determine the presence, direction and strength of a linear relationship between strategic leadership capabilities and delivery of constitutional mandate. The correlation analysis was carried out using Pearson correlation coefficient technique.

Table 3.1.7: Correlation between Strategic Leadership and Performance

Variable			Delivery of Constitutional mandate
Strategic Leadership Capabilities	Leadership	Pearson Correlation	.543**
		Sig. (2-tailed)	.000
		N	135

The results indicates that there is a positive and statistically significant correlation between strategic leadership capabilities and Performance ($r=0.543$, $p<0.01$). This implies that strategic leadership capabilities enhances delivery of constitutional mandate in Kenya.

3.1.8 Regression Analysis

Regression analysis was done to determine the influence of strategic leadership capabilities on the delivery of constitutional mandate among the constitution commissions.

Table 3: Model of Fitness for Strategic Leadership Capabilities

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.543 ^a	.295	.289	.63061

The results in table 3.1.8 presented the fitness of model of regression model used in explaining the study phenomena. Strategic leadership capabilities were found explain 29.5% of the firm performance. The results meant that the model applied to link the relationship. This also implies that 70.5% of the variation in the dependent variable is attributed to other variables not captured in the model. The results of model of fitness are consistent with previous findings by a number of researchers (Figueiredo, 2018) who asserted that strategic leadership capabilities is a good component of organizational capabilities and that it is a very notable contributor of firm performance.

Strategic leadership capabilities were found to explain 29.5% of the firm performance. The results meant that the model applied to link the relationship. The results of model of fitness are consistent with previous findings by a number of researchers (Franklin, 2011) who asserted that strategic leadership capabilities is a good component of organizational capabilities and that it is a very notable contributor of firm performance.

Table 4: ANOVA for Strategic Leadership Capabilities

	Model	Sum of Squares	df	Mean Square	F	Sig.
1.	Regression	22.103	1	22.103	55.583	.000 ^b
	Residual	52.889	133	.398		
	Total	74.993	134			

Table 3.1.9 shows the results on the analysis of the variance (ANOVA). The results indicated that the model

was statistically significant. This was supported by an F statistic of 55.583 and the reported p value (0.000) which was less than the conventional probability of 0.05 significance level. This implies that there is a positive significant relationship between strategic leadership capabilities and delivery of constitutional mandate.

The findings are in agreement with Odita and Bello (2015) whose study revealed that strategic direction positively and significantly relates to organization performance and it is found in the mission and vision and objectives. The findings are in tandem with studies by Lear, (2012), Serfontein (2010) and Nthini (2013) who found strategic leadership and organizational performance to be positively correlated. Also the study findings are in agreement with Richard (2013) who did a study on the empirical investigation on capabilities, strategic intent and firm performance.

The study finding are supported by the dynamic capability theory that organizations will always attempt to renew their resources in a way that suit the changes taking place in a dynamic environment. According to Teece, Pisano & Shuen, (1997) dynamic capability approach examines how firms are able to integrate, build and reconfigure their specific capabilities into new competences that match changes taking place in turbulent environment.

3.1.10 Hypotheses Testing Results

This study sought to investigate the influence of leadership capabilities on the delivery of constitutional mandate in Kenya.

H_{01} : *Strategic leadership capabilities has no significant influence on delivery of constitutional mandate in Kenya.*

The results obtained in table 3.1.10 (coefficient matrix), revealed that strategic leadership capabilities has a positive and significant influence on delivery of constitutional mandate the constant $a = 0.924$, if the independent variable of strategic leadership capabilities is held constant then there will be a positive performance in the delivery of constitutional mandate by 0.924., The regression coefficient for strategic leadership capabilities was positive and significant ($\beta = 0.489$) with a t-value=7.455 (p-value=0.000). Therefore, the study rejects the null hypothesis and accepts the alternative hypothesis that for each increase in strategic leadership capabilities, there is a 0.489 unit's increase in delivery of constitutional mandate.

Table 3.1.10: Coefficients of strategic leadership capabilities

Model	Unstandardized Coefficients		Standardized Coefficients Beta	t	Sig.
	B	Std. Error			
1 (Constant)	.924	.153		6.025	.000
Strategic Leadership Capabilities	.489	.066	.543	7.455	.000

4. Conclusions and Recommendations

4.1 Conclusions

Based on the results of the study, it could be concluded that strategic leadership capabilities had a positive

significant influence on the delivery of constitutional mandate in Kenya. The study showed that there was a strong relationship between strategic leadership capabilities and execution of constitution mandate in Kenya. Further, Factor analysis was done which showed that all attribute had factor loading of above 0.5 which depicted presence of identifiable strategic leadership capabilities which can be followed to achieve organization desired result. These results were collaborated by the hypotheses test which revealed positive and significant influence of strategic leadership on execution of constitutional mandate in Kenya. This finding implied that there was long term visioning and managerial capabilities within the constitutions commission in Kenya. Therefore, the null hypotheses that their strategic leadership had no significant influence on delivery of constitutional mandate was rejected and alternative accepted that strategic leadership had positive and significant influence on delivery of constitutional mandate. From the study findings, it could be concluded that constitutional commissions in Kenya strive to enhance their visioning capabilities, strategic change management and managerial capabilities.

4.2 Recommendation

The findings of this research study show that strategic leadership capabilities had a positive significant influence on the delivery of constitutional mandate in Kenya. Therefore, it is the recommendations of this study that Constitutional commissions Leadership provides a clear vision and objectives for the implementation of constitutional mandate and create effective ways of collectively realising that vision, for the benefit of the affected population. Commissions Leadership should Strengthen accountability initiatives and increase a culture of compliance that is stifling initiative, risk-taking and ultimately leadership.

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