

**A framework for the integration of a Mobile Technology-Enabled Platform with  
the Justice System Services to Empower Rural Communities in Namibia**

**by**

**HEDVIG NYANYUKWENI KAKOKO MENDONCA**

**Thesis submitted in fulfilment of the requirements for the degree**

**Doctor of Philosophy in Informatics**

**in the faculty of Informatics and Design**

**at the Cape Peninsula University of Technology**

**Supervisor:** Prof Tiko Iyamu

**Cape Town**

**September 2025**

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**Signed**

A handwritten signature in black ink, consisting of a stylized 'H' followed by a series of loops and a horizontal line extending to the right.

**Date: September 2025**

## **ABSTRACT**

Access to Justice system's services is a fundamental human right that is embedded in the constitution of Namibia. The Justice system offers services, including legal advice and information, legal representation, and rehabilitation and reform through the Ministry of Justice (MOJ). However, it seems like a distant dream in its current implementation, especially for rural communities. This is primarily because access to the services is limited, especially for those living in the rural areas of the country, due to various challenges from both the service provider and the recipients' perspectives. From the service providers' standpoint, the challenges include ageing infrastructure, geographical distances, and language barriers. Challenges such as a lack of awareness, language barriers, low literacy levels, and distancing are increasingly prohibitive to accessing the Justice system's services. Thus, a solution is needed to improve access to MOJ services and improve service delivery to the rural communities in the country.

Based on the problem, this study aimed to develop a framework that can be used to integrate MOJ services with a mobile technology-enabled platform to empower rural communities. To achieve this aim, a case study design was chosen as the most appropriate approach. Two cases (MOJ and Nam-Hana Rural Community) were selected using a set of criteria. The rural community was assigned a pseudo name, Nam-Hana, for confidentiality purposes. Participants from each case were carefully selected using a set of criteria specific to each case. Semi-structured interviews were conducted to collect qualitative data from the two cases separately, starting with the MOJ. The perspectives of the MOJ and the Nam-Hana community were necessary. This was to gain a deeper understanding of how the services were provided and received, holistically. The interview process adhered to the University's (CPUT) ethics rules. The Nam-Hana community's cultural rules were also complied with. Additionally, the participants' rights and privacy were respected.

Actor-network theory (ANT), a socio-technical theory, was used to underpin the study. ANT was used as a guiding lens for both data analysis and the interpretation of findings. As a result of the data analysis, a set of findings (factors influencing access to MOJ services) emerged. The factors include durability of services, immutable mobiles, power dynamics, process automation, and awareness. The interpretation of the findings led to the development of a framework that can be used to integrate the MOJ services with a mobile technology-enabled platform to empower rural communities.

The study significantly contributes to the body of knowledge in three ways, namely: theoretically, practically, and methodologically. The study contributes theoretically through the developed framework for the purpose of integration. Practically, the findings of this study can and will inform policymakers and stakeholders about the feasibility, benefits, and potential

implications of integrating a mobile technology-enabled platform into the Justice system's services. Conversely, it guides the development and implementation of technological innovations, ensuring that MOJ services reach even the most remote areas in Namibia. Additionally, the study contributes methodologically, with the use of ANT to examine rural community actor-networks, and it helps us understand how different actors work together in a rural setting, in developing indigenous systems that are easily accessible, equitable, and sustainable.

## ACKNOWLEDGEMENTS

### I wish to thank:

- God Almighty, who is the same yesterday, today, and forever, without your grace, guidance and presence, this academic journey would not have been possible.
- CPUT, for providing the platform and the support needed throughout this academic journey. I am truly honoured and grateful to be associated with this great institution.
- My supervisor, Prof. Tiko Iyamu, for your relentless support, generosity, patience, and compassion throughout this research. You were there for me through some of the tough moments in this academic journey and life in general. You are everything I could have hoped for in a supervisor.
- My dear husband, Julio MC Mendonca, and our children, Nadia, Michelle, and Carmelo, your love and encouragement carried me through the toughest moments. You held my hand when I felt I couldn't go on. I am truly grateful.
- My elders especially my mother, Meme Hilya lipito, for your unwavering support and love that provided strength throughout this academic journey. I am grateful for your unending pushes to reach the highest goals in life.
- My siblings: Katrina, Wilbard, Timo, and Martha, for your constant encouragement and belief in my abilities, and for always being there when I needed you.
- My love brothers, Gabriel and Siegfried, thank you for your support, kind words, and cheers that kept me motivated.
- My many friends and cousins, your love and support meant the world and helped me stay strong during challenging times.
- My colleagues at the University of Namibia, your encouragement and wise advice inspired me to keep moving forward with this research.
- Everyone who helped me along the way especially the VRF community, your support, no matter how big or small, made a meaningful difference, and I am truly grateful.
- The research participants, your thoughtful contributions enriched this study and made my academic journey even more meaningful.

## **DEDICATION**

I dedicate this study to my late father Rev Jesaja Jacky lipito, your absence is felt deeply. You never gave up on anything in life and that has always been the reason why I didn't give up. To my late brother Festus Tataleni lipito, you left us while you were pursuing your studies in a foreign land, this is for you, I did it for you, for us and for our family. To my late beautiful baby boy Isiah Tila-Omuwa Antonio Mendonca. I wanted you but I couldn't have you. I am so sorry, but all of this is for you as it will always be a bittersweet reminder of your short life. You remind me that life is delicate and all we can do is go on in hope that the sun rises again and we get more out of life. I wish and hope that this work will be a reminder to myself to live more, explore more, discover more and most importantly, love more.

## TABLE OF CONTENT

|                                                                |            |
|----------------------------------------------------------------|------------|
| <b>DECLARATION .....</b>                                       | <b>ii</b>  |
| <b>ABSTRACT .....</b>                                          | <b>iii</b> |
| <b>ACKNOWLEDGEMENTS.....</b>                                   | <b>v</b>   |
| <b>DEDICATION.....</b>                                         | <b>vi</b>  |
| <b>INTRODUCTION OF THE STUDY .....</b>                         | <b>1</b>   |
| 1.1 Introduction .....                                         | 1          |
| 1.2 Background .....                                           | 1          |
| 1.3 Research problem .....                                     | 3          |
| 1.4 Problem statement .....                                    | 4          |
| 1.5 Research aim .....                                         | 4          |
| 1.5.1 Objectives.....                                          | 4          |
| 1.6 Research question .....                                    | 4          |
| 1.6.1 Sub-questions.....                                       | 4          |
| 1.7 Significance of the study .....                            | 4          |
| 1.8 Outcomes.....                                              | 5          |
| 1.9 Contribution of the study .....                            | 5          |
| 1.10 Delineation.....                                          | 5          |
| 1.10.1 Delineation .....                                       | 5          |
| 1.10.2 Limitations.....                                        | 6          |
| 1.11 Literature Review .....                                   | 6          |
| 1.11.1 Mobile technology as an enabler of services .....       | 6          |
| 1.11.2 Access to services of the justice system.....           | 7          |
| 1.11.3 Theory underpinning the study.....                      | 8          |
| 1.12 Research Methodology .....                                | 9          |
| 1.12.1 Research philosophy .....                               | 9          |
| 1.12.2 Philosophical assumption.....                           | 9          |
| 1.12.3 Philosophical stance .....                              | 10         |
| 1.12.4 Research approach.....                                  | 11         |
| 1.12.5 Research method .....                                   | 11         |
| 1.12.6 Research design .....                                   | 11         |
| 1.12.7 Data collection .....                                   | 12         |
| 1.12.8 Data analysis .....                                     | 13         |
| 1.13 Ethical considerations .....                              | 14         |
| 1.14 Summary .....                                             | 15         |
| <b>LITERATURE REVIEW.....</b>                                  | <b>16</b>  |
| 2.1 Introduction .....                                         | 16         |
| 2.1. The justice system.....                                   | 16         |
| 2.2. Services by the justice system .....                      | 17         |
| 2.3. Justice system services and rural community .....         | 19         |
| 2.4. Integration of processes and services .....               | 20         |
| 2.5. Mobile technology for services.....                       | 21         |
| 2.6. Mobile technology as a solution .....                     | 23         |
| 2.7. Summary .....                                             | 24         |
| <b>THEORETICAL FRAMEWORK .....</b>                             | <b>25</b>  |
| 3.1 Introduction .....                                         | 25         |
| 3.2 Underpinning theory.....                                   | 25         |
| 3.3 Actor-network theory .....                                 | 27         |
| 3.3.1 Moments of translation .....                             | 27         |
| 3.3.2 Follow the actors.....                                   | 29         |
| 1.1 The theoretical framework.....                             | 29         |
| 3.4 Actor-network theory and information systems research..... | 32         |
| 3.5 Summary .....                                              | 33         |
| <b>RESEARCH METHODOLOGY.....</b>                               | <b>34</b>  |

|             |                                                                    |           |
|-------------|--------------------------------------------------------------------|-----------|
| <b>4.1</b>  | <b>Introduction .....</b>                                          | <b>34</b> |
| <b>4.2</b>  | <b>Overview of the research process.....</b>                       | <b>34</b> |
| <b>4.3</b>  | <b>Philosophical assumption.....</b>                               | <b>35</b> |
| 4.3.1       | Axiology .....                                                     | 36        |
| 4.3.2       | Ontology.....                                                      | 37        |
| 4.3.3       | Epistemology.....                                                  | 37        |
| 4.3.4       | Philosophical stance.....                                          | 38        |
| <b>4.4</b>  | <b>Research approach .....</b>                                     | <b>38</b> |
| <b>4.5</b>  | <b>Research method.....</b>                                        | <b>40</b> |
| <b>4.6</b>  | <b>Research design.....</b>                                        | <b>41</b> |
| <b>4.7</b>  | <b>Data collection.....</b>                                        | <b>43</b> |
| 4.7.1       | Before the interview .....                                         | 43        |
| 4.7.2       | During the interview .....                                         | 45        |
| 4.7.3       | After the interview .....                                          | 46        |
| 4.7.4       | Documentation .....                                                | 47        |
| <b>4.8</b>  | <b>Data analysis .....</b>                                         | <b>48</b> |
| <b>4.9</b>  | <b>Units of analysis.....</b>                                      | <b>49</b> |
| <b>4.10</b> | <b>Delineation of the research .....</b>                           | <b>49</b> |
| <b>4.11</b> | <b>Summary .....</b>                                               | <b>49</b> |
|             | <b>OVERVIEW OF CASE STUDIES .....</b>                              | <b>51</b> |
| <b>5.1</b>  | <b>Introduction .....</b>                                          | <b>51</b> |
| <b>5.2</b>  | <b>Overview of the chapter .....</b>                               | <b>51</b> |
| <b>5.3</b>  | <b>Fieldwork .....</b>                                             | <b>52</b> |
| <b>5.4</b>  | <b>The Ministry of Justice .....</b>                               | <b>53</b> |
| 5.4.1       | Organisational structure .....                                     | 54        |
| <b>5.5</b>  | <b>Nam-Hana rural community .....</b>                              | <b>56</b> |
| <b>5.6</b>  | <b>Overview of the data collection and analysis of cases .....</b> | <b>58</b> |
| <b>5.7</b>  | <b>Summary .....</b>                                               | <b>59</b> |
|             | <b>DATA ANALYSIS: CASE #1.....</b>                                 | <b>60</b> |
| <b>6.1</b>  | <b>Introduction .....</b>                                          | <b>60</b> |
| <b>6.2</b>  | <b>Data analysis .....</b>                                         | <b>60</b> |
| 6.2.1       | Case #1: Ministry of Justice .....                                 | 60        |
| <b>6.3</b>  | <b>Findings.....</b>                                               | <b>77</b> |
| <b>6.4</b>  | <b>Summary .....</b>                                               | <b>78</b> |
|             | <b>DATA ANALYSIS CASE #2.....</b>                                  | <b>79</b> |
| <b>7.1</b>  | <b>Introduction .....</b>                                          | <b>79</b> |
| <b>7.2</b>  | <b>Data analysis .....</b>                                         | <b>79</b> |
| 7.2.1       | Case #2 - Nam-Hana rural community .....                           | 79        |
| <b>7.3</b>  | <b>Findings.....</b>                                               | <b>93</b> |
| <b>7.4</b>  | <b>Summary .....</b>                                               | <b>93</b> |
|             | <b>INTERPRETATION OF FINDINGS.....</b>                             | <b>94</b> |
| <b>8.1</b>  | <b>Introduction .....</b>                                          | <b>94</b> |
| <b>8.2</b>  | <b>Findings from the data analysis .....</b>                       | <b>94</b> |
| <b>8.3</b>  | <b>Interpretation of the findings .....</b>                        | <b>96</b> |
| <b>8.4</b>  | <b>Framework for integration .....</b>                             | <b>96</b> |
| 8.4.1       | Awareness .....                                                    | 97        |
| 8.4.2       | Training .....                                                     | 98        |
| 8.4.3       | Communicative scheme .....                                         | 99        |
| 8.4.4       | Process automation .....                                           | 99        |
| 8.4.5       | Centralisation of services .....                                   | 100       |
| 8.4.6       | Structural network .....                                           | 101       |
| 8.4.7       | Passage point .....                                                | 102       |
| 8.4.8       | Power dynamics .....                                               | 103       |
| 8.4.9       | Immutable mobile .....                                             | 103       |
| 8.4.10      | Durability of services.....                                        | 104       |

|                                            |                                                |            |
|--------------------------------------------|------------------------------------------------|------------|
| 8.5                                        | Summary .....                                  | 105        |
| <b>CONCLUSION AND RECOMMENDATION .....</b> |                                                | <b>106</b> |
| 9.1                                        | Introduction .....                             | 106        |
| 9.2                                        | Evaluation of the research.....                | 106        |
| 9.2.1                                      | Summary of the study's evaluation.....         | 107        |
| 9.2.2                                      | Achieving the study's aim and objectives ..... | 109        |
| 9.3                                        | Contribution of the research .....             | 113        |
| 9.3.1                                      | Theoretical contribution .....                 | 113        |
| 9.3.2                                      | Methodological contribution .....              | 114        |
| 9.3.3                                      | Practical contribution .....                   | 114        |
| 9.3.4                                      | Limitations of the study .....                 | 115        |
| 9.4                                        | Recommendations .....                          | 116        |
| 9.4.1                                      | Distanciation by collaboration .....           | 116        |
| 9.4.2                                      | Awareness by training.....                     | 117        |
| 9.4.3                                      | Immutable mobiles by technology.....           | 117        |
| 9.5                                        | Further study.....                             | 117        |
| 9.6                                        | Summary .....                                  | 118        |
| <b>REFERENCES .....</b>                    |                                                | <b>119</b> |
| <b>APPENDICES .....</b>                    |                                                | <b>142</b> |
| APENDIX A: Individual consent form.....    |                                                | 142        |
| APENDIX B: Ethical clearance .....         |                                                | 144        |
| APENDIX C: NCRST permit .....              |                                                | 146        |

## LIST OF FIGURES

|                                                              |    |
|--------------------------------------------------------------|----|
| Figure 1.1: Moments of translation (Callon, 1986).....       | 9  |
| Figure 3.1: Moments of translation (Callon, 1986).....       | 28 |
| Figure 3.2: A conceptual framework based on ANT .....        | 30 |
| Figure 4.1: Research Process.....                            | 35 |
| Figure 4.2: Unit of Analysis .....                           | 49 |
| Figure 5.1: Relationship between the cases.....              | 51 |
| Figure 5.2: MOJ Organogram .....                             | 54 |
| Figure 5.3: Namibian Map.....                                | 57 |
| Figure 5.4: ANT's Moments of Translation (Callon, 1984)..... | 59 |
| Figure 8.1: Framework for Integration .....                  | 97 |

## LIST OF TABLES

|                                                             |    |
|-------------------------------------------------------------|----|
| Table 4.1: Participants from MOJ.....                       | 47 |
| Table 4.2: Participants from Nam-Hana Rural Community ..... | 47 |
| Table 4.3: Documents Collected .....                        | 48 |
| Table 5.1: MOJ units.....                                   | 55 |
| Table 6.1: Four Moments of translation - MOJ .....          | 65 |
| Table 7.1: Moments of Translation – Nam-Hana.....           | 83 |

|                                                             |     |
|-------------------------------------------------------------|-----|
| Table 8.1: Findings from Cases #1 and #2.....               | 95  |
| Table 8.2: Mapping of findings from both cases .....        | 95  |
| Table 8.3: Interpretation of Findings Guide – ANT .....     | 96  |
| Table 9.1: 5W1H application in the study’s evaluation ..... | 107 |
| Table 9.2: Summary of the study’s evaluation.....           | 107 |

## APPENDICES

|                                          |     |
|------------------------------------------|-----|
| APENDIX A: Individual consent form ..... | 142 |
| APENDIX B: Ethical clearance.....        | 144 |
| APENDIX C: NCRST permit .....            | 146 |

## ABBREVIATIONS AND ACRONYMS

|              |                                                                 |
|--------------|-----------------------------------------------------------------|
| <b>ANT</b>   | <b>Actor-Network Theory</b>                                     |
| <b>CPUT</b>  | <b>Cape Peninsula University of Technology</b>                  |
| <b>ED</b>    | <b>Executive Director</b>                                       |
| <b>ICT</b>   | <b>Information communication technology</b>                     |
| <b>IS</b>    | <b>Information Systems</b>                                      |
| <b>IT</b>    | <b>Information Technology</b>                                   |
| <b>MOJ</b>   | <b>Ministry of Justice</b>                                      |
| <b>NCRST</b> | <b>National Commission for Research, Science and Technology</b> |
| <b>OPP</b>   | <b>Obligatory Passage Point</b>                                 |

## GLOSSARY

### Term

**Access.** People or groups can get and use services, resources, or opportunities, including those related to the Justice system.

**ANT (Actor-Network Theory).** A theory used to understand how different actors (people, technologies, and institutions) in complex systems, like the Justice system, interact with and affect each other.

**Community.** A group of people who live in the same area, have things in common, and often work together and help each other.

**Equity.** Resources, services, and opportunities are shared fairly and justly so that everyone has the same chance to succeed, no matter where they come from or what their circumstances are.

**Integration.** The process of combining different functions (MT and Justice system), to work together in a unified manner, typically to improve efficiency and functionality.

**IT (Information Technology).** Includes all the technologies, systems, and processes that are used to store, retrieve, send, and process data and information.

**Justice system services.** The various functions and assistance provided by the Justice system, including legal aid, dispute resolution, court proceedings, and access to legal information.

**Justice system.** Includes institutions, processes, and laws that carry out Justice. This includes courts, lawyers, law enforcement, and prisons.

**Justice.** The application of laws and principles to ensure that everyone in a society is treated fairly and that any wrongs are made right.

**Mobile Technology-Enabled.** A technology or system incorporates mobile technology components or features, allowing it to be used on mobile devices like smartphones.

**MOJ (Ministry of Justice).** A ministry or part of the government that oversees running and overseeing Namibia's Justice system.

**MT (Mobile Technology).** Includes smartphones and tablets that are portable and can be used to communicate, get information, and disseminate information.

**Platform.** A mobile technology-enabled infrastructure that would allow citizens to access the Justice system's services in Namibia.

**Rural community.** A group of people who live together in a rural area and tend to have similar ways of life, economic activities, and problems.

**Rural.** Rural areas are geographic regions where people typically live in homes located away from cities or towns, and their livelihoods often depend on activities related to farming or utilizing natural resources for income.

## **CHAPTER 1**

### **INTRODUCTION OF THE STUDY**

#### **1.1 Introduction**

The study is introduced in this chapter covering the research background, problem statement, aim, objectives, the research question and sub-questions. Additionally, the chapter introduces the literature review and the methodology. Further details of the literature review are presented in Chapter 2, followed by the underpinning theory in Chapter 3. The research methodology is further detailed in Chapter 4. This chapter also covers other details such as the significance and delineation of the study, as well as the ethical considerations. The chapter ends with a summary.

#### **1.2 Background**

Access to justice system services is a fundamental human right that is enshrined in the constitution of many countries around the world (Greenbaum, 2020; Hassan & Rupa, 2021; Junqueira et al., 2023). However, in rural areas of many developing countries, access to services provided by the justice system is often limited or not in existence, or practice (Balogun, 2020; Hale et al., 2021; Statz et al., 2021; Hale, 2022). Although Olusegun and Oyelade (2022) posit that services provided by the justice system include legal aid, advice, representation, education, and dispute resolution, having equitable access to justice system services for many in rural areas is still a challenge. In Namibia, many people live in rural communities, and access to the Justice system's services is a challenge due to various factors, including poverty, inadequate infrastructure, and limited resources (Edwards-Jauch, 2022).

The justice system and its services rely on various resources, including information technology (IT) solutions, sociotechnical infrastructure, and human capital (Tokarev et al., 2019; Rigano, 2019; Dikarev & Vasyukov, 2020; Deseau et al., 2019). However, integrating the services of Namibia's Justice system into a single portal proves challenging in existing information systems. Some sociotechnical infrastructures are underutilised or are malfunctioning, and justice-focused experts are scarce, particularly in rural communities where their presence is limited, resulting in limited access to the justice system's services in these regions.

Owing to these challenges, access to the justice system and its services has increasingly become prohibitive or unreachable. Thus, many members of rural communities in Namibia desperately travel long distances to seek services. Some members of these communities do not have the means to seek the services. The evolution of IT solutions such as mobile technology (MT) can resolve these challenges. A study by Zongwe (2021) asserts that legal services in Namibia are expensive and recommends that policy makers should consider

developing a mobile application to compare the prices of legal services provided by different legal practitioners. This only shows how important it is to use technology to solve these problems.

MT has revolutionised how people access services, particularly in developing countries with limited infrastructure. MT has been used to provide access to various services such as healthcare (Till et al., 2023), education (Josua & Kanyemba, 2023), and financial services (Svotwa et al., 2023), but there has been limited research on how it can be integrated with the justice system to improve access to justice system services for rural communities. In the health sector. MT has been used to provide access to health services, monitor public health outbreaks, and manage disease outbreaks (Houlihan & Whitworth, 2019). Moreover, according to a study conducted by Osakwe et al. (2019), Namibian teachers believe that MT can help them with their teaching methods. Another study by Alauddin et al. (2022) highlights how the use of MT has benefited the tourism and hospitality industry in Hong Kong. However, the use of MT in the justice sector has been limited, particularly in rural communities where access to justice system services is often limited. The integration of mobile technology-enabled platforms with the justice system could provide rural communities with access to justice system services and empower them.

Mobile devices, such as mobile telephones and computers, are important IT tools for a variety of tasks and procedures, including service delivery in both urban and rural areas (Makovhololo, 2018). Also, many local governments have made significant investments in IT infrastructure (Tungela, 2021). The issue of limited and unequal access to justice system services has received considerable attention from scholars, resulting in a substantial body of literature. However, there is a research gap in exploring the potential of how justice system services can be integrated with mobile technology-enabled platforms aimed at empowering rural communities. This research gap is the driving force behind the current study. This study aims to fill this void by creating a framework that addresses how a mobile technology-enabled platform can be integrated to improve access to the Justice system's services, thereby empowering rural communities in Namibia.

The 21st century has seen a crisis in access to the justice system and its services. Inequality and exclusion are at the centre of the access to justice system services crisis. As a result, only a few types of justice-related challenges get resolved quickly and justly today (Frank, 2019; Antsygina & Kurmangaliyeva, 2022). The majority of the world's population has limited access to the justice system and its services (Malhotra et al., 2021; Goodman & Patterson, 2023). Limited access to the justice system and its services is prevalent, particularly, in rural

communities in many countries on the African continent (Ubink, 2018; Mukungu & Kamwanyah, 2020; Ubink & Pickering, 2020; Mude et al., 2022).

In Namibia, the Justice system offers services, which include legal advice and information, legal representation, and rehabilitation and reform. These services spread across government institutions such as courts of law, law enforcement agencies, and rehabilitation and reform centres. The promise of access to justice and justice for all has been a part of Namibia's constitution since March 1990; however, it seems like a distant dream in its current implementation (Zongwe, 2021). According to Ntlama-Makhanya and Lubisi-Bizani (2021), access to justice system services is a human right for all and it is intended to ensure that the users have just and fair solutions at all times at all levels (Sandefur, 2019). This is not happening because of limited access to the services by sections of the Namibian society.

### **1.3 Research problem**

Justice is a fundamental right of the people, as enshrined in the constitutions of many countries (Sung, 2020; Ochieng & Nyaga, 2021; Mandjo & Sarson, 2021). However, there seems to be unequal access to the Justice system and its services in some countries, such as Namibia. The unequal access is common with the rural populace, and it is caused by insufficient and limited resource deployment, respectively. Another factor causing limitation is the geographic distance from the rural communities to urban communities where the justice system functions better and access to services is easier (Durojaye et al., 2020). As a result, access to the services of the Justice system is limited in the rural communities of Namibia. This includes limited access to legal information, legal representation, legal aid, and physical structures to provide legal services. Consequently, rural communities in the country are increasingly delayed or denied justice (Nangolo, 2022). This problem has significantly contributed to the increasing crime rate (Edwards-Jauch, 2022) and has grown the confidence of those involved in illegal activities and processes in the country.

The problem has two detrimental implications. First, it affects the mental health of victims of criminality because access to the justice system or its services is limited (Edwards-Jauch, 2022). Second, it derails the economy of the environment, primarily because of the skepticism to invest or promote investment in the rural communities of the country. Thus, it is critical to address the problem, which can contribute to escalating poverty in the country. Based on the problem, the aim and objectives are formulated, as presented in the section that follows.

#### **1.4 Problem statement**

There is limited access to the Justice system's services in Namibia's rural communities, stemming from inadequate infrastructure and resources, which contributes to a concerning escalation in poverty and crime rates within these communities.

#### **1.5 Research aim**

The study aims to develop a framework that can be used to integrate a mobile technology-enabled platform with the Justice system's services in Namibia to empower rural communities. It includes identifying the challenges associated with accessing the Justice system and its services in the country.

##### **1.5.1 Objectives**

Based on the aim as stated above, the following objectives are formulated:

- i. To examine and gain a better understanding of the current ways of supporting and enabling the Justice system's services in the Namibian rural communities.
- ii. To examine and understand the challenges associated with accessing the Justice system's services by the rural communities in Namibia.
- iii. To investigate how a mobile technology-enabled platform can be integrated with the Justice system and its services for rural communities' purposes.

#### **1.6 Research question**

In achieving the aim and objectives of the research, the following question and sub-questions are formulated:

- i. How can a framework be developed that can be used to integrate a mobile technology-enabled platform with the Justice system's services to empower rural communities?

##### **1.6.1 Sub-questions**

- i. What are the current ways of supporting and enabling the Justice system's services in the Namibian rural communities?
- ii. What are the challenges associated with accessing the Justice system's services by the rural communities in Namibia?
- iii. How can a mobile technology-enabled platform be integrated with the Justice system and its services for rural communities' purposes?

#### **1.7 Significance of the study**

The proposed study is significant in three main areas. Firstly, it is important in the field of IT to inform the integration of a mobile-enabled platform with the Namibian Ministry of Justice (MOJ) system services. Secondly, the study is of significance to the MOJ as the Ministry seeks to improve its service delivery to society. Thirdly, members of the rural community in the country

can find the study significant because it intends to provide a mechanism through which their access to MOJ services can be improved.

## **1.8 Outcomes**

The outcome of this study is a framework that can be used to integrate a mobile technology-enabled platform with Namibia's Justice system's services. This framework was developed to make it easier for people in rural communities to access the Justice system and its services. Its primary aim is to make the Justice system fairer and more inclusive in Namibia by reducing barriers to access. As a result, this outcome is considered an innovative step forward in ensuring that the Justice system's services are available to all members of society, regardless of where they live.

## **1.9 Contribution of the study**

The proposed study is significant in the Justice system's services in Namibia. By examining and gaining a comprehensive understanding of the current state of infrastructure supporting the Justice system and its services, the study contributes to filling gaps in the existing literature in the areas of IT, social justice, and community development. Additionally, the study contributes theoretically through the development of a framework for the purpose of integration. It also contributes to a broader discourse about the use of technology to improve access to justice and empower underserved communities.

Practically, the findings of this study inform policymakers and stakeholders about the feasibility, benefits, and potential implications of integrating a mobile platform into the Justice system. It guides the development and implementation of innovative approaches, ensuring that the Justice system's services reach even the most remote areas. Methodologically, the use of ANT to examine rural community activities contributes to advancing indigenous systems. It helps us understand how different actors work together in a rural setting in developing indigenous systems.

## **1.10 Delineation**

Delineation and limitations of the study are discussed here.

### **1.10.1 Delineation**

- i. Geographical scope: The study was limited to the rural communities in Namibia.
- ii. Time constraints: The study was limited by the amount of time available for data collection and analysis.
- iii. Focus on technology-enabled platforms: The study was focused on the use of technology-enabled platforms to improve access to the Justice system's services and did not consider other forms of innovations, interventions, or alternative solutions.

### **1.10.2 Limitations**

- i. Coverage: only one community was covered in Namibia.
- ii. Limited generalisability: The findings of the study may not be generalisable beyond the specific context of Namibia and Africa.
- iii. The study focused on collecting data only from the participants accessing the Justice system services from a rural setting and from the employees of MOJ.

### **1.11 Literature Review**

This section contains a quick overview of the literature relevant to the topic at hand.

#### **1.11.1 Mobile technology as an enabler of services**

IT solutions have gained global acceptance as a vital catalyst for development due to their unparalleled capacity to accelerate progress in various spheres of life. With their widespread adoption, IT solutions have transformed the way society functions, particularly MT, creating opportunities for innovation, economic growth, and societal advancement. IT refers to a wide range of technologies that are universally recognised and embraced for their transformative potential in driving development and ushering in significant changes in our modern digital era (Adeyemi et al., 2023). These technologies encompass various tools, systems, and networks that enable the effective gathering, processing, storage, transmission, and utilisation of information (Viberg et al., 2023). IT is an enabler of business processes providing automated solutions. By leveraging the power of IT solutions, nations and communities can overcome traditional barriers and tap into the vast potential of interconnectedness and information sharing (Abdon et al., 2023).

As an IT solution, the use of MT has been linked to increased access to various services, including health (Lin et al., 2023; Hicks et al., 2023), education (Shanmugapriya et al., 2023; Josua & Kanyemba, 2023), and finance (Sharma & Díaz, 2023; Shaikh et al., 2023). India is often hailed as a global frontrunner in the fintech industry, with its innovative advancements in finance recognised as a success story. These achievements are considered applicable and significant for economies at various stages of development worldwide (Migozzi et al., 2023). According to Noorbhai and Ojo (2023), many academics have found themselves in a digitalised environment where they are required to embrace and employ various technologies for teaching and learning methods because of COVID-19 in South Africa. This demonstrates how technology has been utilised to supply important services throughout the world.

MT has revolutionised how services are accessed globally, including in Africa and Namibia. However, the use of MT to enhance access to the justice system's services and empower rural communities in Namibia is underexplored. The integration of MT into the justice system has the potential to change access to justice system's services, particularly in rural communities

(Menon, 2020; Rule, 2020). However, limited research exists on this topic in Namibia. Further investigation is needed to explore the possibilities and benefits of integrating MT into the justice system to empower rural communities and promote a more inclusive and equitable Justice system that can provide access to its services for all in Namibia.

### **1.11.2 Access to services of the justice system**

Access to justice is a fundamental human right that allows people to seek remedies through the legal system when their rights are violated. It ensures that all individuals, regardless of their socio-economic status or geographical location, have equal access to justice system services (Zongwe, 2021).

The United Nations has recognised access to justice as a crucial element in the protection and promotion of human rights. In 2015, the United Nations adopted the Sustainable Development Goals, which include Goal 16, which aims to “promote peaceful and inclusive societies for sustainable development, provide access to justice for all, and build effective, accountable, and inclusive institutions at all levels” (United Nations, 2022). The goal highlights the importance of access to justice in promoting development and ensuring the protection of human rights.

Despite the efforts made by African governments to improve access to justice system’s services, significant barriers persist and it remains a challenge, especially for rural communities. These barriers include socioeconomic disparities, insufficient resources allocated for legal aid services, operational inefficiencies within the system, and limited awareness regarding legal rights, remedies, and the overall legal framework (Greenbaum, 2020). Several studies have shown that MT can be an effective tool for improving access to justice system services in the world (Sourdin et al., 2020; Statz et al., 2021).

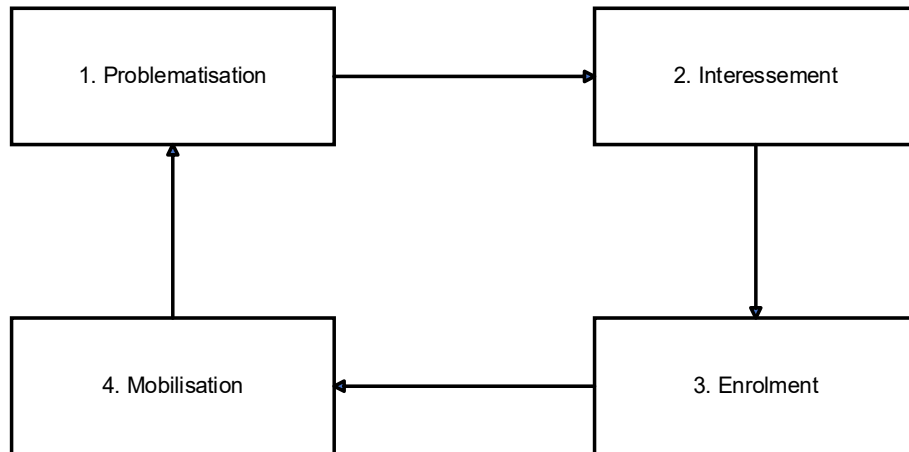
In Namibia, access to the Justice system’s services remains a significant challenge, particularly for rural communities. The limited availability of legal services and infrastructure, coupled with the high cost of legal services, means that many individuals in rural communities are unable to access the services (Zongwe, 2021). The Namibian government has taken steps to address these challenges, including the establishment of community courts and the provision of legal aid services (Ubink, 2018). However, these efforts have been hampered by limited resources and infrastructure. Therefore, there is a need to explore alternative approaches, such as the use of MT, to improve access to the Justice system’s services in Namibia's rural communities.

### **1.11.3 Theory underpinning the study.**

The Actor-Network Theory (ANT) underpins this study, primarily because of its focus. ANT is a sociological theory that seeks to explain how social networks are formed and how they interact with each other (Crawford, 2020). The theory focuses on actor-network, translation, and shifting negotiation among involved actors in a social system (Callon, 1986; Law, 1992). According to Latour (1996), in ANT, a network incorporates human and non-human actors and stabilises translations and interactions between actors. The theory posits that humans and non-humans (objects, technologies, and organizations) are all part of a network, and that they are all equally important in shaping social reality (Iyamu et al., 2013).

ANT is increasingly used to provide an explanation and interpretation of socio-technological change and progress (Iyamu, 2015). This helps to gain a deeper understanding of complex interactions between different actors in a social structure, such as the justice system, including rural communities, MT, and justice system's service providers. This can be attributed to ANT's emphasis on the importance of non-human actors, such as technology, in shaping social networks (Iyamu et al., 2013). Iyamu (2021) argues that everything in the social and natural world exists in constantly shifting negotiations in networks of relationships (P. 74), thus, actors' involvement in the activities and processes of IT solutions inevitably brings about negotiation, to reach a common goal in the interest of an environment (P. 76). The study aims to bring together diverse actors and resources, facilitate knowledge exchange, and create a networked system that empowers rural communities in Namibia by enhancing their access to the justice system's services through a mobile technology-enabled platform.

Translation, a key tenet of ANT, facilitates the alignment and mediation of diverse actors' interests and actions within a network (Iyamu, 2018). Its role in negotiating meanings and creating shared understandings makes it particularly suitable for integrating the justice system with a mobile technology-enabled platform for empowering rural communities. Thus, the moments of translation were employed to underpin the study. This means that the theory was used to guide the analysis of the data to understand the dynamics of integrating the justice system with a mobile technology-enabled platform in rural communities of Namibia. The moments of translation consist of four key stages, as shown in Figure 1.1: problematisation, interessement, enrolment, and mobilisation (Callon, 1986). By applying these moments, the study investigated how actors engage in the process of aligning their interests, negotiating processes and meanings, and applying available resources to empower community members.



**Figure 1.1: Moments of translation (Callon, 1986)**

ANT provides a useful framework for understanding the complex interactions between different actors in the provision of services of the justice system and the role that MT can play in empowering rural communities. Based on its focus, the theory guides in gaining a deeper understanding, from both technical and non-technical perspectives, of the various actor-networks that exist (Heeks & Stanforth, 2015), and how they manifest to influence access to the services of the justice system in Namibia. In addition, ANT helps to translate the interaction between the justice system's service providers and the rural community members, towards a common goal and interest.

## **1.12 Research Methodology**

Research methodology encompasses a set of underlying assumptions that are both philosophical and methodical (Shikalepo, 2021). The methodology constitutes approaches, methods, and techniques (Sileyew, 2019; Patel & Patel, 2019).

### **1.12.1 Research philosophy**

The conduct of research activities is guided by research philosophy. Philosophy is a broad field of study that seeks to understand the fundamental nature of knowledge, reality, and existence (Daneshgar, 2023). This section presents the philosophical assumptions and stances followed in this study.

### **1.12.2 Philosophical assumption**

The underlying assumptions and justifications of ontology (Al-Ababneh, 2020; Berryman, 2019) and epistemology (Khatri, 2020) are discussed below, with emphasis upon how they align with the aim of this study.

Ontology influences research methods and approaches, as well as how researchers conceptualise and interpret data (Al-Ababneh, 2020). According to Hathcoat et al. (2019), ontology deals with the study of existence, reality, and the fundamental nature of being. Specifically, in the context of research, ontology refers to the researcher's assumptions and beliefs about the nature of reality and how they perceive the world and its phenomena (Berryman, 2019). Ontologically, we know of the existence of the Justice system and its services. Additionally, we know that MT is used by many members of the rural communities in the country. Furthermore, it is widely recognised that many people living in rural communities face various challenges in their attempts to access the justice system's services (Dugard & Drage, 2013; Pruitt & Showman, 2014; Conway, 2018; Shukla, 2023). However, the outcome of the integration of the Justice system with a mobile technology-enabled platform was not known, which was where the epistemology assumption was drawn from.

Epistemology is concerned with the theoretical foundations of knowledge and the methods used to obtain it (Berryman, 2019). The assumption was that there are things to learn and knowledge to gain by integrating the justice system with a technology-enabled platform in Namibia. Moreover, Creswell and Poth (2018) emphasise that in qualitative research, epistemology is particularly important because it acknowledges that knowledge is subjective. According to Khatri (2020), epistemological assumptions refer to the underlying beliefs and principles that researchers hold about the nature of knowledge and how it is obtained. It was therefore understood that knowledge could be gained from how the Namibian justice system's services are integrated with a mobile technology-enabled platform, towards empowering rural communities. Also, an understanding of these diverse perspectives would help explore the complex relationship between people's interpretations, technology use, and the difficulties associated with accessing the justice system's services in rural areas. Khatri (2020) further asserts that these assumptions inform the research design and the choice of methods used to collect and analyse data.

### **1.12.3 Philosophical stance**

The subjective approach from the perspective of interpretive paradigm was chosen as the philosophical stance for both ontology and epistemology. Primarily, this was because interpretivism assumes that individuals actively construct their social reality and that their subjective experiences and perceptions are critical in understanding the complexities of the phenomena (Ryan, 2018). Also, the interpretive approach guides how data is analysed, research findings are extracted or reached, and the findings are interpreted (Creswell & Poth, 2018). Thus, the interpretive approach helped to gain a deep understanding of the meanings that people of rural communities associate with their experiences and actions when interacting with the Justice system and its services. This included how culture and social contexts

influence members of the rural communities' interests and relationship with the services provided by the Justice system of the country.

#### **1.12.4 Research approach**

The inductive research approach was best suited for this study because it is exploratory and seeks to generate new insights and understanding about the phenomena being studied through participants' subjective perspectives (Ryder et al., 2019). It therefore suited this study as it seeks to induce fresh perspectives on how to empower rural communities by integrating a mobile technology-enabled platform with the justice system's services in Namibia. Instead of testing theories or hypotheses, the study develops a framework-based theory. The use of the inductive approach emphasizes the importance of research findings and encourages the researcher to draw broader conclusions from the specifics, creating a deeper understanding of the subject under investigation (Tungela, 2021).

#### **1.12.5 Research method**

Of the existing approaches, quantitative (Mulisa, 2022) and mixed methods (Dawadi et al., 2021), qualitative research approach (Taquette & Borges da Matta Souza, 2022) was selected for the study. Primarily, this was because the qualitative research method allows for an in-depth exploration of subjective experiences and perceptions through various techniques (Taylor et al., 2015). It, therefore, enabled an in-depth exploration and deeper understanding of the subjective experiences and perceptions of rural community members associated with access to the justice system's services, which provided insights into the development of a framework that could be used to integrate a mobile technology-enabled platform with the justice system's services that is tailor-made to cater for the needs of the rural community members in Namibia. There is a wide range of techniques and approaches within the qualitative approach to select from, for research design, data collection, and data analysis (Creswell & Poth, 2018; Cypress, 2015).

#### **1.12.6 Research design**

The case study approach was chosen as the research design that best fits the research objectives of this study since it tried to get an in-depth understanding of the phenomenon in its natural setting (Harrison et al., 2011). According to Baskarada (2014), case studies offer researchers a chance to obtain a comprehensive and thorough understanding of the research issue. They can help in describing, comprehending, and clarifying a research problem or situation. This study used MOJ and a rural community in Namibia as cases in the study. MOJ serves as a government department in Namibia with a primary mandate to oversee the administration of justice and the Justice system. Its functions include providing and facilitating access to the Justice system and its services for the citizens of Namibia. Understanding the

accessibility of the Justice system's services necessitates a dual perspective from service providers and users, allowing for a holistic understanding of difficulties, dynamics, and effectiveness from both sides. In the process of selecting a suitable rural community, the following criteria were used.

- i. The community must fulfil the criterion of being distinctly rural, as categorised by the Namibian government.
- ii. Prior permission from the local headman or appropriate authority to be obtained to ensure ethical engagement.
- iii. The community's location should be within a 100-kilometer radius of the researcher's base for efficient research interactions.
- iv. To ensure successful communication, the prevalent local language within the community should be Oshiwambo. This was because the nearby rural communities are populated by indigenous people who primarily speak the Oshiwambo language.

By adopting the case study approach as the research design, this study aims to gain valuable insights into the challenges of access to the Justice system's services in rural Namibia. This approach allowed for a thorough exploration of participants' subjective experiences, and the findings would inform the design of a mobile technology-enabled platform that can empower rural communities by improving access to the Justice system's services.

#### **1.12.7 Data collection**

Data collection is the systematic gathering of data for research purposes to answer research questions and achieve objectives (Ahmadin, 2022). For this study, qualitative data was collected. Qualitative data is non-numerical and seeks to understand the experiences, opinions, and perceptions of participants (Taquette & Borges da Matta Souza, 2022). The semi-structured interviews and document analysis techniques were used to collect the data. Pilot interviews were also conducted to enhance the overall data collection process and improve research methods.

##### **1.12.7.1 Semi-structured interview technique**

The study employed semi-structured interviews as its primary data collection technique. The main reason for selecting the technique was because it allows conversation between the interviewer and interviewee, which was needed to gain a deeper understanding of participants' experiences and opinions. Adeoye-Olatunde and Olenik (2021) claim that semi-structured interviews are appropriate for collecting data when the objective is to deeply understand the participant's specific situation and experience as opposed to a general comprehension of a phenomenon. Also, semi-structured interviews are adjustable and allow for the addition of new

questions based on feedback from interviewees (Ruslin et al., 2022) which can further enhance the understanding of the justice system services being studied.

A set of criteria was formulated for selecting participants for the interviews in both cases, the rural community and MOJ. This was to make it easier to gain insights into individuals' experience in providing or accessing justice system services.

For the community, the following criteria were followed:

- i. Participants must have lived in the community for at least two years.
- ii. Participants must be 18 years or above, as this marks the onset of legal adulthood, to avoid guardian involvement.
- iii. Participants are expected to speak English and or Oshiwambo. This was essential to avoid the need for translation from other languages, as the meanings can often be lost in the process. Additionally, the researcher fluently speaks both English and Oshiwambo languages.

The criteria for selecting participants at the MOJ include:

- i. The participant must at least have two years of work experience at MOJ.
- ii. The participant must be involved in providing services to the public through the Justice system.

The participants were selected using the criteria and interviewed until the point of data saturation was reached. According to Hennick and Kaiser (2022), the point of saturation signifies the stage at which new information or insights cease to emerge from the interviews.

#### **1.12.7.2 Document analysis**

Documents related to the services provided by MOJ were collected. Access was sought in gathering the documents. The documents were used to support the data obtained from the interview process. Also, the documents were used to corroborate responses from the participants. For the MOJ, the documents included annual reports, strategies, and operational documents. From the technology perspective, the documents included annual reports, positioning papers and strategy documents. From both cases (community and MOJ) other essential documents such as policies and procedural guidelines were collected, and others governing the Justice system's services were examined. It is noteworthy that documents not only serve as records of historical events but also play a role in shaping and mirroring the social reality they encapsulate (Blaxter et al., 2010).

#### **1.12.8 Data analysis**

The data was analysed using the thematic analysis technique. The technique focuses on identifying patterns and themes (Scharp & Sanders, 2019). ANT was used as a lens to guide

the use of thematic analysis, in analysing the data. The theory is discussed in chapter 3. The focus of the analysis included the following:

- i. Identifying the essentiality of the services provided by the MOJ. One of ANT's strengths is translation (Callon, 1986), which can be used to understand why and how the activities are translated into essential services.
- ii. Identifying the relationship that exists between the actors of both MOJ and the community. The moments of translation from the ANT perspective focus on how the relationship between actors comes to being and how it manifests (Crawford, 2020; Heeks & Stanforth, 2015).
- iii. Identifying the relationship between the community and the services provided by the MOJ. In ANT, everything in the social and natural world exists in constantly shifting negotiations in networks of relationships (Iyamu, 2021: P. 74).
- iv. The interaction between the actors leads to conscious and unconscious negotiation in delivering and accessing the MOJ services. ANT helps to gain a deeper understanding of the interactions between actors and how they stabilise within processes (Latour, 1996). Thus, actors' involvement in the activities and processes of IT solutions (such as mobile technology) inevitably brings about negotiation, to reach a common goal in the interest of an environment (Iyamu, 2021: P. 76).

### **1.13 Ethical considerations**

Ethical clearance was obtained from the institution, Cape Peninsula University of Technology's (CPUT) ethics committee. Additionally, all the relevant permissions required to conduct research in the rural communities in Namibia were obtained from the relevant authorities. To ensure the ethical collection of data, participants were informed of the purpose of the study, what their participation involved, and how their information would be used. Strict measures were taken to guarantee confidentiality and anonymity, with any identifying details removed from the data. The data storage procedures and the rules and regulations set forth by CPUT were adhered to, prioritising the privacy and protection of participants' information.

In this study, voluntary participation held paramount importance, granting participants full control over their decision to partake or not. Measures were implemented to prioritise the safety and well-being of participants, ensuring that no harm comes to them throughout the study. No monetary incentives were given to participants; this was to avoid any potential for undue influence.

#### **1.14 Summary**

The proposed study aims to develop a framework for the purpose of a mobile technology-enabled platform that is integrated with the Justice system to improve access to its services and empower rural communities in Namibia. To accomplish the aims and objectives of the study, the methods, approaches, and techniques that were determined to be the most appropriate have been chosen. All the components that are necessary to carry out the study are discussed in detail within the proposal. The study adopted the subjective approach from the perspective of interpretive paradigm to fully understand the phenomenon under study. To acquire a comprehensive and in-depth understanding of the topic at hand, qualitative methods and techniques were used to collect the data, and thematic analysis was employed to analyse the data. Additionally, ANT as the underpinning theory was used as a lens through which data were analysed.

The findings of the study provide valuable insights into the design of a mobile technology-enabled platform that meets the needs of rural communities for access to the Justice system's services. The study is cognizant of ethical concerns, and its limitations and delineations were considered in the interpretation of the findings. The study makes a theoretical and practical contribution to IT, community development, and improving access and fairness for people in rural communities. Overall, the findings of this study can contribute significantly to the improvement of access to the services provided by the Justice system for all people living in rural Namibia.

## **CHAPTER 2**

### **LITERATURE REVIEW**

#### **2.1 Introduction**

This chapter is structured into seven key sections. The first section is the introduction. The following two sections (sections two and three) delve into mobile technology. Section two explores how mobile technology functions as a solution, while section three examines its role in service provision. Section four focuses on the Justice system itself. Section five analyses the services offered by the Justice system. Section six then explores how these services are made available in rural areas. Finally, the concluding section (section seven) discusses the integration of processes and services. This structure ensures a logical flow, moving from the introduction of mobile technology to its applications within the Justice system, and culminating in a discussion on optimising service delivery by integrating processes and services.

##### **2.1. The justice system**

Justice is defined as the equitable treatment of every individual and the satisfactory resolution of conflicts (Welch, 2022). Many countries' justice systems are based on accountability, efficacy, transparency, fairness, and independence (Rodiyah et al., 2023). These principles and governance demand countrywide robustness. A country needs a robust justice system to punish wrongdoers and prevent others from committing similar acts, as stated by Mushelenga (2021). The spread means no boundaries of ethnicity or preference to locale, between rural and urban areas of the country. Mukungu and Kamwanyah (2020) argued that, to accomplish the goals and principles of the justice system, there should be the presence of law enforcement agents, and deployment of infrastructure (facility) enabled by access to information. This is primarily because ensuring equitable distribution and efficacy of the justice system across a country is of the utmost importance (Lima & Gomez, 2021). Nevertheless, in many countries, justice remains elusive in rural regions due to a certain degree of shortcomings in these services (Nangolo, 2020; Schulz & Bruyns, 2021).

While Namibia boasts a legal framework established upon South African common law and a constitution guaranteeing an independent judiciary (Venter, 2020; Ndeunyema, 2020; Ruppel & Ruppel-Schlichting, 2022), the reach of its justice system falls short of encompassing the entire nation, leading to significant consequences. Despite the presence of the Supreme Court, high courts, lower courts, and specialised courts (Paleker, 2022; Mwalula, 2022), access to justice remains unevenly distributed across the country. Mushelenga (2021) and Zongwe (2022) both agree that the Ministry of Justice faces resource restrictions that hinder its ability to offer comprehensive legal services to all Namibians. The physical distance between court facilities and remote communities creates a significant barrier, particularly for those lacking

transportation or financial means as argued by Amupanda (2021). This geographical disparity translates into unequal access to justice, often leaving marginalised populations vulnerable and their rights inadequately protected. Furthermore, Devahoma-Indongo (2021) indicates that the limited capacity of the justice system leads to backlogs and delays in case processing, further disadvantaging those seeking legal recourse especially in rural areas. This phenomenon, which is more prevalent in areas lacking courts, serves to engender public scepticism towards the justice system while simultaneously impeding the administration of justice.

While legal institutions like the University of Namibia and the Law Society strive to promote public participation and monitor court proceedings, their efforts are hampered by the fundamental constraint of the system's limited reach. Addressing the geographical and resource-based disparities within the Namibian Justice system is crucial to ensuring equal access to justice for all citizens and upholding the rule of law throughout the country.

## **2.2. Services by the justice system**

Access to justice is a fundamental human right. Without it, an individual cannot enforce, defend, or protect his or her rights (Lucy, 2020; Mandjo & Sarson, 2021). It is commonly recognised that the weakest segment of society is a lack of access to justice (McDonald, 2020). Therefore, individuals who have suffered harm or victimisation can pursue justice using the services provided by law enforcement and the justice system. In addition, there are instances of human rights violations and criminal activities that are averted because of access to information and other preventative measures (Laufer & Hughes, 2020). Mamajonova (2023) explains that the legal and judiciary services provide aid in the prevention of crime and protection of human rights by ensuring that justice is served to all who live within the boundaries of the country. This is done by conducting trials and appeals using various services offered by the justice system (Sourdin et al., 2020).

There is a widely held belief that the law is inherently fair, and when it is not, justice professionals attempt to modify the implementation of the law or propose new legislation (NeJaime & Siegel, 2021). An optimal scenario would involve the establishment of a legislative framework that ensures fairness and equality for all segments of society. However, the attainment of this goal may be hindered by political and economic circumstances enacted by information sharing as argued by Rodrigues (2020). Effective justice systems rely on a seamless exchange of information across various services. These services include but are not limited to law enforcement (Goldstein et al., 2020), legal representation and advice (Elbers et al., 2022), court processes and administration (Reed & Caraballo, 2022), and correctional services (Yustisianto et al., 2022). For each of these components to function optimally,

seamless information exchange among various actors within the system is critical. Unfortunately, this information flow can be obstructed by limitations in information access and exchange, as exemplified by the challenges faced in Namibia (Dias, 2021).

Crime prevention is an essential function of law enforcement that is utilised to ensure the general public's protection (Hussain et al., 2023). The demands and operations of law enforcement are progressively escalating. This may be ascribed to the dynamic and evolving nature and consequences of crime on society. By implementing an effective crime-prevention strategy, the justice system's services must spread across the geographical locations of the country, to reduce criminal activities (Reed & Caraballo, 2022). This is because providing legal representation services to impoverished individuals is an essential element of an equitable justice system. Without adequate legal representation, individuals lacking economic or political influence struggle to safeguard their civil rights or address legal issues effectively, as outlined by Talib et al. (2023).

Court administration, the backbone of any justice system, has undergone significant transformations since its inception. Iliadis (2020) states that its structure and service delivery vary considerably depending on the court type and the specific context. Traditionally, court systems have functioned within physical institutions, aiming to serve a defined geographical area or population. However, the modern understanding recognises that physical court buildings may not always be readily accessible, particularly in developing countries like Namibia. This has led to the exploration of alternative methods for delivering court and legal services, including mobile courts which are temporary courts set up in remote locations, offering periodic access to judicial proceedings for geographically disadvantaged communities (Chawinga et al., 2020). Additionally, Chawinga et al. (2020) continue to highlight that other alternative methods are technology-based solutions which provide a way of utilising online platforms and digital tools that can bridge geographical gaps, allowing individuals to access legal resources and information remotely.

Similarly, the focus of correctional services, a specialised branch of the criminal justice system, has shifted from solely punishment to rehabilitation and reintegration, aiming to reduce recidivism rates (Lanni, 2021). This shift towards rehabilitation, however, often faces significant challenges in developing countries due to resource constraints. These limitations can hinder the implementation of effective rehabilitation programmes and restrict access to essential services for inmates. Fortunately, telehealth and online learning platforms have made it possible to connect prisoners with medical specialists (Yustisianto et al., 2022) and offer educational opportunities that are essential for reintegration (Vargo et al., 2021). This has helped close the gaps in imprisonment. Correctional services in developing countries can be

empowered by these technologies, which can enable focused rehabilitation programmes and ease communication with the outside world (Yustisianto et al., 2022; Haiduwa et al., 2020).

Namibia exemplifies the challenges faced by developing countries in ensuring equitable access to justice. The physical distance between courts and rural communities creates a significant barrier, particularly for those lacking resources as claimed by Amupanda (2021). Furthermore, limited resources within the Ministry of Justice exacerbate the gap in service delivery between urban and rural areas, as stated by Mushelenga (2021) and supported by Zongwe (2022). Innovative solutions like mobile courts and technology-based platforms are crucial to addressing these disparities and ensuring that all Namibians, regardless of location, have access to both court administration and correctional services. This will not only promote social justice but also contribute to a more secure and stable society.

### **2.3. Justice system services and rural community**

Ensuring and delivering equitable access to justice is a universal challenge for many countries, particularly in geographically vast nations with significant rural populations (Alharbi et al., 2020). The challenges manifest from several factors and contribute to the disadvantage rural communities face in accessing justice. Amupanda (2021) highlights the significant physical distances between rural areas and court facilities in Namibia, creating a major barrier for those lacking transportation or financial resources, as supported by Alshammari et al. (2022). Furthermore, resource limitations within the Ministry of Justice often lead to an unequal service delivery between urban and rural areas in some countries (Mushelenga, 2021; Zongwe, 2022).

In many countries, especially those in the African continent, the rural areas usually receive poorer services. For example, Amarini et al. (2023) explained how rural communities often have less access to legal aid, representation, and court infrastructure in comparison to urban areas. McDonald (2021) posits that this creates an uneven playing field where rural residents may struggle to navigate complex legal processes and defend their rights. This is a common theme across developing countries as confirmed by Chawinga et al. (2020).

Despite the many challenges, technological advancements offer promising solutions to balance and improve service delivery for both rural and urban communities. The technology advancement includes mobile technology, which has been used in many sectors to improve service delivery (Hicks et al., 2023; Josua & Kanyemba, 2023; Sharma & Díaz, 2023). The rise of mobile technology presents opportunities to improve access to justice and close the digital gap in rural areas. Studies have shown the effectiveness of mobile technology in various sectors like education (Alshammari et al., 2022; Bernacki et al., 2020; Criollo-C et al., 2021) and public health (Hicks et al., 2023). Similarly, m-government initiatives have demonstrated

potential in improving access to government services in developing countries (Alharbi et al., 2020; Enaifoghe et al., 2023). Examples include mobile applications for legal information dissemination reported by Amarini et al. (2023) and virtual court proceedings reported by Sourdin et al. (2020).

Digital court systems have been shown to improve access to justice in developing countries like Indonesia, claimed Amarini et al. (2023). To close the digital gap in Namibia, research by Dias (2021) and Frohlich et al. (2020) emphasizes the importance of human and technology factors, by enhancing digital skills and developing the necessary infrastructure. Although there have been some encouraging developments, such as the creation of a Namibian Court Information System (Nangula, 2022), more work is required to guarantee that it is accessible to everybody. Additionally, Namibia has also seen initial efforts in this direction with the development of an application for facilitating prison visitation (Haiduwa et al., 2020). These efforts are all geared towards empowering rural communities.

While technology offers promising solutions for rural justice system access, its successful implementation requires addressing contextual challenges in Namibia. Research by Dias (2021) highlights the need to bridge the digital gap, considering limited digital skills development. Similarly, Frohlich et al. (2020) emphasize the importance of mobile technology adoption within marginalised communities. Furthermore, concerns regarding privacy and security in mobile applications (Lin et al., 2023) must be addressed to build user trust. However, these advancements, coupled with efforts to strengthen the justice system, can promote a more equitable and secure society for all Namibians. The digital revolution presents a unique opportunity to bridge the gap between rural communities and justice systems. By harnessing the power of mobile technology and adapting solutions to the specific needs of rural populations, Namibia, like other developing countries, can move towards a more equitable and accessible justice system for all. As Dias (2021) argues, fostering digital skills is essential for managing a digital environment, making it a crucial factor in bridging the gap in justice system service delivery.

#### **2.4. Integration of processes and services**

The seamless integration of processes and services within organisations is no longer a luxury but a necessity for survival in a rapidly evolving digital landscape (Falloon, 2020). This integration fosters improved efficiency, streamlined communication, and ultimately, superior customer experiences (Iwuanyanwu et al., 2023). However, the ever-growing complexity of digital ecosystems presents a significant challenge: maintaining seamless connections between disparate processes and services (Falloon, 2020; Odulaja et al., 2023). This is where service integration frameworks emerge as a critical solution. Pansara (2023) defines process

and service integration as ensuring all components work together seamlessly. As highlighted by Sancar et al. (2021), frameworks act as blueprints that guide the connection and coordination of these components. They typically encompass best practices, standards, and guidelines, offering a structured approach that promotes consistency and reduces errors across integration efforts (Sancar et al., 2021).

The benefits of service integration frameworks are multifaceted. Firstly, they promote standardisation and communication. By establishing a common language and reusable components, frameworks simplify implementation and foster better communication between technical and non-technical stakeholders (Sancar et al., 2021). Secondly, frameworks leverage well-known integration patterns, eliminating the need to "reinvent the wheel" for each project. This translates to shorter development cycles and reduced costs (Falloon, 2020; Adama et al., 2024). Finally, frameworks ensure that service connections can be maintained as technologies evolve, a crucial aspect in a dynamic digital environment (Falloon, 2020). However, successful implementation presents challenges. Outdated technologies and organisational silos can make integration difficult (Falloon, 2020; Adama et al., 2024). Additionally, a lack of digital competence within an organisation can hinder framework adoption as argued by Adama et al. (2024). Odulaja et al. (2023) claim that the complexity of managing diverse data sources and formats further complicates the process, as does ensuring security and compliance. Finally, organisations may need to adapt operational processes to fully leverage the framework's benefits.

## **2.5. Mobile technology for services**

Over the past decade, organisations, both public and private, have utilised mobile technology to streamline administrative processes, reduce costs, improve information dissemination, and provide users with enhanced services and experiences, as noted by Maina et al. (2022). This includes the use of mobile technology to facilitate service delivery in many sectors such as health, education, government administration, and finance across the world (Mhlanga, 2020; Lin et al., 2023; Hicks et al., 2023; Shanmugapriya et al., 2023; Josua & Kanyemba, 2023; Sharma & Díaz, 2023; Shaikh et al., 2023). According to Wirtz et al. (2021), mobile technology offers new opportunities for governments to enhance services such as paying taxes, and information dissemination, which they provide to citizens. Wang and Teo (2020) point out that mobile technology enables real-time communication, allowing governments to provide information to citizens more promptly.

Mobile technology also allows the public sector to communicate information with its stakeholders, thereby exercising accountability, transparency, and developing confidence among citizens, as a measure of good governance (Dias, 2021). Thus, access to government's

services could be significantly changed using mobile technologies. Governments of many countries are increasingly endorsing and adopting 'mobile government' (m-government) as an approach to improving service delivery (Alharbi et al., 2020; Alshammari, 2022; Enaifoghe, 2023). Wang and Teo (2020) suggest that m-government is the government's approach to delivering information and services to stakeholders via mobile technologies using various devices, without limitations of time and location. Primarily, this is because m-government can enhance service delivery and citizen mobility by offering personalised, up-to-date, and location-specific information and services. Additionally, m-government enhances government's service delivery to residents in both rural and urban regions (Alqaralleh et al., 2020).

Based on its usefulness, m-government programs have the potential to significantly enhance convenience and reduce transportation expenses for rural residents by granting them access to vital services through their mobile devices (Frohlich et al., 2021). For example, it could provide community members with the opportunity to participate in government programmes and services, such as receiving better services offered by the legal and justice ministry. The fields of criminology and criminal justice have typically been slow to embrace new technologies in many countries. This can be attributed to several factors including a fear of cost, a lack of understanding of the technology's capability, and an inherent resistance to change (Shipena, 2020; Ikanda, 2021; Mabuku & Olutola, 2022).

The use of mobile technology is attractive to many justice practitioners because it eases access to information in real-time, removes physical boundaries, and is often less intrusive than other methods of data collection (Dias, 2021). Seepma et al. (2021) argued that mobile technology provides numerous opportunities for improved communication and access to information among participants in the justice system, leading to more efficient and cost-effective service provision. Furthermore, mobile phones have significantly enhanced communication among criminal justice officials, attorneys, and clients according to Kimpel (2020), a view shared by Turner (2020). Despite the enormous benefits highlighted in the literature, there remain challenges in the adoption and use of mobile technology (Haiduwa et al., 2020; Tashea, 2021).

The challenges in the adoption and use of mobile technology span from both human and non-human (technical) perspectives. Data security, privacy concerns, inclusivity and accessibility, and the need for standardization and operability emerge as some of the recurring challenges (Nair & Kannan, 2023). Domingo-Cabarrubias et al. (2023) discussed how technology hampers judicial efforts, such as a lack of access to technology, for victims and assumptions, to express themselves in the languages in which they are fluent. Users must grapple with ever-

changing features and functionalities, while service providers face the pressure of integrating new systems to maintain operational efficiency and user satisfaction. From the Judicial perspective, Land and Aronson (2020: 14) stated that “technology does indeed hold great promise to augment many aspects of decision making”. Han et al. (2021) emphasised that mobile technology-enabled platforms, can significantly enhance the efficiency, effectiveness, and equity of service delivery across various sectors.

## **2.6. Mobile technology as a solution**

Mobile technology refers to the collection of technologies designed to facilitate communication, access information, and connect with various applications through portable electronic devices (Bernacki et al., 2020). Mobile devices have become a significant factor in transforming service delivery in several areas. This can be attributed to the fact that mobile technology enables users to connect to networks, access the internet, and utilise a wide range of services and applications, making it a fundamental aspect of modern life (Omal & Ismail, 2020). For this study, mobile technology refers to mobile devices such as personal digital assistants (PDAs), mobile phones or a combination used to interact with the Justice system (Qadeer et al., 2023; Bajpai & Swaroop, 2024). Mobile devices have opened lines of communication between justice personnel, attorneys, and clients to an unprecedented degree (Webster et al., 2023).

Also, given Obeidat et al.’s 2020 suggestion, the ways in which individuals interact, work, obtain information, and conduct businesses have changed significantly because of mobile technology. Furthermore, the continuous evolution of mobile technology, with various advancements continues to shape the digital landscape and drive innovation in diverse industries (Banafaa et al., 2023). Individuals of all ages rely on mobile devices to effect communication, social networking, entertainment, and access services and information (Vargo et al., 2021). Additionally, professionals across different sectors utilise mobile technology for work-related tasks, encompassing communication, email correspondence, calendar management, and the use of productivity applications (Obeidat et al., 2020; Vargo et al., 2021).

Using mobile technology has many benefits that affect numerous elements of modern life (Rotondi et al., 2020). Some of the benefits are that it facilitates seamless communication, offers individuals instantaneous connections through voice over IP (such as phone calls), texts, and instant messaging applications (Ahmad, 2020). Beyond mere communication, the accessibility of information is unparalleled, empowering users with a wealth of knowledge readily available at their fingertips. Criollo-c et al. (2021) state that the portability and physical lightweight nature of mobile devices enhance productivity and organisations’ activities because it allows users to efficiently manage tasks and collaborate, irrespective of proximity or location.

Mobile technology provides a versatile solution across multiple disciplines. It improves access to information, communication, and services while also improving collaboration (AllahRakha, 2024). Furthermore, mobile technology promotes data-driven decision-making by allowing for real-time data collection and simplifying operations (Dias, 2021). One major advantage of mobile technology is its cost-effectiveness and flexibility. It offers a low-risk and affordable solution for rapid development and efficient organisation of justice system information and resources (Liu et al., 2021). Compared to traditional fixed-line solutions, mobile technology is more accessible and widespread, making it an ideal choice for bringing about positive changes in the justice system (Matinmikko-Blue et al., 2020; Chawinga et al., 2020). However, in contrast to the potential benefits are several significant challenges such as inadequate infrastructure and unreliable network coverage (Fröhlich et al., 2020) that need to be carefully considered and addressed especially in Namibia (Haiduwa et al., 2020; Tashea, 2021). Consequently, when these challenges are not addressed, this may further create a technological gap in the justice system (Cowie et al., 2020; Banafaa et al., 2023).

Mobile solutions can fundamentally revolutionise the justice system (Bagaric et al., 2022). Amarini et al. (2023) state that court processes can be substantially accelerated through the streamlining of case management, the facilitation of communication among justice officials, and the enhancement of access to legal resources. Furthermore, mobile solutions can improve the provision of public services to unrepresented individuals, particularly justice system services (Shipena, 2020; Nangula, 2022)

## **2.7. Summary**

This chapter provides a review of the literature that was pertinent to the study. The keywords that were identified per the aim and objectives of the study served as the basis for the literature review. These keywords included mobile technology, the justice system, services, rural community, and integration. The literature review highlights existing gaps, challenges, and benefits of deploying technology for justice system services in rural communities. The next chapter focuses on the theoretical underpinnings of the study. It specifically explores Actor-Network Theory and its application within Information Technology research. Furthermore, the chapter outlines the theoretical framework that will guide the data analysis.

## **CHAPTER 3**

### **THEORETICAL FRAMEWORK**

#### **3.1 Introduction**

As explained in Chapter 1, based on the objectives of the study, actor-network theory (ANT) was selected to underpin this study. This means that ANT, as a lens, provides a guide for the study, focusing on data analysis and interpretation of the findings. In doing so, a theoretical framework was formulated. This chapter presents the theoretical framework.

The chapter is organised into eight sections. Following the introduction section is the second section discussing underpinning theory. The third section presents ANT as the underpinning theory of this study with a focus on actor-network, moments of translation, and its mantra "follow the actors". Subsequently, the chapter presents and discusses the theoretical framework derived from ANT and the study objectives. This includes how the framework guides the research methods, particularly the data analysis. To ground the theory in practice, the chapter explores prior applications of ANT in information technology research, and the last section presents a summary of the chapter.

#### **3.2 Underpinning theory**

An underpinning theory serves as the cornerstone of a research project, offering a set of established principles that guide and inform the entire process (Varpio et al., 2020). Theoretical lenses are often employed to underpin research in IT and IS (Mkhomazi & Iyamu, 2013). This includes using theories as lenses to shape research outcomes in the data analysis and interpretation of findings (Kivunja, 2018). According to Iyamu (2013:225), "the application of theories helps exhume findings". Due to its significance, the thread of applying theories has increased in the last three decades (Niederman & March, 2019).

There are numerous theories from which a researcher can select to underpin a study. Iyamu (2021) listed activity theory (AT), actor-network theory, contingency theory (CT), diffusion of innovation (DOI), structuration theory (ST), and technology acceptance model (TAM) as the most commonly applied theory in IS/IT research. Each theory has a distinctive focus and strengths. Therefore, engagement with theories is crucial for several reasons, three of which are briefly discussed in the next paragraph.

Firstly, as Adler (2022) posits, it provides direction and focus, ensuring the research aligns with its intended objectives and avoids irrelevant deviations. Secondly, drawing on established knowledge equips researchers with a deeper understanding of the concepts of the phenomenon being studied, including the principles governing them (Imenda, 2014). This

understanding is vital for interpreting research findings in a meaningful way and drawing sound conclusions (Kivunja, 2018). Finally, a theoretical framework helps to prevent the duplication of effort by leveraging existing knowledge within the discipline, as stated by Varpio et al. (2020). In essence, an underpinning theory elevates research to a higher level of rigour and ensures it contributes meaningfully to the chosen field of study (Nehemia & Iyamu, 2023).

Thus, an underpinning theory serves as the foundation for constructing a robust theoretical framework. It is within this context that Imenda (2014) highlights that the absence of a guiding theoretical framework can lead research to biased outcomes or unsubstantiated conclusions. Therefore, it is necessary to have a theoretical framework to understand why certain events occur in the manner that they do, according to Iyamu (2013). Equally, a well-chosen and effectively applied theory elevates the rigour of the research, as argued by Nehemia and Iyamu (2023). However, harnessing this power requires researchers to navigate the complexities of selecting, understanding, and integrating theories into their work.

One challenge lies in the potential misuse or neglect of underpinning theory according to Niederman and March (2019). According to Adler (2022), researchers may lack the necessary knowledge of relevant theories within their field. This is a challenge, and it hinders the ability to identify the most appropriate theoretical lens for research, which in turn affects the data analysis or interpretation. Additionally, researchers may intentionally neglect theory, perhaps due to a misconception that it hinders creativity, as Adler (2022) argues. However, theoretical foundations are essential for interpreting research findings and drawing sound conclusions that contribute meaningfully to the field (Kivunja, 2018). Furthermore, a well-defined theoretical framework, built upon a strong understanding of an underpinning theory, helps to avoid redundant research by leveraging established knowledge, as affirmed by Varpio et al. (2020). Moreover, according to Iyamu (2021), underpinning theories guide the process of data collection and analysis.

Developing a robust theoretical foundation requires a two-step approach. Firstly, researchers must actively engage with relevant theories within their field (Walsham, 2006). In this study, several theories were explored. This includes activity theory, structuration theory, technology acceptance model, and diffusion of innovation. This knowledge base allows them to select the most appropriate theory for their research question. Furthermore, understanding these theories also helps researchers identify key constructs and governing principles (Hawkins et al., 2022). Based on the thorough assessment of the theories, ANT was selected as the most appropriate theory to underpin this study.

Secondly, researchers must be clear about the theory or theories they choose to underpin their studies and how these impact their methods, especially when it comes to data analysis (Mkhomazi & Iyamu, 2013). This transparency allows readers to understand the theoretical lens through which the research was conducted, fostering a deeper appreciation of its contribution. One of the core areas of this research is the formulation of networks and how negotiations shift within the networks. Only ANT explicitly focuses on the formulation of networks and shifting negotiations (Iyamu, 2021; Callon, 1986). Therefore, researchers must actively engage with relevant theories and align theory and methodology to build a solid theoretical foundation.

### **3.3 Actor-network theory**

As a socio-technical theory, ANT offers a unique lens for understanding how social realities are constructed through the complex interplay of human and non-human actors within networks (Law & Callon, 1988). Unlike traditional approaches that separate the social and technological, ANT emphasizes their co-production (Tatnall, 2003). This means that social structures and practices shape the development and implementation of technologies, while technologies themselves can influence and redefine social relationships (Crawford, 2020). ANT achieves this by focusing on actor-networks, which encompass not just people but also objects, technologies, and even ideas (Latour, 1996).

All actors are seen as capable of agency, meaning they can influence the network and its outcomes (Iyamu, 2013). The theory further explores how actors are enrolled, and their meanings are negotiated within the network through a process called translation (Callon, 1986). This highlights the dynamic nature of socio-technical systems, where both social and technological elements are constantly evolving and shaping each other. Therefore, ANT provides a valuable framework for analysing the intricate relationships between technology and social change.

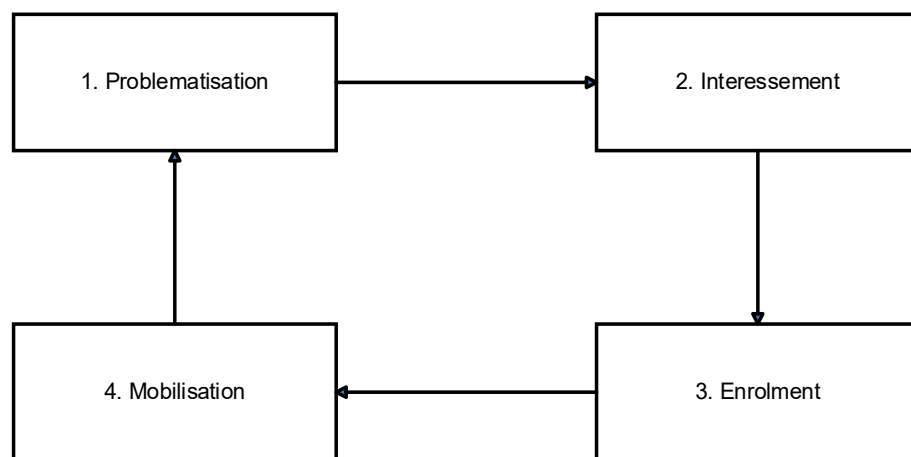
#### **3.3.1 Moments of translation**

ANT emphasises the concept of translation as a crucial mechanism for network formation and stability (Iyamu, 2018). As Kumar and Mohamed Haneef (2016) explained, ANT's translation refers to the act of enrolling actors into a network. This involves shifting negotiations where the meanings and functions of actors are modified to ensure compatibility within the network. Actors, wielding varying degrees of power (Callon, 1986), can leverage translation to influence the behaviour of other human actors.

The process of translation is iterative and multifaceted (Iyamu, 2018). It involves the creation of multiple actor-networks, each potentially evolving. Successful translations lead to a

stabilised network where actors function cohesively towards a shared goal (Kumar & Mohamed Haneef, 2016). Conversely, failed translations can result in the network's disassembling, as actors are unable to reconcile their differences and achieve enrolment (Callon, 1986).

From ANT's perspective, translation is the process that allows an actor-network to be represented by a common view (single entity), which can in itself be an individual or another network. Callon (1986) presents the translation process in four moments, as shown in Figure 3.1 below.



**Figure 3.1: Moments of translation (Callon, 1986)**

- i. **Problematisation:** This is the first stage of moments of translation (Callon, 1984). Problematisation involves defining the issue or challenge that necessitates the creation of a network. According to Nehemia-Maletzky et al. (2018), key actors identify a problem and propose a solution that requires a network to address it.
- ii. **Interressement:** At this stage, actors consciously or unconsciously show their interests in the problematised issue (Iyamu, 2018). At this second moment of translation, actors are convinced that the proposed solution aligns with their interests, as Ibitomi and Iyamu (2023) argued. The interest fosters potential enrolment in the network.
- iii. **Enrolment:** The third stage represents the formal incorporation of actors. Actors agree to participate and contribute their resources towards achieving the network's objective (Johnson & Iyamu, 2019).
- iv. **Mobilisation:** Once enrolled, actors actively mobilise their resources and capabilities to enact the solution and maintain the network's stability as Iyamu and Tatnall (2009) argued.

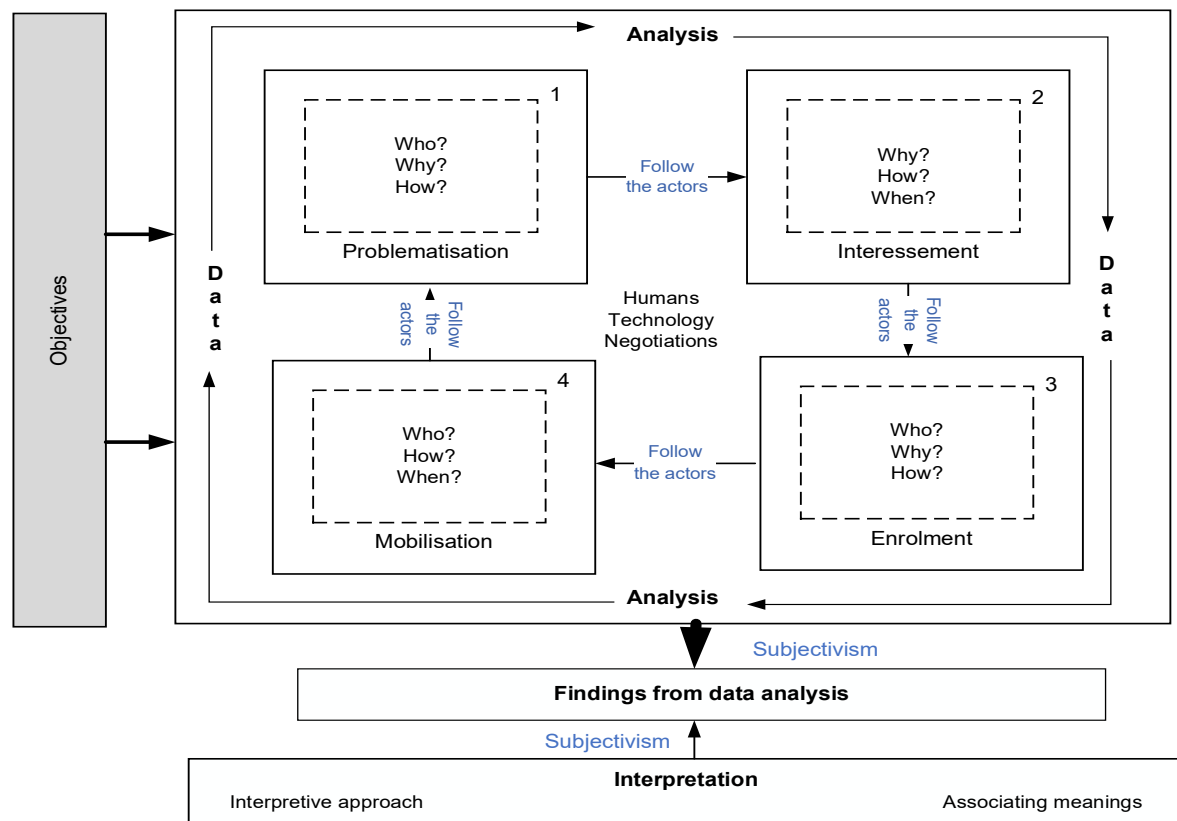
### **3.3.2 Follow the actors**

ANT's mantra is to "follow the actors" (Latour, 2005:12). Applying ANT allows the researcher to follow the actors in their heterogeneous networks. Silvis and Alexander (2014) argued that by following the actors, it is crucial for conducting data analysis to gain explicit insights. An actor in ANT can be anything that makes a difference, encompassing not just humans but also non-human entities (Iyamu, 2018). These actors can include anything from people and organisations to technologies, software, or even ordinary objects like shoes (Felski, 2016). According to Felski (2016), a network is essentially a collection of actors who exchange information and coordinate their actions. Understanding these networks requires following the actors themselves (Law & Singleton, 2013). Following this approach leads to the contexts within which actors operate and the associations they form (Law & Singleton, 2013).

The mantra of ANT lies in following the actors. By following actors, human and non-human alike, their activities can be traced and understood, including how they are shaped by the relations they form within a network (Law & Singleton, 2013). Furthermore, ANT emphasizes the importance of following what makes them act (Fioravanti & Velho, 2010). This refers to the circulating entities – the resources, ideas, and materials – that flow within a network and contribute to the actors' actions and interactions. By following both the actors and the circulating entities, researchers gain a deeper understanding of how these networks are assembled and maintained (Fioravanti & Velho, 2010).

### **1.1 The theoretical framework**

As presented in Chapter 1, the study's objectives are to examine and gain a better understanding of the current ways used in supporting and enabling the services of the Justice system in the Namibian rural communities; the challenges associated with accessing these services by the rural communities; and how a mobile technology-enabled platform can be integrated with the Justice system and its services for rural communities' purposes. Based on the objectives, ANT was selected to underpin the study. This means guiding the data analysis and interpretation of the findings towards achieving the study's objectives. In doing so, a conceptual framework based on ANT was formulated, as shown in Figure 3.2.



**Figure 3.2: A conceptual framework based on ANT**

Thus, from the ANT perspective, the conceptual framework was formulated and used to explain social network formation and the interaction that happens within the network. This includes examining translation and how negotiations among actors shift in a social system. Iyamu (2021) illuminated this concept by emphasizing the equal importance of humans and non-humans in shaping social reality. This theory sheds light on the complex relationships between various players within a social system, like the justice system. This includes how rural communities, mobile technology, and those who provide the Justice system's services interact with each other. The aim of the study is to unite a variety of actors and resources, facilitate the exchange of knowledge, and establish a networked system that empowers rural communities in Namibia by improving their access to the Justice system and its services through a mobile technology-enabled platform.

Translation, a key tenet of ANT, aligns and mediates diverse actors' interests and actions within a network (Iyamu, 2018). It is particularly useful for integrating the Justice system with a mobile technology-enabled platform to empower rural communities. This study uses the moments of translation - problematisation, interessement, enrolment, and mobilisation (Callon, 1986) - to analyse the data and understand how actors align interests, negotiate meanings, and apply resources in rural Namibia. Furthermore, ANT can facilitate the translation of the

interaction between the Justice system's service providers and rural community members to achieve a common goal and interest.

ANT can be used as a lens to guide the use of thematic analysis for data analysis, when the interpretive approach is employed (Scharp & Sanders, 2019). Figure 3.2 illustrates how the theory is employed in this study, from the data analysis to the interpretation of findings stages. The process to be followed for the analysis is explained below:

With a focus on the objectives of the study, the ANT-based theoretical framework (Figure 3.2) assists in identifying actors involved in the integration of the Justice system with a mobile technology-enabled platform. These actors included members of the Ministry of Justice (MOJ), community members, and the mobile technology-enabled platform. The interactions between these actors lead to both conscious and unconscious negotiations in the delivery and accessing of MOJ services. The interactions were translated, first, by following the actors to understand their needs and the services required. Secondly, the data was rigorously interrogated using the Who, Why, When, and How prefixes during translations to associate meanings to entities and circumstances.

The process of translation, particularly its role in negotiating meanings and fostering shared understandings, is a core strength of ANT (Callon, 1986). This makes ANT highly suitable for studying the integration of complex systems such as the mobile platform and services of justice systems in a rural community setting. By applying these moments of translation, the study investigates how actors engage in the process of aligning their interests, negotiating processes and meanings, and applying available resources to empower community members. The theoretical framework provided a step-by-step comprehensive understanding of the dynamics involved in integrating the Justice system's services with a mobile technology-enabled platform in rural communities of Namibia. Furthermore, the framework also helped to unpack the process by which activities are transformed into essential services in the Justice ecosystem.

Additionally, identifying the relationships between the actors of both MOJ and the community was crucial in achieving the study's objectives. ANT focuses on how these relationships come into being and how they manifest (Crawford, 2020). In ANT, everything in the social and natural world exists in constantly shifting negotiations within networks of relationships (Iyamu, 2021). This translates into the identification of heterogeneous networks in this social system which consequently become stable, encompassing the interactions and negotiations between the community, MOJ, and the services provided by the MOJ.

### **3.4 Actor-network theory and information systems research**

The field of Information Systems research thrives on established methodologies, commonly focusing on the technical aspects of innovation (Tatnall, 2005). However, this approach often relegates the social aspects of innovation to the background. ANT offers a different perspective by introducing hybrid entities, complex systems with interwoven social and technical elements, challenging traditional social and technical divides, and arguing that purely technical or social relations are not possible (Felski, 2016). Furthermore, ANT proposes a unified socio-technical concept in which neither social nor technological factors have total control (Latour, 1986; Law & Callon, 1988). ANT has proven useful in analysing not only successful technological advancements but also spectacular failures according to Tatnall (2005). By leveraging qualitative research, ANT provides a powerful and distinct lens for understanding innovation in Information Systems, revealing the interplay of social interactions, technological factors, and political influences, fostering a holistic understanding of the innovation process as maintained by Tatnall (2005).

ANT has emerged as a valuable tool for understanding complex socio-technical phenomena in Information Systems research. Mpazanje et al. (2013) used ANT to analyse stakeholder experiences in Information Systems projects, highlighting the social and technical complexities that influence project outcomes, particularly in the context of developing countries. Similarly, Yusuf et al. (2020) employed ANT to examine the network of actors involved in e-government initiatives in Indonesia, emphasizing the interplay between actors, power dynamics, and local contexts. In the context of Enterprise Architecture, Iyamu and van Staden (2023) used ANT to explore the integration of Enterprise Information Architecture and Business Strategy, underscoring the importance of social processes and interactions between involved actors. Additionally, Nafuka and Shaanika (2023) utilised ANT to investigate the challenges of integrating social grant Information Systems in Namibia, demonstrating how ANT can move beyond technical difficulties to analyse the social and political aspects of Information Systems integration. Collectively, these studies showcase ANT's contribution in providing a nuanced understanding of the different dynamics that influence the success of Information Systems initiatives.

Information Systems research explores interconnected phenomena in Information Communication Technologies (ICTs), addressing challenges in system development due to their increasing complexity and interconnectedness within society (Hanseth et al., 2004). The socio-technical nature of Information Systems is undeniable, involving both human and non-human entities. Information Systems research focuses on the changes brought by new or modified systems, exploring technological innovation and emphasizing the field's complex socio-technical character (Tatnall, 2003).

An ANT-based approach to IS research focuses on how networks are formed, consisting of both human and non-human actors (Hanseth et al., 2004). According to Callon (1986), researchers are consistently interested in the negotiations that lead to the configuration, including why and how networks are formed. This is often not an end in itself but continual probing of how, why, and when humans enrolled and used non-human actants to participate in the problematised phenomenon. For example, any system's characteristics would be viewed as network effects that emerge from these associations (Tatnall, 2003). ANT emphasizes the significance of interactions and associations between actors and networks (Hanseth et al., 2004).

Information Systems are crucial in organisations, supporting daily operations, administrative tasks, core processes, and providing a competitive edge (Iyamu & Sekgweleo, 2013). Using ANT, researchers can explore the complex interactions between social and technical elements in these systems.

### **3.5 Summary**

This chapter presents the theoretical foundation and framework of the study, with a focus on translation and the ANT's mantra of "following the actor". The chapter outlines the chosen theoretical framework that guides data analysis and briefly discusses ANT in Information Systems research. The next chapter details the research methodology, covering the research philosophy, approach, method, and design used in the study. It also elaborates on data collection and analysis processes, and ethical considerations.

## **CHAPTER 4**

### **RESEARCH METHODOLOGY**

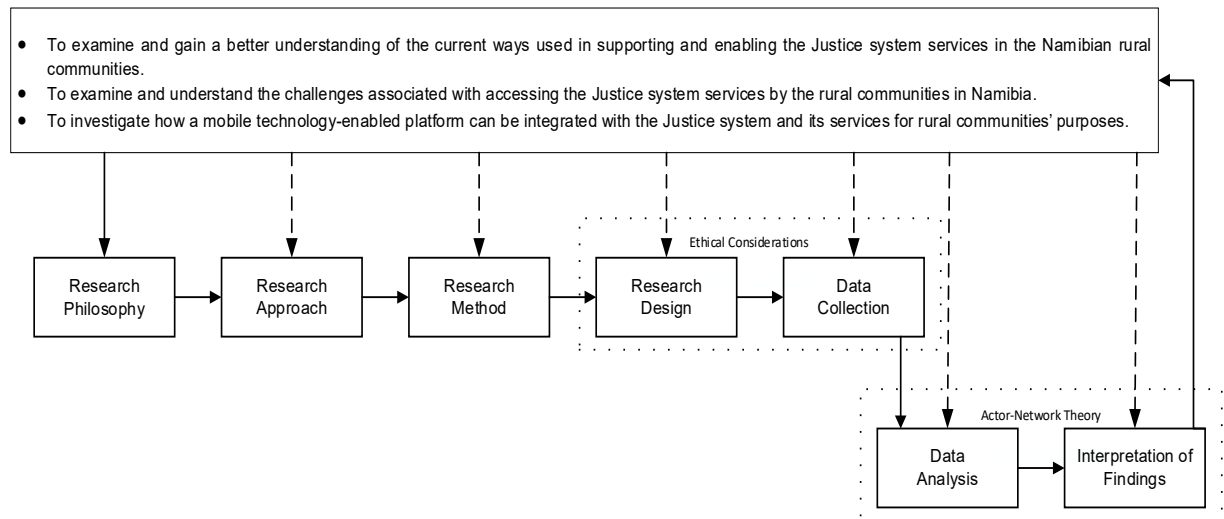
#### **4.1 Introduction**

Research methodology is the science of conducting scientific research, providing a systematic framework that guides researchers through the entire research process (Mohajan, 2020). It outlines the approaches, techniques, and instruments used to address a specific research problem. Therefore, a well-chosen research methodology is essential for conducting effective and original research, which involves careful consideration and implementation of the various steps necessary to investigate a research problem, as well as the underlying logic behind these steps (Kothari, 2004). Research methodology encompasses a set of philosophical and methodological assumptions that guide the research process, as asserted by Shikalepo (2021).

This chapter is divided into 12 sections. The subsequent section to the introduction of the chapter offers a concise overview of the research process, while the philosophical assumptions and stances guiding this study are presented in the third section. The following sections discuss the approach, method, design, data collection, data analysis, units of analysis, delineation of the research, and ethical considerations. The chapter ends with a summary. These sections are all aligned with the study's research objectives, as illustrated in Figure 4.1.

#### **4.2 Overview of the research process**

The research process followed a systematic approach, beginning with clearly defined objectives. The objectives are presented in Chapter 1 and revisited here as follows: (i) to examine and gain a better understanding of the current ways of supporting and enabling the Justice system's services in Namibian rural communities; (ii) to examine and understand the challenges associated with accessing the Justice system's services by the rural communities in Namibia, and (iii) to investigate how a mobile technology-enabled platform can be integrated with the Justice system and its services for rural communities' purposes. The objectives are embedded in the research aim, which is to design a mobile technology-enabled platform that is integrated with the Justice system, to improve access to its services and empower rural communities in Namibia. As shown in Figure 4.1, the research followed various steps, making it a rigorous process.



**Figure 4.1: Research Process**

Based on the objectives, the research questions were formulated, which are also presented in chapter 1. The research questions were rearticulated to ease understanding by the participants. The rearticulated questions were used as a set of guidelines during data collection. Owing to the subjective views required of the participants, the semi-structured interview technique was used as the instrument for data gathering. Additionally, the document analysis technique was used to collect data to complement the data gathered using the semi-structured interview technique. Only the rural community used as a case was assigned a pseudonym which is Nam-Hana rural community.

The participants, also, were assigned pseudonyms to adhere to non-disclosure of identity, which forms part of the research ethics. The participants from Ministry of Justice (MOJ) were allocated pseudonyms such as MOJ01, MOJ05 and MOJ11, while those from the rural communities were assigned pseudonyms such as RC001, RC004 and RC007, respectfully.

### 4.3 Philosophical assumption

Every research begins with an assumption, which is embedded with a certain degree of philosophy. Based on the assumption and the philosophy the researcher upholds: a problem is developed. Philosophy, as Daneshgar (2023) describes it, is a vast field that strives to comprehend the essential nature of knowledge, reality, and existence. Within the realm of research, philosophy encompasses the beliefs, assumptions, and perspectives that guide a researcher's approach to conducting studies (Holden & Lynch, 2004; Engle, 2008). Thus, philosophy is foundational to the entire research process, shaping the methodologies employed, the methods of data collection and analysis, and the interpretation of findings (Chia, 2002). The research philosophy therefore influences how researchers view the world and their place within it, thereby impacting the study's overall direction and outcomes. Central to

research philosophy are the concepts of ontology, epistemology and axiology (Aliyu et al., 2015; Rosida et al., 2023). The discussion in 4.3.1, 4.3.2 and 4.3.3 explores these philosophical underpinnings in detail, emphasizing their relevance and alignment with the aims of this study.

Research philosophical assumptions provide the foundation for how a study is conducted, as argued by Holden and Lynch (2004). They influence methods, data collection, and interpretation. Epistemological assumptions guide research design and method choice. For example, the assumption that knowledge is subjective, as highlighted by Creswell and Poth (2018), suggests that qualitative research methods are more appropriate for this study, as they allow for in-depth exploration of participants' perspectives and experiences. Ontological assumptions shape how data is conceptualised and interpreted. In this case, the ontological assumption of the existence of the Justice system and its services, as well as the recognition of the challenges faced by rural communities in accessing these services, shapes the research questions and the focus of the study. In short, these assumptions influence the focus on understanding the relationship between technology, people's perspectives, and access to the Justice system's services in rural areas.

Also, for each philosophical assumption, a stance is taken. The philosophical stance refers to the position taken in addressing research from a philosophical viewpoint, sometimes referred to as worldview (Castanelli, 2024). Crotty (1998) says that the way a researcher views the world shapes the way they research the world. The philosophical stance taken influences the research design and it may include axiology, ontology and epistemology (Tai & Ajjawi, 2016).

#### **4.3.1 Axiology**

Axiology is the philosophical study of value, including the nature, types, and criteria of values and value judgments (Rosida et al., 2023). Axiology is concerned with questions about what things are valuable, why, and how we can know what is valuable (Engle, 2008). Value is worthiness associated with the action or conduct and must have deterrent or measurement criteria.

While axiology could potentially be relevant to this study, particularly in understanding the value that rural communities place on access to the Justice system's services and the role of technology in enhancing that access, the primary focus of the study is on understanding the how and why of integrating technology-enabled platforms into the Justice system's services, rather than on the value of doing so. The epistemological and ontological considerations discussed below are more directly concerned with the nature of knowledge and reality, respectively, and how these influence the research approach and methodology. Axiology, while

related, is more focused on the what of value, rather than the how of knowing. Therefore, while axiology could certainly provide a valuable lens for interpreting the findings of the study, it is not the focus of the study.

#### **4.3.2 Ontology**

Ontology serves as the bedrock of research, defining the fundamental assumptions about the nature of reality and the phenomena under investigation (Al-Ababneh, 2020; Berryman, 2019). These ontological assumptions, in turn, shape research methods, data collection techniques, and the subsequent interpretation of findings (Al-Ababneh, 2020). Hathcoat et al. (2019) clarify that ontology explores the nature of existence, reality, and being. In the context of research, ontology specifically refers to the researcher's beliefs about the nature of the world and how they perceive and understand its phenomena (Berryman, 2019).

Ontologically, on the one hand, the Ministry of Justice (MOJ) exists in the Namibian government and provides services to its citizens. On the other, there are rural communities in Namibia, and members of the communities expect services from the MOJ. Additionally, IT solutions such as mobile technology exist and are used to provide services, including communication. Moreover, it is widely recognised that mobile technology is prevalent among rural communities in the country. AI also exists. Other important things from an ontological perspective are the realities about: (1) how the MOJ exists; (2) the extent of their services to the communities; (3) how MOJ services are received by the communities; and (4) the expectations by the community members. These existing facts and their realities could be attributed to the increasing numerous challenges that hinder rural residents' access to justice system services (Dugard & Drage, 2013; Pruitt & Showman, 2014; Conway, 2018; Shukla, 2023).

#### **4.3.3 Epistemology**

Epistemology is referred to as the study of knowledge (Berryman, 2019). Acquiring knowledge, 'to know', is a continuous thing. Knowledge can only be acquired about things that exist. Epistemology is therefore concerned with the nature and scope of knowledge, examining the methods and validity of knowledge acquisition (Khatri, 2020). Creswell and Poth (2018) highlight the significance of epistemology in qualitative research, acknowledging the subjective nature of knowledge. Khatri (2020) defines epistemological assumptions as the underlying beliefs and principles that researchers hold regarding the nature of knowledge and its acquisition. A central assumption of this study covers from humans to non-human existence, and the interwovenness between the actors.

In the context of this study, it is therefore understood that knowledge can be gained from three standpoints. Firstly, how the Namibian Justice system is organised to provide services. Secondly, the types of services that are provided to Nam-Hana community by the Namibian Ministry of Justice. Thirdly, how the services are received by the community members. Fourthly, how the services can be integrated with a mobile technology-enabled platform, towards empowering rural communities. Also, an understanding of these diverse perspectives helped to explore the complex relationship between people's (members of the Nam-Hana community and staff of MOJ) interpretations, technology use, and the difficulties associated with accessing the Justice system in rural areas. These assumptions informed the research design, and the choice of methods used to collect and analyse data, as established by Khatri (2020).

#### **4.3.4 Philosophical stance**

A researcher's ontological stance determines their beliefs about the existence and structure of the phenomena being studied (Ryan, 2018). For the ontological assumption, subjectivism was adopted as a stance. Primarily, this is because reality is socially constructed and influenced by individuals' perceptions and experiences. Subjectivism aligns with interpretivism, a paradigm which emphasizes the importance of understanding individuals' subjective perspectives. By focusing on the subjective experiences of rural community members, the study aimed to understand how culture, social contexts, and individual perceptions influence their interactions with the Justice system and its services.

Another rationale for choosing the stance is that knowledge is subjective, which means that it can only be gained through an understanding of individuals' interpretations and experiences. This aligns with the subjective stance adopted in the study. By focusing on individuals' subjective perspectives, the study aims to gain a deep understanding from the community and MOJ employees' perspectives. The subjective approach helped gain insights into the meanings that rural communities associate with: (1) the services of MOJ; (2) how they receive the services; and (3) their interactions with the Justice system's services. The approach guided an understanding of the MOJ employees' viewpoints: (1) what they thought about the services they provided to the rural communities; (2) how they thought the services were received by the rural communities; and (3) why they provided the services in the way they did.

#### **4.4 Research approach**

In this research, the research approach refers to abductive, deductive, and inductive reasoning. Abductive, deductive, and inductive approaches are used in every type of research as forms of logical reasoning. Coupled with observation, they create the basis of all research (Barrett & Younas, 2024). Induction allows researchers to use data to build theory, and deduction allows researchers to test theory and hypotheses. Whilst with abduction,

researchers use the available information to generate new ideas and recognise meaning (Karlsen et al., 2021).

Abductive reasoning plays an important part in both quantitative and qualitative research and is linked to mixed methods (Karlsen et al., 2021). Since the study is not using mixed methods and works with participants' views and experiences, there is no form of quantitative data. Therefore, it does not align with abductive reasoning. Deductive reasoning is the opposite of induction.

Deductive reasoning is often linked to the hypothesis-testing and or theory testing nature of quantitative research (Barrett & Younas, 2024). This study is concerned with creating a framework and not necessarily testing a hypothesis or theory. Therefore, this study is also not aligned with deductive reasoning.

According to Jebreen (2012), inductive reasoning provides the philosophical grounding for interpretivism and a way to understand textual data. Inductive reasoning is a form of reasoning that makes broad generalisations from specific observations, whereby the researcher conducts a systematic investigation, gets findings, and uses those findings to develop a framework (Hall et al., 2023). With inductive reasoning, a general theory regarding the phenomenon being studied is created with the help of the data and the observations from individual participants and is often linked with qualitative research (Dyar, 2022). The inductive approach emphasizes the significance of research findings and encourages researchers to draw broader conclusions from specific observations, thereby fostering a deeper comprehension of the subject matter (Tungela, 2021). The inductive research approach was best suited for this study due to its exploratory nature and its ability to generate new insights and understandings of the phenomena under investigation through participants' subjective perspectives (Ryder et al., 2019). Given the study's aim, which is to induce fresh perspectives on empowering rural communities via the integration of mobile technology-enabled platforms with the Justice system's services in Namibia, the inductive approach was particularly appropriate. Rather than testing pre-existing theories or hypotheses, the study develops a framework-based theory.

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enabled platforms with the Justice system's services in Namibia, the inductive approach was particularly appropriate. Rather than testing pre-existing theories or hypotheses, the study develops a framework-based theory.

#### **4.5 Research method**

A research method is a systematic approach to collecting, analysing, and interpreting data (Patten & Newhart, 2018). There are three research methods, the quantitative method (Mulisa, 2022), the qualitative method (Patten & Newhart, 2018; Taquette & Borges da Matta Souza, 2022), and the mixed methods (Dawadi et al., 2021). Each of the methods has distinctive focuses. The selection of the method was based on the research objectives as presented in Chapter 1.

The quantitative method is a systematic investigation that focuses on collecting numerical data, such as numbers and measurements, through specifically designed data collection techniques (Taherdoost, 2022). This method tries to quantify and analyse numerical data using statistical methods (Mullisa 2022). Furthermore, the method uses representative samples, with the goal to generalise findings to a larger population, as argued by Ghanad (2023). Taherdoost (2022) posits that the quantitative method allows not only for precise but also reliable results which can help facilitate results verification. Mellisa (2022) argues that the quantitative method is often rooted in positivist philosophies, which emphasize the importance of observation and measurement to understand the world. Ghanad (2023) also argues that the focus of this method is on testing theory.

This study's aim was to understand the services provided and received by the MOJ and Nam-Hana rural community members, respectively. Based on this, a framework was developed. In doing so, it was necessary to gather the views and experiences of the actors (individuals and groups from MOJ and Nam-Han) involved. As a result, the research questions could not be given precise answers neither could the answers be measured or quantified. This goes against the focus of the quantitative research method of testing theory. Thus, the type of data that was collected is not numerical in nature but text; therefore, this method was not suitable for this study.

Mixed methods integrate philosophical frameworks of both positivism and interpretivism, thereby mixing qualitative and quantitative methods, as highlighted by Wasti et al. (2022). Mixed methods are explained by Dawadi et al. (2021) as a combination of both qualitative and quantitative methods to collect and analyse data in a single study. The aim of mixed methods is to integrate and complement the combined methods to leverage on the strengths of the methods to gain a better understanding of the phenomenon under investigation (Taherdoost,

2022). According to Dawadi et al. (2021), the combination of methods helps researchers to have objectives/research questions that explore multiple perspectives, whereby the qualitative perspective helps provide an in-depth understanding while the quantitative perspective provides a broad statistical analysis in the same study, as opposed to one method.

Based on the objectives of the study, the qualitative method was more suitable for this study as explained below. This is because the mixed method consists of both qualitative and quantitative methods (Dawadi et al., 2021), and it is not suitable for this study, as this study does not have a quantitative aspect.

The qualitative method was therefore selected as the suitable and most appropriate method for the study. Some of the rationale for employing the qualitative method are as follows:

- i. This was primarily because the qualitative method allows for an in-depth exploration of subjective experiences and perceptions through various techniques (Taylor et al., 2015; Cypress, 2015).
- ii. This was in alignment with the study's objectives to understand the experiences and perspectives of rural community members regarding access to the Justice system's services.

How the method was applied includes the following:

- i. The qualitative method's techniques were used for an in-depth exploration and deeper understanding of the actors' subjective experiences and perceptions: rural community members; and MOJ employees, in providing and accessing the Justice system's services.
- ii. The wide range of techniques and approaches offered by the qualitative method were used to guide the research design, data collection, and data analysis (Cypress, 2015; Creswell & Poth, 2018). This flexibility allows researchers to choose the most appropriate techniques and instruments for their specific research objectives and the nature of their data.

Based on the above, the qualitative method was essential for developing a tailored framework for integrating mobile technology-enabled platforms with Namibia's Justice system's services.

#### **4.6 Research design**

To address the research problem, a research design structure is needed to guide the study's data collection and analysis (Leedy & Ormond, 2015). According to Yin (2003), a research design is the list of procedures that connects the empirical data to a study's research questions as well as to its conclusions. On the other hand, Asenahabi (2019) says that the overall plan for conducting a study is called research design. While Sanders et al. (2009) posit that the research design is the plan of how you go about answering your questions, Chowdhury et al.

(2020) argue that the rigour of any research depends on the choice of research design. There are multiple research designs such as Experiments, Case Studies, and Grounded Theories that could be employed in the different studies. The choice of a research design must be guided by your research aim, questions and objectives, as well as your own philosophical underpinnings (Leedy & Ormond, 2015). This may mean that your questions and objectives should be well aligned to the aim of the study.

Experiments are forms of popular research in natural and social sciences (Dunning, 2012). The goal of an experiment is to study causal relationships, whether a change in one independent variable causes a change in another dependent variable and it answers the How and Why questions. The grounded theory, on the other hand, is helpful for research to predict and explain behaviours, the importance being upon developing and building theory (Goulding, 2002).

The case study approach, as described by Baskarada (2014), provides researchers with an opportunity to gain a comprehensive and in-depth understanding of a research issue. By delving into specific cases, researchers can describe, comprehend, and clarify the complexities of a research problem or situation. The case study approach was a suitable choice for this study due to its ability to provide a comprehensive and in-depth understanding of the phenomenon in its natural setting (Harrison et al., 2011). Primarily, this is because focusing on specific cases allows for a detailed examination of the interactions and challenges associated with the Justice system's services, including cultural, social, and economic conditions. This in-depth exploration was crucial for developing a framework that could be tailored to the specific needs of these communities.

The study used two cases, the MOJ and a rural community in Namibia referred to here as Nam-Hana rural community. One community was selected for two main reasons. Firstly, a preliminary investigation was conducted, which revealed that many of the communities in Namibia shared similar experiences and challenges in receiving MOJ services. Secondly, a set of criteria, as detailed below, was used for the selection. MOJ is the government ministry of Justice, in Namibia. The Ministry has a primary mandate to oversee the administration of justice and the Justice system in the country. Its functions include providing and facilitating access to the Justice system and its services for the citizens of Namibia. Understanding the accessibility of the Justice system's services necessitates a dual perspective from both the service providers and the users, allowing for a holistic understanding of difficulties, dynamics, and effectiveness from both sides.

In the process of selecting a suitable rural community, the following criteria were used.

- i. The community must fulfil the criterion of being distinctly rural, as categorised by the Namibian government (Stockmayer et al., 2015).
- ii. The community must grant access, usually by the local headman or appropriate authority. This was to ensure ethical engagement.
- iii. The community's location should be within a 100-kilometre radius of the researcher's base for efficient research interactions.
- iv. At the time of the research, to ensure successful communication, Oshiwambo was preferred. This is because Oshiwambo was the prevalently spoken local language within the community.

By adopting the case study approach as the research design, this study aims to gain valuable insights into the challenges of access to the Justice system's services in rural Namibia. This approach allows for a thorough exploration of participants' subjective experiences, and the findings inform the design of a framework to integrate a mobile technology-enabled platform with the Justice system's services that can empower rural communities by improving access to these services.

#### **4.7 Data collection**

Data was collected through semi-structured interviews to ensure a full understanding of the research objectives. Two distinct sets of questions were developed, one for participants from the MOJ and another for participants from the Nam-Hana rural community. This separation allowed for targeted insights from both the service provider's and service receiver's perspectives. The data collection process was structured into three phases, (1) before the interviews, (2) during the interviews and (3) after the interviews. This structured approach ensured a systematic and rigorous data collection process, enhancing the validity and reliability of the findings.

##### **4.7.1 Before the interview**

Before starting the interview process, research guidelines were developed for participants in both cases. These guidelines were developed to ensure consistency throughout the interviews and to help the researcher stay focused on the research objectives. The questions within the guidelines were derived from the main research question and its sub-questions:

##### **Main Research Question:**

How can a framework be developed to integrate a mobile technology-enabled platform with the Justice system's services to empower rural communities?

**Sub-Questions:**

- i. What are the current ways of supporting and enabling the Justice system's services in the Namibian rural communities?
- ii. What are the challenges associated with accessing the Justice system's services by the rural communities in Namibia?
- iii. How can a mobile technology-enabled platform be integrated with the Justice system and its services for rural communities' purposes?

To facilitate a smooth flow of discussions and allow for deeper conversations, the interview questions were simplified. This way, the researcher was able to probe further the points raised by participants. A total of 20 interview questions were formulated for MOJ participants, while 17 questions were formulated for participants from the Nam-Hana rural community. Additionally, follow-up questions were prepared for selected topics to gather more data where necessary.

**Data Collection Permissions**

Prior to conducting data collection, necessary permissions were obtained from relevant authorities.

**National Commission for Research, Science, and Technology (NCRST):**

Since the researcher's university is not based in Namibia, authorization from NCRST was required to conduct research within the country. The researcher completed an application process that included submitting:

- An application form
- An ethical clearance certificate from the university
- The research proposal
- A payment of R/N\$7,000.

Upon meeting all requirements, the researcher was granted the permission to collect data in Namibia.

**Ministry of Justice (MOJ):**

Permission to collect data from MOJ participants was sought through the office of the Executive Director (ED). The researcher submitted:

- A formal request letter
- The NCRST permit
- The university's ethical clearance certificate
- The research proposal.

Following the review of these documents, the MOJ issued an official approval letter of data collection permission.

#### **Nam-Hana Rural Community:**

Approval to collect data from the Nam-Hana rural community was obtained from the local leaders of 3 villages. The researcher was required to:

- Present the NCRST permit
- Provide the ethical clearance certificate from the university
- Explain the purpose and scope of the research.

After reviewing these materials, the researcher was issued with an official letter of permission, allowing them to engage with community participants.

#### **4.7.2 During the interview**

For the semi-structured interviews, the researcher arranged an appointment with the Public Relations Officer, who was the contact person through whom the researcher obtained the permission, to coordinate and schedule interview dates with the participants. Participants who met the selection criteria were identified through referrals. In the rural community, the village leaders referred some participants, while others were recommended by previously interviewed participants. The interviews were conducted based on participants' availability to avoid any disruption to their schedules. At the beginning of each interview, participants were provided with a brief introduction to the researcher and the study's purpose. They were then presented with an informed consent form, which they reviewed and signed before proceeding. With participants' consent, all interviews were recorded. Several challenges emerged during the interview process:

#### **Time Constraints: MOJ Participants**

Many MOJ participants had demanding work schedules and when they were available, they were pressed for time, making it difficult to manage. The researcher had to remain flexible and adapt to participants' availability, and trying to make the most out of the questions, answers and time.

#### **Effective Probing**

During the first interview, the researcher realised that probing was not done properly, where some points were left unexplored. To remedy this, more effort was made in subsequent interviews to ask follow-up questions and encourage participants to elaborate on their responses.

### **Interview Environment and Interruptions**

MOJ participants could only be interviewed at their workplace, which sometimes posed challenges such as background noise, limited space, and frequent interruptions from colleagues or walk-in visitors or clients. To address this, the researcher and participants agreed to pause the recording whenever interruptions occurred and resume once the environment was conducive for discussion again.

### **Lengthy Discussions**

One key challenge encountered during interviews with rural community participants was that many wished to discuss unrelated topics after the formal interview process. These discussions were time-consuming and did not contribute directly to the research objectives. The researcher had to manage time effectively while maintaining a respectful and professional approach to concluding the discussions.

### **Travel Distance**

The researcher faced significant travel demands, as all the MOJ participants interviewed were based at the Ministry's head office which is in Windhoek, and the researcher resides somewhat 650km away, requiring long-distance travel. In contrast, interviews with rural community members required less travel, as they were conducted within a manageable distance from where the researcher resides. This was part of the criteria.

The researcher remained adaptable, regardless of these challenges. For MOJ participants, the researcher observed that data saturation (the point at which no new information emerged) was reached during the ninth interview. However, interviews continued up to eleven to confirm. Similarly, within the rural community, saturation was reached during the fifth interview, but interviews were extended to the seventh participant making the total number of interviewed participants to be eighteen.

#### **4.7.3 After the interview**

To ensure participants could express themselves freely and comfortably, all interviews with rural community participants were conducted in their local language, Oshiwambo, except for one participant who preferred to be interviewed in English, while all MOJ participants were interviewed in English.

Following the interviews, all audio recordings were transcribed into text verbatim. For interviews conducted in Oshiwambo, translations were also done. After transcription, a data cleaning process was carried out to remove inconsistencies, correct minor errors, and ensure

that all responses were well-structured and ready for analysis. This step was crucial in preparing the data for analysis, to ensure reliability. Two sets of interviews were conducted as shown in Table 4.1 and Table 4.2 below.

**Table 4.1: Participants from MOJ**

| <i>Department</i>                                      | Number of Participants |
|--------------------------------------------------------|------------------------|
| <b><i>Maintenance</i></b>                              | 3                      |
| <b><i>Legal aid</i></b>                                | 3                      |
| <b><i>Community Courts</i></b>                         | 1                      |
| <b><i>Civil Litigation</i></b>                         | 1                      |
| <b><i>Public Relations</i></b>                         | 1                      |
| <b><i>Master of the High Court – Guardian Fund</i></b> | 2                      |

**Table 4.2: Participants from Nam-Hana Rural Community**

| <i>Description</i>                   | Rural Community 1             | Rural Community 2           | Rural Community 3                  |
|--------------------------------------|-------------------------------|-----------------------------|------------------------------------|
| <b><i>Permission Granted</i></b>     | Headwoman – Rural Community 1 | Headman – Rural Community 2 | Headman – Rural Community 3        |
| <b><i>Number of Participants</i></b> | 3 (all elderly females)       | 1 (elderly female)          | 3 (2 young females & 1 young male) |

#### **4.7.4 Documentation**

To complement the data gathered from interviews, relevant documents related to the services provided by MOJ were also collected. These documents included the customer service charter booklet, the annual report, and the constitution of Namibia. Document analysis was chosen as a research technique because documents not only serve as historical records but also reflect and shape the social realities in which they exist (Blaxter et al., 2010). As Bowen (2009) explains, document analysis provides a systematic way to review documents, helping researchers extract meaningful insights. Kutsyuruba (2023) further emphasizes that this method allows for a non-intrusive approach to data collection, enabling the examination of documents in their original context. Additionally, Morgan (2022) highlights that document analysis is an underutilised approach in qualitative research that can provide valuable insights. In total, the researcher received three hardcopy documents from the participants, and these documents were assigned pseudonyms: MOJD1, MOJD2, and MOJD3.

**Table 4.3: Documents Collected**

| <i>Document Description</i>             |
|-----------------------------------------|
| Annual Report 2022 - 2023               |
| Customer Service Charters Booklet       |
| Constitution of the Republic of Namibia |

#### **4.8 Data analysis**

This study used thematic analysis guided by ANT as a lens to provide a comprehensive understanding of MOJ service delivery. Thematic analysis, guided by Scharp & Sanders (2019), was used to identify patterns and themes within interview transcripts and MOJ documents, offering insights into participants' perceptions and experiences. ANT, drawing on principles of translation (Callon, 1986) and actor-networks (Latour, 1996; Heeks & Stanforth, 2015; Iyamu, 2021), facilitated the identification of actors and an examination of the relationships between the various actors and how they interact.

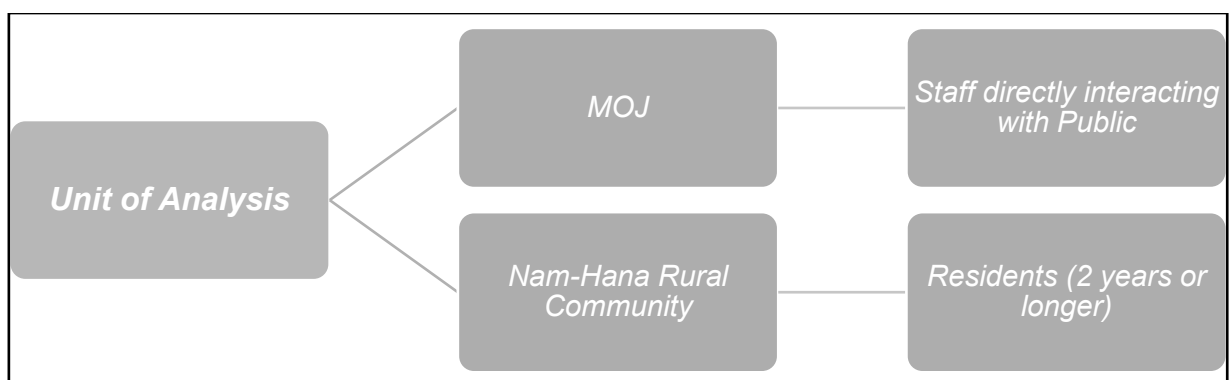
The analytical process involved four key areas: (i) measuring the perceived importance of MOJ services, using both interviews and documents to understand how services are framed and perceived; (ii) examining the interconnections between MOJ, communities, and services; (iii) analysing actor interactions and negotiation of service access, focusing on rural community members' experiences and MOJ processes on service delivery; and (iv) assessing the role of IT in service provision, exploring the socio-technical dynamics of technology integration.

The analytical steps included: identifying key themes; identifying patterns to corroborate findings across data sources; and applying ANT to investigate how human and non-human actors shape service delivery and access. This combined approach ensured a systematic and in-depth exploration of MOJ service delivery and access, revealing the relationship of factors influencing access to justice system services.

Subsequently, the interpretation of the findings was also guided by ANT. The use of ANT led to the understanding of the findings by following the actors and determining how the networks are formed and how technology-enabled platforms can be enrolled in the actor-networks through shifting negotiations. The moments of translations tenet of ANT helped to understand the many challenges the community members face trying to access the Justice system's services due to the many actors in the actor-networks and the lack thereof. Also, ANT helped to explore technology-enabled platforms to be applied as immutable mobiles to deliver and improve access to these services.

#### 4.9 Units of analysis

Defining the unit of analysis is an important part of any methodology since it establishes the subject of investigation (Damşa & Jornet, 2021). The two cases, MOJ and Nam-Hana rural community, were used to determine the units of analysis types for this study. At MOJ, data was collected from all the participants who directly interact with the public. This included participants from the following departments: Maintenance Court, Master of the High Court (Guardian Fund), Legal Aid, Community Courts, Civil Litigation and Public Relations. At Nam-Hana rural community, data was collected from the residents of this community who have resided there for more than two years.



**Figure 4.2: Unit of Analysis**

#### 4.10 Delineation of the research

The focus of the study was to improve access to the services of the country's justice system through the MOJ, particularly for rural community members. Therefore, MOJ, which is responsible for the implementation and provision of justice system services, was selected as a case for the perspective of the service provider, while Nam-Hana rural community was selected as a case for the perspective of the service receiver. The study also specifically examined the use of technology-enabled platforms to improve access to the services of the Justice system and did not consider other alternative solutions.

#### 4.11 Summary

This chapter started off with a section on introduction of research methodology which was further discussed in detail during the subsequent sections. The overview of the research process highlighted the important building blocks of methodology presented as research philosophy, research approach, research method, research design, data collection, data analysis and interpretation of findings, units of analysis, and delineation of the study. These building blocks ensure that the aim and objectives of the study are achieved.

A qualitative method with semi-structured interviews was used as the study's data collection technique as a result of the stance taken, following research philosophy and the subsequent blocks, as discussed above. Thematic analysis guided by ANT (Theoretical framework discussed in chapter 3) as a lens was used for data analysis. Chapter 5 will be an overview of the cases studied.

## CHAPTER 5

### OVERVIEW OF CASE STUDIES

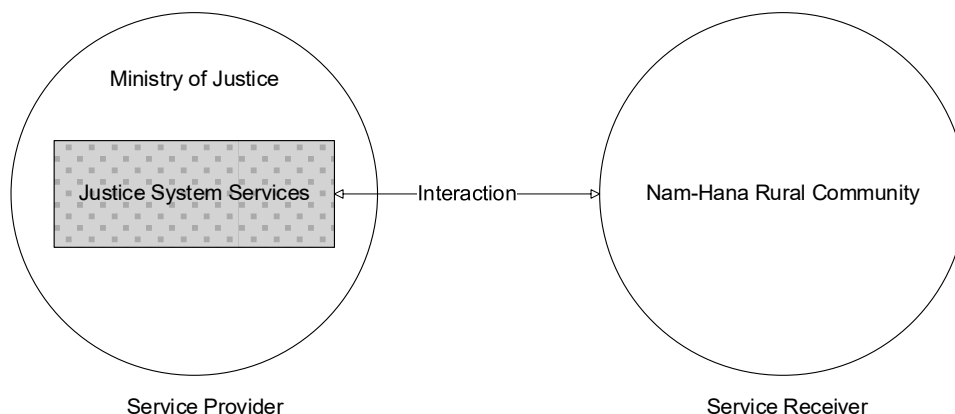
#### 5.1 Introduction

This chapter presents an overview of the cases used in the study. It is an overview for two reasons. Firstly, it focuses on the aspects of the cases that concern this study. Secondly, based on ethical understanding with the cases, sensitive information is omitted. As introduced and explained in chapters 1 and 4, respectively, the Ministry of Justice (MOJ) and a rural area (Nam-Hana) in Namibia are the cases. The cases were selected based on the study's objectives as presented in Chapter 1. MOJ provides the services received by Nam-Hana community.

The chapter is organised into six main sections. The first section is introductory followed by an overview of the chapter. Section three details the field work carried out. Section 4 presents the MOJ case highlighting the organisational structure while section 5 presents the Nam-Hana rural community case. Section six before the summary provides an overview of the data collection and analysis for both cases. The analysis of the MOJ case is presented in Chapter 6 while that of Nam-Hana is presented in Chapter 7. Lastly, the chapter is summarised.

#### 5.2 Overview of the chapter

A case study design was used in this study as discussed in chapters 1 and 4. Based on the objectives of the study, criteria were used in selecting the cases, service provider and receiver. The relationship between the 2 cases is highlighted in Figure 5.1. Data were collected from the two cases using the semi-structured technique. As discussed in chapter 4, data were gathered from individuals within the cases. At MOJ, various units of the organisation were involved in the study.



**Figure 5.1: Relationship between the cases**

The relationship between the cases, provider and receiver of the Justice system's services was determined by interactions and processes including structure, which this study explored. This was to gain a deeper understanding of the factors that manifest from the relationship, which influenced and caused challenges in service delivery. Additionally, it includes how a mobile technology solution can be used to facilitate improved service delivery. The remainder of the chapter provides details about the cases, focusing on their participation in the study.

### **5.3 Fieldwork**

Permission to collect data was sought and obtained from relevant authorities before commencing the data collection. Ethical clearance was obtained from Cape Peninsula University of Technology which facilitated the acquisition of the permissions needed. For MOJ, a permit to collect data in Namibia was obtained from Namibia Commission on Research, Science and Technology. Subsequently, permission from MOJ was also obtained. For Nam-Hana rural community, permission was obtained from the headman and headwoman of the community. All participants signed the informed consent form which also granted permission to record the interviews.

The semi-structured interview technique was used to collect the data, as explained in detail in Chapter 4. This technique comes with an interview guide which contains questions to guide the interviewer but also allows for probing of clarifying questions from both the interviewer and the interviewee. This helped in fostering deep conversations allowing for rich data collection. The participants from the rural community were interviewed in Oshiwambo, which is the local language, and participants preferred the interviews to be conducted in Oshiwambo. The interviews were recorded.

Prior to the interviews, the researcher was introduced, and the study was briefly explained, including some of the ethical considerations pertaining to the participants explained in detail in the informed consent as well as in Chapter 1. Additionally, the interview was shortly introduced to provide an overview of the topics to be discussed. During the interview process, the interviewer took notes to help with the probing.

Eleven and seven people were interviewed at MOJ and Nam-Hana, respectively. The interviewees were assigned pseudonyms to avoid the disclosure of identities. In MOJ, the pseudonyms ranged from MOJ01 to MOJ11. As for Nam-Hana, they ranged from RC001 to RC007. Using the pseudonyms, a set of formats were formulated. For MOJ, a format for citation that was formulated indicated the pseudonym of the participant, which was also used to name the interview transcripts of the participants, followed by the page number and the line number/s of what the participant said. For example, this format (MOJ02, 3:56-58) can be

interpreted as MOJ participant number 2 interview script page 3: full statement from line number 56 to 58. For Nam-Hana, a similar format was also formulated (RC001, 2:25-29) and should be interpreted as Nam-Hana participant number 1, interview script page 2; full statement from line number 25 till 29. The formulation of formats was necessary to help with participant citation in the study.

#### **5.4 The Ministry of Justice**

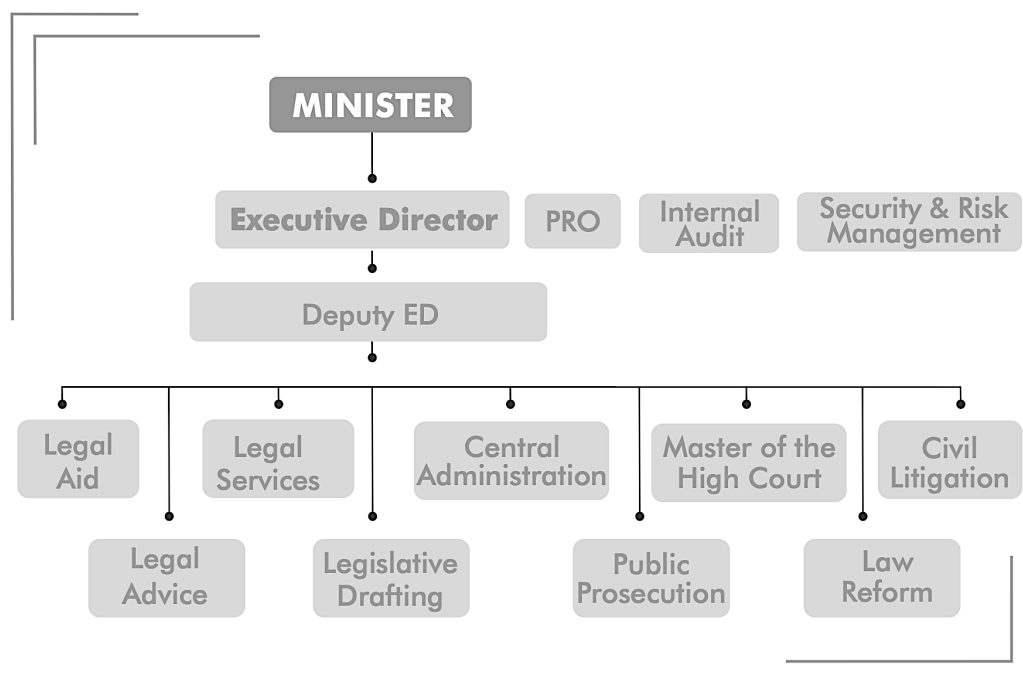
The Ministry of Justice (MOJ) was established after Namibia gained its independence in March 1990. Article 1(1) of the Constitution of Namibia establishes Namibia as a state founded upon the principles of democracy, the rule of law, and justice for all (Namibia, 1990). Additionally, article 32(1) of the Constitution mentions that the President shall uphold, protect, and defend the Constitution (Namibia, 1990). Moreover, MOJ is responsible for maintaining an efficient and accessible justice system that upholds the rule of law and provides essential legal services to the Namibian populace. Through its various departments, among others, MOJ provides legal representation, legal advice, administers justice, drafts legislation, and ensures equitable access to legal and judicial services to all in Namibia (Ministry of Justice, 2024).

The MOJ was supposed “To deliver quality, timely and accessible legal services and provide quality, timely and independent legal representation, advice and prosecutions” as stipulated in the government gazette (Namibia. Ministry of Justice, 2024:12). This includes administering justice and providing legal services to Namibia’s citizens and the government is the main responsibility of MOJ. Additionally, the Ministry pronounces through various media that they are committed to delivering equitable legal services and making sure that everyone has fair access to justice (Ministry of Justice, 2024). However, it was not always the case, hence, there was need to conduct this study.

Despite the challenges, the Ministry strives to ensure that all people are treated equally when they are interacting with the law and are given equal opportunities to seek remedy and resolution. This includes managing the Justice system, making sure that courts operate appropriately, and offering individuals in need with legal assistance and access to judicial services. Furthermore, the Ministry is also in charge of writing, creating, and evaluating laws to guarantee efficiency, equity, and clarity. In addition to carrying out law reform, which ensures that outdated or ineffective laws are updated, it prosecutes criminal cases. Plus, MOJ handles deceased estates, and the Guardian’s Fund, which maintains money in a trust for minors and persons under guardianship (Namibia. Ministry of Justice, 2023).

### 5.4.1 Organisational structure

The Namibian Ministry of justice (MOJ) is structured into nine main sections, as shown in Figure 5.2. Administratively, the Ministry is headed by a Minister appointed by the President of the country (Namibia, 1990). The Minister is supported by the Executive Director (ED), who coordinates the administrative functions and processes of the Ministry. The ED has a deputy (Deputy ED) in the operations and management of the Ministry's service delivery, including governance of processes. (Namibia. Ministry of justice, 2024:7).



**Figure 5.2: MOJ Organogram**

The Ministry of Justice provides a wide range of legal services (Namibia. Ministry of Justice, 2024; Ministry of Justice, 2024) that ensure justice is accessible to all Namibians. Data were collected from these respective divisions: Maintenance, Legal Aid, Community courts, Civil Litigation, Public Relations Office and, Master of the High Court (Guardian Fund). The participants were selected through referrals by the public relations office, through which permission was sought and granted, but according to a set criterion. The criterion was specific to participants having worked at the Ministry for two years or more and must be involved with providing services to the public. Data were collected until the point of data saturation was reached as it was discussed in detail in chapter 4. Table 4.1 below focuses on the divisions where the data was collected, the services they are responsible for, and gives a brief description of the services (Namibia. Ministry of Justice, 2023).

**Table 5.1: MOJ units**

| <i>Directorate</i>                              | <i>Services Provided</i>                                                                                                                                                                                        | <i>Description</i>                                                                                                                              |
|-------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Legal Services - Maintenance</b>             | <ul style="list-style-type: none"> <li>Maintenance</li> </ul>                                                                                                                                                   | Handling and managing maintenance complaints, court hearings and investigation.                                                                 |
| <b>Legal Aid</b>                                | <ul style="list-style-type: none"> <li>Legal education</li> <li>Legal representation subsidised by the government</li> </ul>                                                                                    | <p>Provide legal education community outreach programs</p> <p>Provides legal support to individuals who cannot afford legal representation.</p> |
| <b>Legal Services - Community Courts</b>        | <ul style="list-style-type: none"> <li>Setting up Community Courts</li> <li>Oversee the administration of the Community Courts</li> <li>Providing training to the personnel of the Community Courts.</li> </ul> | Upholding justice and resolving matters within local communities.                                                                               |
| <b>Civil Litigation</b>                         | <ul style="list-style-type: none"> <li>Handling civil cases</li> <li>Representing the government in legal disputes</li> </ul>                                                                                   | Manages lawsuits involving the government and provides legal representation in non-criminal cases.                                              |
| <b>Public Relations Office</b>                  | <ul style="list-style-type: none"> <li>Information Dissemination</li> <li>Facilitating Communication</li> </ul>                                                                                                 | To ensure that the public is well-informed about the Justice system and the Ministry's role in it.                                              |
| <b>Master of the High Court – Guardian Fund</b> | <ul style="list-style-type: none"> <li>Administration of the Guardian’s Fund.</li> </ul>                                                                                                                        | Manage and oversee financial interests of minors and people under guardianship.                                                                 |

To provide equitable and fair services to the public, the Ministry is expected to adhere to values such as service excellence, synergy, and accountability (Ministry of Justice, 2024). With a vision “to be the leading provider of legal services” (Namibia. Ministry of Justice, 2024:12) which aligns with its mandate. Some of the values are presented here below.

- i. **Service excellence:** MOJ strives to provide quality, timely, and accessible services. This is expressed in its customer service charter with an emphasis on treating clients with respect and efficiency (Namibia. Ministry of Justice, 2023). However, citizens’ service satisfaction is unknown, therefore, perhaps the Ministry's pursuit of service excellence requires continuous improvement of processes and innovations, including digital service delivery, to ensure that services meet the needs of all citizens.
- ii. **Accountability:** The Namibian Constitution establishes a foundation for accountability by outlining the duties and responsibilities of public officials (Namibia, 1990). Institutions such as the Office of the Ombudsman (Ombudsman, 2023) and the Anti-Corruption Commission (Anti-Corruption Commission, n.d.) perform important roles in monitoring and enforcing accountability. Based on the information above, it is concluded that accountability involves taking full responsibility for actions and outcomes, ensuring transparency and trust in public service.

- iii. **Synergy:** Within the MOJ, synergy highlights the importance of diverse departments, agencies, and stakeholders collaborating to achieve common objectives. This also includes encouraging teamwork and an appreciation of employees (Namibia. Ministry of Justice, 2023). This could mean that the Ministry's use of synergy reflects the need for integrated judicial services by fostering effective communication and coordination between courts, law enforcement, and other relevant entities.

## 5.5 Nam-Hana rural community

Namibia is located in Southern Africa, bordering the South Atlantic Ocean to the west, Angola and Zambia to the north, South Africa to the south and Botswana to the east, as highlighted in Figure 5.3. Namibia has a small population of about 3 million people with a diverse cultural heritage, although it is geographically large, occupying an area of 824 290 square kilometres (Namibia Statistic Agency, 2023). The country's diverse population has several ethnic groups, including the Ovambos, Hereros and Damaras (Stell, 2022). Despite Namibia being a multilingual society, English is the only language serving as the official language, while indigenous languages such as Oshiwambo, Otjiherero, Nama/Damara, Silozi and others are widely spoken (Stell, 2022).

Namibia has 14 administrative regions, including Khomas, Oshana, Oshikoto, Ohangwena and Omusati as depicted in Figure 5.3. Nam-Hana rural community, a case of this study, is a village in the Oshana region. Of the 14 regions, the Oshana region holds a strategic position in the north-central part of Namibia, with a mix of urban areas like Oshakati, as well as extensive rural communities that rely on traditional governance structures and subsistence agriculture (Ambili et al., 2024). Oshiwambo-speaking people predominantly inhabit the Oshana rural communities, and they continuously maintain a communal lifestyle with strong family networks. People in these rural areas depend largely on growing their own food, animal farming, and operating small businesses such as mini-shops and mini-markets (Nickanor et al., 2021; Nhinda & Shava, 2023). Individual family homesteads in these rural communities such as Nam-Hana, are structured such that the homestead is central, surrounded by their pearl millet (Omahangu) fields. The Oshanas (seasonal flood plains) that characterise the region influence agricultural activities, as farming practices depend on the availability of rainfall and flooding patterns (Nhinda & Shava, 2023; Ambili et al., 2024).



**Figure 5.3: Namibian Map**

The governance structure is rooted in the traditional authority system, which means that the traditional ways of governing remain powerful forces within Oshana's rural settings, although there is modern systems development (Martin, 2024). In continuation, Martin (2024) argues that the traditional authority system consists of chiefs, senior headmen, and village headmen/women, who oversee customary laws, land allocations, and conflict resolution. Traditional leaders and courts collaborate with the modern governance structures, including regional and local councils, for community welfare (Namibia. Office of the Prime Minister, 2000). Traditional courts play a crucial role by applying culturally relevant methods in maintaining order and mediating disputes (Martin, 2024). However, they may often face challenges due to limited recognition and resources, therefore highlighting the need for improved formal justice structure in rural areas. Collaborative efforts between the government, traditional authorities, and civil society organisations are a vehicle to create a more just and inclusive society (Chlouba, 2020).

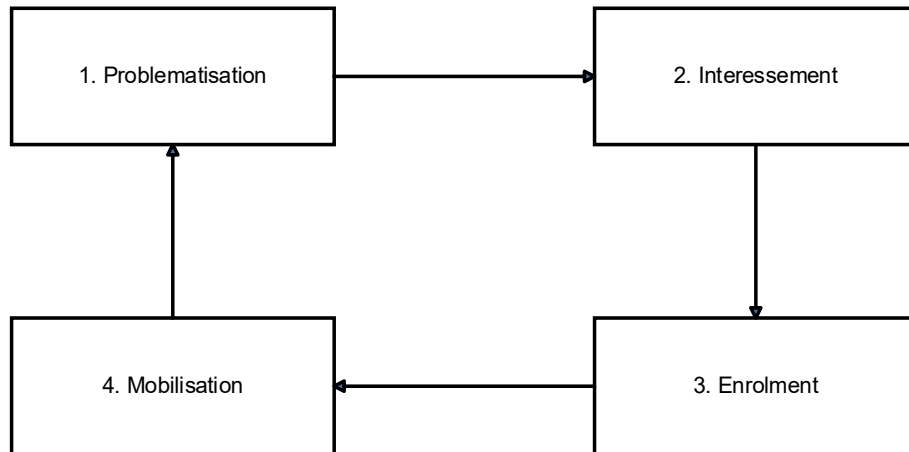
Due to the geographical spread of homesteads and poor infrastructure, residents face difficulties accessing public services. Furthermore, Hatutale (2020) argues that rural areas experience less access to services than urban areas, due to greater distances from service providers. As a result, many disputes including land-related conflicts and gender-based violence cases are delayed or go unresolved (Nangolo, 2022) due to long distances from legal institutions (Durojaye et al., 2020), costs of legal representation, and inadequate awareness of legal rights (Zongwe, 2021).

Based on the above, it is assumed that addressing these issues through targeted improvements in public service delivery, particularly within the justice system, is essential to enhancing social equity and equal access to services for rural residents. Additionally, strengthening judicial services through mobile courts, community-based legal aid, and improved legal literacy programmes can be necessary to ensuring that rural populations receive equitable access to justice. Moreover, advancements in digital and mobile technology can also provide opportunities to bridge the gap between rural communities and legal services. Hence, ter Voert (2022) emphasizes that implementing digital platforms for legal assistance and establishing decentralised justice service centres in rural areas can enhance legal accessibility.

## **5.6 Overview of the data collection and analysis of cases**

Data were collected from a rural community (Nam-Hana village) and the Ministry of Justice (MOJ) of the country, Namibia. Nam-Hana is a pseudonym assigned to the community. This is because the community did not want the disclosure of its identity. Nam-Hana and MOJ are referred to as cases in this study. Detailed information relating to this study about the two cases is presented above. Data were collected from the cases using the semi-structured interview technique. Eleven and seven people participated in the study from MOJ and Nam-Hana community, respectively. Pseudonyms were assigned to the participants for two reasons: (1) to maintain confidentiality as per the university's (CPUT) research code of ethical conduct and (2) for ease of referencing when citing participants during the data analysis. MOJ's participants were assigned MOJ01 – MOJ11. The seven participants that were interviewed from the Nam-Hana rural community were assigned RC001 – RC007.

The data analysis from the two cases was conducted separately. However, the same techniques, thematic analysis guided by ANT's moments of translation, were applied. According to Scharp and Sanders (2019), thematic analysis is a process of identifying patterns and themes. The themes that emerged were identified through the lens of the four moments of translation as presented in Figure 5.4 below. According to Latour (1996), in ANT, a network stabilises translations and interactions between actors and incorporates both human and non-human actors (objects, technologies, and organizations). The theory posits that all actors are equally important in shaping social reality, and they can all be part of a network (Iyamu et al., 2013).



**Figure 5.4: ANT's Moments of Translation (Callon, 1984)**

As discussed in Chapter 3, the moments of translation consist of four key stages, as shown in Figure 5.4: problematisation, interessement, enrolment, and mobilisation (Callon, 1984). The data analysis focuses on the study's objectives, which include gaining a better understanding of how judicial services are provided to the rural Namibian communities, the challenges associated with accessing the services by the rural communities, and how a mobile technology-enabled platform can be integrated with the Justice system and its services for rural communities' purposes.

Problematisation is the first moment of translation, which defines the issue or challenge that necessitates the network formation. Secondly, during the interessement moment, Ibitomi and Iyamu (2023) argue that the actors are convinced that their interests align with the proposed solution. Thirdly, during the enrolment moment, the actors build alliances by agreeing to participate and to contribute towards the common goal. And finally, Iyamu and Tatnall (2009) argue that during the mobilisation moment, the enrolled actors mobilise their resources and capabilities to maintain the network's stability and back the proposed solution.

## **5.7 Summary**

This chapter gave an overview of the chapter and a description on the fieldwork. Additionally, cases of this study were discussed, beginning with the Ministry of Justice case followed by the rural community called Nam-Hana, a pseudonym given earlier. In the Ministry's case overview, an organogram of the management structure was included as well as a table highlighting the services offered by the staff of the Ministry with a special focus on the divisions the participants interviewed are from. As for the rural community, the overview also includes general information about Namibia.

## **CHAPTER 6**

### **DATA ANALYSIS: CASE #1**

#### **6.1 Introduction**

This chapter presents the analysis of the data of the MOJ case. Data were collected using the most appropriate technique based on the study's objectives. The objectives are presented in chapter 1, and the data collection technique is discussed in chapter 4. The data were analysed towards achieving the study's aim and objectives. The analysis was conducted using the thematic analysis technique, which was guided by the four moments of translation of Actor-Network Theory (ANT). The thematic analysis technique and ANT are discussed in chapters 3 and 4, respectively.

This chapter is divided into four main sections for ease of flow and understanding. The chapter starts with the introduction, and the subsequent section is the data analysis where the MOJ case was presented. After the data analysis is the section which highlights the findings, and then the chapter was concluded by a summary. The Nam-Hana rural community case data analysis is presented in chapter 7.

#### **6.2 Data analysis**

As stated above, the analysis of the data was conducted per case (MOJ and Nam-Hana community). However, it is not a comparative study but to put the findings into perspectives. The analysis of the data collected at MOJ is presented below.

##### **6.2.1 Case #1: Ministry of Justice**

Based on the study's objectives, the thematic analysis technique was used, guided by ANT. The analysis started by identifying the actors and actor-networks. Thereafter, the four moments of translation were explored.

##### **6.2.1.1 Actor**

An actor in ANT can be anything that acts, or influences, to make a difference in a network, which includes humans and non-human entities (Iyamu, 2013; Iyamu, 2018). This means that actors can be anything, such as people, organisations, technologies, software, tools, and documents (Felski, 2016), used for services.

At MOJ, the human actors included MOJ's employees, police officers seconded to work with MOJ, and clients (citizens of the country). Within MOJ, the human actors were at different levels at the time of this study. This includes managers, lawyers, court clerks, magistrates, IT specialists (e.g. Analyst Programmer, System Administrator, and IT Technician), investigators,

messengers of court and accountants. Also, the actors contribute to the MOJ's services from different angles.

The non-human actors included physical infrastructures, justice system, legal framework, documentation (e.g. official publications and official forms), transportation infrastructures, financial resources, information and communication technologies (ICT) solutions, and stakeholder institutions. All actors at MOJ work together to provide justice system services to the communities in the country.

#### **6.2.1.2 Actor-network**

Actor-network consists of human and non-human actors with a common interest (Latour, 1996; Callon, 1984). Thus, a network does not exist without actors. Also, actor-network can be formed consciously or unconsciously (Johnie & Iyamu, 2023; Mlambo & Iyamu, 2024). To understand the constitution of networks, Latour (2005) suggests 'follow the actors'. This is a mantra of the theory which has been put to practice in many studies, such as Iyamu and Mlambo (2024) and Law and Singleton (2013). To follow the actors, firstly, identify and understand how and why the network was formed.

Consciously, some of the actor-networks formed in MOJ were directorates (such as Legal Aid, Master of the High Court, and Central Administration) and divisions (e.g., Information Technology (IT), Maintenance, and Community Courts). The directorates and divisions were created based on the organisational (MOJ) structure in both IT and other parts of the organisation. In the context of this study, other parts of the organisation are together referred to as the 'Business', which consists of units or divisions. Some of the actor-networks that were formed in the IT division included IT infrastructure and system administration, and support services and helpdesk.

Legal Aid, Guardian fund, and Maintenance were some of the directorates and divisions that existed within the Business unit. The actor-networks were formed to focus on distinctive deliverables. Each directorate or division was headed by a human actor, on whom was bestowed the power to manage the activities, which included assigning roles and responsibilities to other actors (employees and stakeholders). However, the actor-networks' primary goal was service delivery to the society, which the Nam-Hana community was a part of.

Legal aid is one of the directorates of MOJ that provides legal advice, assistance, and representation to Namibian individuals in court proceedings at the expense of the government. The directorate is headed by a director to oversee the operations of the directorate assisted

by the legal aid personnel. Legal aid offices are situated near the magistrates' courts for easy access to those who are referred to the directorate through court proceedings. However, the magistrate's courts are only located in urban and semi-urban areas, leaving rural communities such as Nam-Hana not catered for, as one of the participants posits that:

*"We are located close to the Magistrate court, so it is easier for people to access legal aid after they have been in court. The court directly refers them to come to legal aid to apply for a representative. Many of our clients do not have cell phones or any way to reach out, so they do not know about our services unless the court tells them"* (MOJ04, 1:22-25).

In addition to legal aid personnel, a case management system (non-human actor) was implemented to automate the application process. According to one of the participants:

*"Right now, we have a case management system. We have moved away from doing everything manually. We are working on enabling clients to apply online, which would help reduce transport costs. If people have smartphones, they can simply visit our website, download the application, and apply directly"* (MOJ05, 4:114-117).

Yet again, rural communities such as Nam-Hana and others are not catered for since majority of the population residing in these communities are not aware of these services or do not have the smartphones necessary to interact with the case management system. They still need to travel long distances to urban centres where the offices are located to get the services they need. The main purpose of this directorate is to ensure that justice is accessible to all. For individuals to receive the services of the legal aid directorate, including civil, criminal, and family matters, they should not earn more than N\$7000.00.

The Guardian fund is another division of MOJ, which is a branch of the Master of the High Courts directorate. The Guardian fund is a legal trust established to protect the assets of vulnerable persons such as minors (children below the age of 21), missing persons, and unknown heirs, including those with mental disabilities. According to one of the participants:

*"While Namibia's legal age of majority is eighteen, the Cabinet has allowed the Guardians fund to retain funds until twenty-one, given the financial immaturity of many young people"* (MOJ08, 1:18-20).

In Namibia, the Master of the High Court has oversight of the Guardian fund and works with different stakeholder institutions from where they receive funds, including insurance companies, the Motor Vehicle Accident fund, and salary offices. They also work with stakeholder institutions where they send funds, including medical institutions, banks, and schools. Accessibility of the Guardian fund is through the Master of the High Court, which is a challenge as there are only 2 of those in Namibia. A participant stated that:

*“Unfortunately, in Namibia, we only have two offices, one in Windhoek and the other in Oshakati” (MOJ08, 1:31-32).*

In addition to the accessibility challenge, there were also challenges of awareness, which sometimes hindered service delivery. One of the participants briefly shared an experience as follows:

*“The Ministry has not done enough to inform the public about our services and their responsibilities when interacting with us” (MOJ08, 2:50-52).*

In the quest for service delivery, networks were formed outside of the organisational structure. This was primarily because the structural networks consisted of people with diverse backgrounds, from cultural affiliation to spoken language. This created challenges, which occasionally affect the durability of materials used for providing services to the Nam-Hana community. Also, it sometimes compelled MOJ staff to translate texts or documents, which sometimes does not reflect the original meaning. This often affects services. For example, a participant expresses that:

*“Sometimes, people misinterpret the information because they perceive it differently. This can lead to misunderstandings or confusion, and in some cases, people may act on incorrect assumptions, which could create problems or hinder the effectiveness of the message” (RC006, 4:99-102).*

Consequently, networks were formed outside of structural networks unconsciously. Some of the actor-networks that were formed included informal problem solving, informal communication, and informal issue discussions. Informal problem solving where MOJ staff have known each other as friends or acquaintances. It is based on that relationship they share information on how to resolve problems that were supposed to follow official channels. The group tries to resolve problems related to service delivery requests from the Nam-Hana community members. For example, a participant expresses a challenge with language barrier that:

*“A client might speak Afrikaans or Oshiwambo, and if the staff member helping them does not speak that language, it is difficult to communicate. This can be a real obstacle” (MOJ05, 2:44-46).*

Thus, communication was critical because members of the Nam-Hana community only speak Oshiwambo and limited English. Communication was critically important in MOJ providing services to the public, including Nam-Hana community. One of the participants reports that:

*“If I do not speak Afrikaans but a client does, I can ask a colleague who speaks the language to help translate. Otherwise, we simply cannot communicate, and that makes things more difficult” (MOJ05, 2:50-52).*

Informally and unconsciously, a group was formed consisting of Nam-Hana community members who seek and receive services from MOJ. This group was formed based on a common interest, which was spoken language and a sense of dialect, which brings neighbourhoods closer. These group members selected themselves on the basis that they speak the same Oshiwambo indigenous language and belong to the same community. The formation of this group became important because most of the members of the Nam-Hana community preferred to use their dialect, which was not understood by all at MOJ. The group used WhatsApp groups and personal phones to communicate formal information. None of these technologies translate languages between the indigenous language and English, which was the official language. A participant states that:

*“Now, in our location, we have a WhatsApp group where we communicate. If something threatening happens, you post it quickly, and someone might see it and let others know. The community can assist even before you go to the police” (RC005, 2:47-50).*

Where formal support structures are limited or absent, unconscious networks emerge to solve complex social issues. Actors such as MOJ staff find themselves assuming multiple roles that were not formally assigned to them. These roles are a result of situational needs and perhaps a moral obligation to assist and support vulnerable individuals, particularly children. A participant says:

*“We act as social workers, financial advisors, and guides for these children. We help them with their studies and career paths, even when their guardians are not supportive” (MOJ08, 5:178-180).*

By following the actors and tracing the interactions and associations between human and non-human actors, it is evident that access to the Justice system's services is produced through heterogeneous networks (Mlambo & Iyamu, 2024). The complexity of actor-networks in the Namibian Justice system reveals how rural communities like Nam-Hana are not just recipients of services but also participate in networks that determine access to justice. Moreover, the analysis uncovers that both conscious and unconscious networks affect the Justice system's service delivery to rural communities like Nam-Hana.

### 6.2.1.3 Moments of translation

ANT's moments of translation, namely, problematisation, interessement, enrolment and mobilisation were used to guide the analysis. Table 6.1 below summarises the moments of translation as follows:

**Table 6.1: Four Moments of translation - MOJ**

| Problematisation - 1                                                                                                                                                                                                                                                                                            | Interessement - 2                                                                                                                                                                            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| This is the moment through which MOJ, as the focal actor, defines the problem with relation to the Justice system's services provision to the Nam-Hana rural community. MOJ, being the provider of Justice system's services, becomes the obligatory passage point for system's service delivery.               | This is the moment whereby MOJ convinces and gets buy-in from various actors with various interests, but all for the purpose of improving service delivery, which is the common goal.        |
| Mobilisation - 4                                                                                                                                                                                                                                                                                                | Enrolment - 3                                                                                                                                                                                |
| During this moment, all the enrolled actors perform their assigned roles through shifting negotiations. The entire network is stable until it is not and functions collectively to deliver the Justice system's services that reach the Nam-Hana community members. Heterogenous networks could also be formed. | Formal definition and assignment of roles and responsibilities of various actors happen here. Well-defined roles ensure that every actor contributes to the network towards the common goal. |

#### 6.2.1.3.1 Problematisation

In ways and times that were thought to be the most appropriate, the Justice system's services were problematised to the rural community of Nam-Hana. MOJ problematises its services around its mandate, which is to provide legal services and facilitate access to justice for all Namibian citizens, including the Nam-Hana rural community. The problematisation happened at two levels with the key stakeholders, to bring justice system services closer to Nam-Hana. Firstly, the justice system services were problematised to the justice domain of the

government. This consists of the law enforcement agents (e.g. police), public lawyers, and court administrators. Secondly, the MOJ services were problematised to the traditional authorities of the Nam-Hana community.

Based on the problematised services, community courts were established, and educational outreaches were conducted. Despite the efforts and deployment of resources such as technology infrastructure and humans, the Nam-Hana community members continue to experience poor service delivery. This includes limited access to the police, lawyers, and relevant information. For example, the nearest police station is several kilometres from the community (Nam-Hana). A participant reports that:

*“It would be better if the services were closer to the community. The police stations are far and therefore require one to get transportation”* (RC002, 1:5-6).

MOJ did not provide resident public lawyers in Nam-Hana. The public lawyers are based in towns or travel from the capital city (Windhoek) to towns nearby to Nam-Hana as often as they could. The educational outreaches that MOJ conducted were not fruitful either. These outreaches were conducted mostly in urban areas, and the purpose was to disseminate information about the MOJ services and other legal-related information to the public, including the Nam-Hana community members. A participant reports that:

*“These occasional outreaches at shopping centers are just formalities. If you want to do real outreach, you must go on NBC Radio, announce the directorate, and have daily broadcasts in Indigenous languages and Afrikaans”* (MOJ10, 5:140-142).

Some of the outreaches were done via radio and television; however, they did not seem to reach all the intended people. For example, not all households in Nam-Hana have radios and/or televisions, as echoed by one of the participants:

*“We have also tried using television, but it is not as effective in rural areas where most people do not have TVs”* (MOJ01, 4:109-110).

In addition to geographical separation, the community members of Nam-Hana were faced with multiple challenges such as poor infrastructure (transportation, court buildings and offices), which prevented physical access to MOJ services. The community members travel several kilometres to nearby towns where the court buildings are to access the services. There are no

public transportation services in these communities; hence, the community members must rely on their neighbours to assist them with transportation, or they must walk long distances. For example, there are no tarred roads in Nam-Hana, and not every household owns a vehicle, but those with vehicles help to transport their neighbours, as reported by one participant that:

*“I have observed that the community members that own vehicles can also assist by offering transport to others” (RC001, 2:58-59).*

Resulting from how the services were problematised, there was a disconnect between MOJ’s mandate and the actual experiences of the Nam-Hana community members. The mandate was conducted and communicated using the English language, which requires translation. Two problems arose herein. Firstly, there are some words which do not have direct or exact meaning in the Oshiwambo language, which is predominantly spoken in the Nam-Hana community. Secondly, the majority of the Nam-Hana community members were not educated, which made translation even more difficult. This makes it difficult for MOJ’s employees to perform their tasks. Consequently, there was misinformation and misunderstanding of MOJ’s mandate and services, which contributed to poor service delivery and dissatisfaction of the Nam-Hana community members, as expressed by one of the participants that:

*“Even when interpreters are available, we sometimes face issues where the exact meaning gets lost in translation. This creates misunderstandings or miscommunication. Another challenge is the lack of access to information. People in rural areas often do not know how to access the courts or are not aware of the services available to them” (MOJ01, 2:63-67).*

The Nam-Hana community members lack awareness of the available services that are offered by MOJ, what is required of them when interacting with these services, and even about basic legal information such as information on human rights, maintenance procedures, and legal aid requirements. This lack of awareness is attributed to the English language used to disseminate the information, which most people in Nam-Hana do not speak or understand, as well as the fact that information is not readily available. For example, a grandmother struggling financially to take care of her grandchildren that the father does not support financially had no idea that she could approach the maintenance court to get the father involved financially at the orders of the court. To make matters worse, at times, even the neighbours are not fully aware of the services to be able to advise others, like the grandmother, to seek specific services from MOJ. A participant echoes the above, saying that:

*“In my opinion, the Ministry of Justice needs to actively reach out to communities to provide information about the services they offer and to explain what Justice truly entails. Many community members, me included, are not fully aware of what the Ministry does. Even when we face issues, we often do not know where to start, where to go, or what steps to take”* (RC006, 1:5-9).

The problematised services were not appropriately organised and structured, from translation of services to geolocation of services viewpoints. This made it difficult to follow some actors and access the available services. As a result, some of the tasks or services were immutable and lost their originalities, meanings, and focus. For example, Nam-Hana community members predominantly speak Oshiwambo language, and the legal forms that MOJ requires for access to services are in English. This language immutability creates a barrier between the community members and access to MOJ services. Consequently, this shapes the various interests of the MOJ's employees and their stakeholders.

#### **6.2.1.3.2 Interessement**

There were various interests in MOJ's service delivery to the Nam-Hana community. The interests were both voluntary and compelled by the employer (MOJ). The interested actors included employees of the MOJ and their stakeholders (such as the police and traditional authorities). Whether voluntary or contractually obligated, their interests were shaped by the many challenges that were associated with accessing the services of the MOJ by the community members of Nam-Hana. The challenges manifested from poor infrastructure, lack of awareness, language barrier, distances, and education. The challenges shaped and influenced the employees in both positive and negative ways in providing services to the community.

The positive effect was that even with limited resources, the employees (MOJ) would go out of their way to help the citizens. Although sometimes the help is minor, it goes a long way to help the community members of Nam-Hana access justice. Moreover, MOJ services to the community are very affordable or available at no cost. For example, the minimum one-time fee that the community members are required to pay to get legal aid (legal representation) in Namibia is N\$350.00, which is very affordable compared to the fees required to pay for a private lawyer. Additionally, MOJ is constantly working on improving their services by introducing alternative ways to provide services through collaboration with stakeholders, technology and by conducting research and engaging the public to contribute to the changing of the legal framework under which MOJ operates. As a result, whenever the community members of Nam-Hana could get to the courts, they would get the services that they needed

despite the challenges faced getting there. In affirmation, one of the participants stated as follows:

*“For those who come from rural communities and can access the court in urban settings, they usually get the help they need”* (MOJ01, 3:94-95).

The negative effect was because the employees had no power to change things better, enabling them to provide improved services. This was based on the structural network, which ceded power to certain positions. From the infrastructure and resources perspective, for example, there were only two Master of the High Court offices in the country, one based in Windhoek and the other in Oshakati. Oshakati is about fifty kilometres while Windhoek, which is the head office with central operations, is about seven hundred kilometres away from the Nam-Hana community. The long distances mean that MOJ employees had to travel long distances to provide services to the Nam-Hana rural community. This is frustrating, and it renders some employees uninterested in traveling these distances to perform their tasks. In affirmation, one of the participants stated as follows:

*“As a result, people often travel hundreds of kilometres, sometimes more than eight hundred, such as from Katima Mulilo”* (MOJ08, 2:52-53).

The reason for this is that, for the employees to travel such long distances, MOJ would need to arrange for accommodation, transport, travel insurance, and subsistence allowance for the travelling employees. Given the limited resources such as vehicles and finances, this would not be viable for MOJ to do as often as the services would be needed by the Nam-Hana community members. A participant affirms this by saying that:

*“Sending teams physically to the regions for every task is expensive, time-consuming, and requires subsistence allowances. It is not sustainable”* (MOJ07, 5:170-171).

Consequently, services such as information dissemination are performed through documentation. These documents assume the role of immutable mobiles to transport the information. However, this process is not guaranteed as there are no tracking mechanisms to ensure and guarantee the immutability of these documents, let alone tracking the actual documents to be received by their intended recipients. As a result, the challenges that MOJ employees and stakeholders are experiencing in providing services help fuel their interests to do more and better. These challenges include limited resources (such as finances, and vehicles), power dynamics within the MOJ network, immutability of services, jurisdiction, and

language barrier. Some of the internal processes within MOJ need reform to ensure that justice system services are inclusive and accessible. For example, most of the decisions are still taking place in Windhoek which highlights the power dynamics that consequently delays the service delivery processes, resulting in Nam-Hana community members losing interest in these services. One of the participants states that:

*“Decisions are still made at the head office, which slows down processes. For instance, with legal aid, applications submitted in regional offices must be sent to Windhoek for approval. This causes frustration, especially when people must visit regional offices multiple times only to hear, we are waiting for Windhoek”* (MOJ07, 4:134-137).

It is because of these that the services need to be decentralised, using various collaborative technologies such as the Internet of Things. This can ensure durability and the immutability of materials (e.g. documents), which can improve the confidence of the community members. However, there might be internal structures and processes that can hinder the decentralisation process. Thus, process automation and contractual obligation are critical. One of the participants reports that:

*“The organizational structure is not designed for proper decentralisation. If it were, a regional office like the one in Outapi would have a chief empowered to make decisions locally. That would ensure quicker service delivery”* (MOJ07, 4:137-139).

For the interests to align towards a common goal of providing inclusive and accessible justice system services, a lot needs to be changed, starting with reforming the internal structures. The internal structure is somehow fragmented, affecting some employees' morale and influencing their interests. Consequently, individual performances and service delivery are on the downside, as empirically revealed from MOJ's employees and corroborated by the Nam-Hana community. Also, reengineering of processes within MOJ as well as reengineering their stakeholders' structures of engagements and interaction could improve the service delivery, thereby fostering equitable access to justice for all. One of the participants briefly explained:

*“Internally, our processes also need improvement. We have cases where we have held people's money for 10 to 15 years. That is not right, and it is why reforming and re-engineering our processes is a priority”* (MOJ07, 3:88-90).

To achieve equitable access to justice system services by Namibian citizen regardless of where they live (Nam-Hana or Windhoek), their financial status, and education level, various actors' interests were aligned. The many challenges expressed earlier could be solved to make sure that all these actors contribute so that the services are not only accessible but also inclusive. As a result, MOJ initiated an enrolment process to formally define the roles of the various actors.

#### **6.2.1.3.3 Enrolment**

In ANT, enrolment is concerned with actors' participation in an activity in a network. In MOJ's service delivery to the communities such as the Nam-Hana, it entails various activities requiring the participation of many human actors (employees). The activities include sharing information related to the Justice system's services, court sessions, and legal representations. The tasks were assigned to the employees by the focal actor, which was usually a manager or team leader. The focal actors considered roles and responsibilities within the organisational structure in allocating the various tasks to the employees. Additionally, strengths (skills and experiences) of individuals and groups were considered in the allocation of tasks. This was to ensure appropriateness and quality of service delivery to the Nam-Hana community.

However, there was a misalignment between the Justice system's services that were provided and received by the MOJ and Nam-Hana community members, respectively. The misalignment was the differentiation between the services documented and what was experienced in practice. As a result of the misalignment, how various actors got enrolled in the service delivery by MOJ became necessary to understand to improve the service provision. The misalignment was caused by the challenges that were experienced by both the MOJ and Nam-Hana community members, which were attributed to factors such as lack of infrastructure, language barrier, limited resources, appropriateness of information and timing, and distances (geographical locations).

Lack of infrastructure such as MOJ physical structures, including courts and offices in Nam-Hana, where community members can access justice system services, requires them to travel long distances to where the physical structures are located. Unfortunately, there are also no tarred roads and transportation (vehicles) for the community members are limited. Of the transport that was available, the community members needed to spend money to travel these long distances. Sometimes, the community members have limited resources such as the money for transportation and the vehicles to transport them to the urban areas where MOJ offices and courts are located, as reported by one participant:

*“We are also struggling because we do not have enough money”* (RC002, 3:60-61).

Nam-Hana community is already distant from the urban areas, making it difficult for them to access information about MOJ and the services offered. Also, When MOJ disseminates the information about the services, the timing is missed by many as there is a lack of awareness of such happenings. For example, some of the MOJ employees use (enrol) radio and television to try and educate people in Nam-Hana about the services they offer and where these services can be accessed. However, it seems the information is not always received as intended. One participant reported that:

*“We try to provide information, but our outreach efforts are not always fully effective. People simply are not engaging with the information available to them, and that is a huge obstacle to improving service delivery and awareness”* (MOJ08, 5:159-162).

Another participant affirms the efforts that MOJ employees make to disseminate information to Nam-Hana rural community by saying that:

*“We have tried one or two sessions on the radio to reach rural communities”* (MOJ01, 3:104-105).

However, this approach does not seem to be effective as many community members are unaware of the service, where to go for the services, and what documents to take with them to receive these services. The participant also continues to report that:

*“We have also tried using television, but it is not as effective in rural areas where most people do not have TVs”* (MOJ01, 4:109-110).

Primarily, two challenges were associated with information dissemination. Firstly, technology and non-technological solutions were the mediums through which information was disseminated by MOJ, as part of service delivery. The technology solutions include television broadcast and radio programmes. The challenge was that not everyone had a television set or follows the radio programmes. Secondly, the official language of communication was English. The majority of the people were not fluent and did not understand English language, conveniently. This then required translation or interpretation. The problem was that the content was no longer immutable, primarily because some English words do not have direct translation or meaning in Oshiwambo language. As a result, those who cannot speak the official language

remain with limited access to the Justice system's services. Another participant highlights the challenge of language barrier that:

*“Much of our communication is in English and through social media, assuming that the youth-heavy population will access it. However, we neglect traditional communication methods like vernacular radio stations, which are incredibly effective”* (MOJ07, 4:148-151).

Although technology was used to facilitate awareness and information dissemination to improve service delivery, the challenge of language barrier persists. The challenge influenced the allocation and participation of activities. This results in some employees' reluctance to undertake certain tasks limiting managers and team leaders with human resources. Alternatively, employees can be trained, or different delivery mechanisms must be considered, to improve the enrolment of various actors within the MOJ. Also, the alternatives could increase the chances of making services such information immutable. A participant emphasised this as follows:

*“The lack of alternative delivery mechanisms for rural communities is a significant gap that needs to be addressed”* (MOJ01, 1:33-34).

Alternative delivery mechanisms could concern the focal actors (team leaders and managers) redefining the old and introducing new roles and responsibilities of MOJ employees. To improve service delivery to Nam-Hana, some old roles need to change from how they are defined to include new ways of doing things. For example, disseminating information in Oshiwambo via the radio, have more employees on the ground to directly engage with the community members, have more educational outreaches, and increase the authority of the offices and courts around the country to decentralise the services to meet the community members at their points of need. In doing so, alternative delivery mechanisms' opportunities can be used to improve service delivery to Nam-Hana community members. A participant conveys that:

*“The priority is to bring services as close to the communities as possible”* (MOJ07, 3:93).

Additionally, the MOJ as a service provider, expects members of the public, such as Nam-Hana community members, to initiate contact to receive services. This contact can be through the courts or other stakeholders such as the police and the traditional authorities. This is an opportunity to enrol actors who can facilitate this contact. At the Master of the High Court for

example, in the absence of other arrangements such as the deceased choosing to leave his pension fund in a trust through a will or as an insurance product (educational policies), any death of an employee of a particular company survived by minor (younger than 21) children, after following regulations, the company sends the money (pension benefit) to the Master of the High Court. The money is managed and administered by the Guardian fund. It is therefore expected that the family members need to report the estate of the deceased to launch the process of administering the funds. If the money is not claimed and is kept for a period of 30 years, it could be forfeited to the state, as a participant explained:

*“The Guardian fund cannot do anything if the file has not been launched. What that means is, if someone in your family passes away and they have property or an estate, and they have children who are underage, a family member must report the estate and launch the file” (MOJ07, 2:57-60).*

Based on the information above, enrolment of various actors with various interests ensures that these actors can mobilise their resources, perform their roles and influence participation of other actors towards the common goal of improving MOJ service delivery, thus making access to the Justice system’s services equitable and satisfactory for all in Namibia, including Nam-Hana rural community members.

#### **6.2.1.3.4 Mobilisation**

Mobilisation is the last stage of moments of translation. The mobilisation is driven by spokespersons on behalf of the network. Spokespersons are appointed or self-nominated to represent other actors in the network (Callon, 1984). Ibitomi and Iyamu (2023) argue that the spokesperson helps to strengthen the network by mobilising actors and getting buy-in into the network. Primarily, mobilisation focuses on two things. Firstly, mobilisation is concerned with growing the network. This means getting more actors to buy into the activities of the network. Secondly, through the spokespersons, mobilisation promotes the network’s stability. This entails the process of coordination, where various actors continually engage, working together towards a common goal in a stable network. Without mobilisation, networks would lack stability, would be underdeveloped, and would fall apart.

Service delivery activities were managed by representatives (spokespersons) of the MOJ based on the organisational structure. These spokespersons were appointed by their roles or positions according to the MOJ’s official structure or they were self-appointed. This means that mobilisation was hierarchical, at department and division levels. Higher officials at the executive level, such as the Minister and the Executive Director, established strategic directives which were communicated and flowed through a chain of power and authority. These

directives were taken over by the departments and divisions' spokespersons (Directors and Deputy Directors) who ensured that they were communicated, implemented, and that resources were allocated. The spokespersons further delegated tasks and roles to the operational staff, creating a hierarchical layer of responsibility and accountability. This structure made the spokespersons' negotiators between the executive level and the operational level, translating the strategic directives into implementable directives all towards accessible and equitable justice system service delivery for Nam-Hana rural community members.

For MOJ service delivery to Nam-Hana rural community, a network was formed consisting of actors from various divisions, such as Community Courts and Maintenance of MOJ. Each human actor had a role and responsibility through which they contributed to the MOJ's service delivery to the Nam-Hana community. The roles and responsibilities consist of tasks such as drafting and executing of legal documentation (forms, legal framework and official publications) and dissemination of information using technology (radio, television and communication equipment such as phones and computers). Despite the MOJ's obligation to the community, some actors failed to perform their roles due to several challenges such as lack of resources, limited infrastructure and language barrier. A participant acknowledges the challenges:

*"As a Ministry, we recognize these challenges and are working to address them through reforms, but it is a gradual process" (MOJ07, 4:126-127).*

The failure of actors' performances was linked to poor service delivery to the community. Some of the factors that were associated with challenges such as communication barrier, vast distances, limited infrastructure and limited human and material resources hampered service delivery. Communication barrier presented a difficulty in communication between the MOJ and the Nam-Hana community members. This was attributed to different levels of education. Additionally, due to the geographical configuration of rural Namibia, many communities, such as Nam-Hana, remained isolated which required the community members to not only travel long distances but also invest money for transportation to access services. Similarly, limited infrastructures further intensified the challenges. For example, during rainy seasons, the gravel roads become problematic, limiting physical access to services. Moreover, limited resources such as staff shortages and budget constraints further hindered service delivery. These challenges are interrelated and would require creative interventions to improve access to judicial services to Nam-Hana community.

With mobilisation occurring primarily in centralised urban areas, the Nam-Hana rural community members experienced limited access to the Justice system's services because of the vast distances that they must travel. Consequently, several issues go unsolved, and justice

is delayed if not denied to the community members. For example, an incident can happen in the community that would require the police to intervene; however, due to a lack of resources, such as personnel and vehicles, the police may not respond on time to attend to the incident. A participant reported that:

*“The police station is small, and we have a lot of people who the station is serving. It is possible that when you report your issue, you might find that the police officers are already attending to somebody else; that also causes the delay” (RC001,1:19-21).*

Sometimes, due to limited resources, mobilisation was not consistent. This meant that some services such as the educational campaigns were provided irregularly or on ad-hoc basis. The nature of these services has created gaps in the provision of MOJ services. These services are roles that were assigned to the actors in addition to their already defined roles, which leads to MOJ employees overloaded with work, underpaid, and frustrated, as reported by a participant:

*“We cannot keep adding more work to people who are already overloaded, like myself. I am already doing work outside my normal scope. These extra responsibilities just cause frustration and burnout” (MOJ02, 5:172-174).*

As a result, the lack of awareness with regard to MOJ services in Nam-Hana rural community is high since the community members do not have easy access to information and when that information is disseminated, most of the community members miss it. A participant affirms this:

*“Occasionally, the Ministry conducts information-sharing sessions to educate the public about the system and available services. However, these sessions usually depend on who can make it to the designated locations, which tend to be in urban or semi-urban areas. This creates a challenge for those in rural areas, as they are often at a disadvantage in terms of accessing these sessions or the courts” (MOJ01, 1:28-33).*

For effective justice system services provision by the MOJ to Nam-Hana rural community, a transformation is required. The transformation could be achieved through several ways such as (i) structural reform, (ii) process reengineering, (iii) alternative service delivery mechanisms and (iv) proper actor role definition.

- i. Structural reform can include identifying gaps in the structure and finding ways to fill those gaps such as looking at decentralising some of the services by vesting community courts with power to handle certain issues and by increasing the service jurisdiction of these courts. Also, establishing service access points for Nam-Hana rural community members considering human and material resources.
- ii. Process re-engineering could mean automating some processes to reduce the time the services are provided, merging similar service points to reduce delay, enrolling more actors to perform similar roles, and allocating more resources as needed.
- iii. Alternative service delivery mechanism could include integrating community-based mobile technology solutions for information and service access considering the rural infrastructure constraints (limited internet access). Collaborate with more stakeholders such as schools, churches and clinics within the communities.
- iv. Proper role definition such capacity building (training the employees, and other stakeholders where and when necessary) as well as incorporating accountability (transparent reporting, performance checks and feedback of service satisfaction from service receivers). Also, considering the well-being of the actors.

By addressing the above, the MOJ can ensure that the service provision network established through the four moments of translation (problematisation, interessement, enrolment and mobilisation) provides services that are accessible, and equitable to all Namibians, including Nam-Hana rural community members, despite their location, financial status and level of education.

### **6.3 Findings**

In the analysis of the data presented above, 11 factors were found to have a significant influence on how the MOJ's services are managed, used and provided. The factors found are as follows:

- Lack of awareness
- Communication barrier (Language)
- Centralised services
- Durability of materials (Immutable mobiles)
- Formal and informal structures
- Geographic barrier (Distance)
- Level of education
- Limited resources
- Power dynamics (Jurisdiction)
- Poor/lack of infrastructure (Lack of collaborative technology)
- Lack of different/alternative delivery mechanisms

#### **6.4 Summary**

This chapter presented the data analysis of the MOJ case, whereby thematic analysis was used with the guidance of ANT. Firstly, actors and actor-networks were identified. Thereafter, the analysis was presented through the four moments of translation, starting with problematisation, followed by interessement, enrolment and, finally, mobilisation. The data analysis was necessary to highlight the findings. It was found that several factors, as presented above, significantly influence the management, use and provision of Justice system's services by the MOJ.

## **CHAPTER 7**

### **DATA ANALYSIS CASE #2**

#### **7.1 Introduction**

This Chapter presents the data analysis of the Nam-Hana case. Data were collected using the most appropriate technique based on the study's objectives as presented in chapters 1 and 4, respectively. The data were analysed towards achieving the study's aim and objectives. The analysis was conducted using the thematic analysis technique, guided by the four moments of translation of Actor-Network Theory (ANT), as discussed in chapters 4 and 3 above.

This chapter is divided into four main sections to easily follow and understand. The chapter begins with the introduction, followed by the data analysis of the Nam-Hana case. The subsequent section highlights the findings, and the chapter is concluded by a summary.

#### **7.2 Data analysis**

As stated above, the analysis of the data was conducted per case (MOJ and Nam-Hana community). However, it is not a comparative study but to put the findings into perspective. The analysis of the data collected at MOJ is presented first, followed by the Nam-Hana community.

##### **7.2.1 Case #2 - Nam-Hana rural community**

Using ANT as a lens, the analysis began by identifying the human and non-human actors and the actor-networks. Subsequently, the four moments of translation were applied.

###### **7.2.1.1 Actor**

For members of the Nam-Hana rural community to access the services of the Justice system, various actors were involved. This includes humans and non-humans. The human actors included the community leaders such as headmen or headwomen (appointed to lead the village) and community members, MOJ's employees, and police officers seconded to work with the MOJ. The Nam-Hana community members were identified at different levels such as the traditional leaders, community elders, and community residents (individuals and families). While all the actors played their different roles in accessing Justice system's services other actors such as the traditional leaders facilitated that access. They facilitated the access by helping the community residents (going to MOJ offices on behalf of the community residents) when that help was sought.

The non-human actors included homesteads, infrastructures, justice system, legal framework, documentation (e.g. official publications and official forms), (roads and road network), financial

resources, information and communication technologies (ICT) solutions, and stakeholder institutions such as church, school and the police. The Nam-Hana actors had to interact with each other to access services provided by the MOJ.

To access the Justice system's services in the Nam-Hana rural community, both human and non-human actors interacted based on relationships they formed. This happened within the actor-networks.

#### **7.2.1.2 Actor-Network**

In receiving MOJ services, there were many actor-networks within the Nam-Hana community. The actor-networks in Nam-Hana rural community were formed consciously. This means that the human actors involved were aware of the formation of the network. For example, government law-related agencies (such as MOJ, Legal Aid Directorate and Master of the High Court) were created through the Namibian legal framework, and the traditional authorities were established in awareness of the community members. Other actor-networks that existed in Nam-Hana community were businesses. However, in some cases, the actor-networks were formed unconsciously. Examples included informal sharing of information and transportation and mobility networks.

The traditional authorities (headmen) maintain order within the community by facilitating several processes such as dispute resolution and land allocation. Additionally, the headmen liaise between the government agencies, such as the MOJ, and the community members. The government law-related agencies are an extension of the MOJ established by legal frameworks. These agencies provide access to the Justice system's services through several objectives, including making legal representation affordable, resolving the people's issues and assisting them with navigating the Justice system's services. For example, when the Nam-Hana community members approach any of the agencies or the offices of MOJ, they would have access to their services.

However, these agencies also face challenges in meeting their objectives due to several factors. There are too many rural areas and too few agencies' offices. The budget and the human and material resources are not enough to ensure that the agencies meet the needs of the people they serve. For example, there are only 2 Master of the High Court offices in the entire country, one in Windhoek and the other in Oshakati. This means that there is access barrier experienced by Nam-Hana rural community members to these offices. A participant affirmed that:

*“There are still only two Master of the High Court offices in the country”*  
(MOJ08, 2:44-45).

Families existed through marriages (customary or civil). For a marriage to be legally recognised in Namibia, it must be solemnised by an authorised marriage officer. This process requires documentation such as identity documents and the official marriage register. However, the documentation that legalises the marriages are often not easily accessible in the Nam-Hana community. Partners who want to get married, particularly in a civil marriage, have two choices: either the church, which combines the legal process with a religious service, or the magistrate’s court. A church leader who is not a designated marriage officer may conduct a religious blessing ceremony through the church, but they are not permitted to legally administer the marriage ceremony. The couple would still have to travel a considerable distance to the magistrate’s court to have their union legally registered by a magistrate or a designated religious marriage officer. Additionally, the documentation is always written in English, which is one of the issues preventing members of the Nam-Hana community from accessing MOJ services.

Businesses exist in the community to provide services to the members. Thus, individuals or groups establish their businesses to meet the needs of the community. The continuity of the businesses requires a legal status. This means that every business entity must renew its legitimacy to continue operation. The process often requires the services of a legal professional, which were rare to find in the community. Also, the offices of the authority that grant the permits are in Windhoek, which is about 700 kilometres from Nam-Hana. These are constraints that could have been avoided using electronic means that enable durability and accessibility.

The traditional authorities handle various matters at the community level; for example, if a young man impregnates a young lady out of wedlock within Nam-Hana community, the traditional authority presided by the headman/woman handles the matter according to their traditions and customs. This process and approach are significant within the community. However, it is not documented in electronic format. Additionally, the traditional authorities assist the community members in accessing MOJ services due to lack of awareness. Many community members are not aware of how or where to access some MOJ services. For example, some elderly members in the community seek the assistance of the headman for services such as their stolen animals, violent attacks or a lack of child support. A participant affirms the type of matters handled by the traditional authorities as follows:

*“These include disagreements over small claims, land disputes, or household matters, such as compensation for impregnating a neighbour” (MOJ07, 1:35-36).*

Most MOJ services are communicated in English language, which many of the elderly do not speak or do not understand. Often, there is a need for an interpreter to translate to the Oshiwambo language that the Nam-Hana community members speak well, and some of the meanings can be lost in translation. Spoken language is one of the factors that contribute to this challenge, as affirmed by a participant:

*“Many community members cannot read or understand English” (RC004, 3:77).*

From the formal actor-networks of gatherings such as church and community meetings, other actor-networks were formed informally. After the gatherings, some community members hang around and they unconsciously form actor-networks. This includes a group of people that remain behind to share information and organise own transportation and mobility. This group emerged because of a lack of information and awareness about the Justice system's services in the Nam-Hana community. The same members of the group find themselves always hanging around to engage in these discussions unconsciously as there is no formal setup to their gathering. Similar actor-networks were formed by other community members who often gather at local businesses either for entertainment or to buy some supplies and they unconsciously end up hanging around to share information and compare notes of thoughts. These networks became alternative ways for Nam-Hana community members to discuss issues they faced and how they got them resolved as well as share information about services of the Justice system, bypassing the headman and the formal channels of communication. A participant reports:

*“First, we come together as community members to discuss where a specific issue should be reported. Should we first approach the headman, consult the nearby traditional authority, report it to the police, or take it directly to the Ministry? After thorough discussion, a decision is made, and we proceed accordingly” (RC004, 1:20-23).*

Moreover, the transportation and mobility actor-networks were formed unconsciously because of several factors. These factors are attributed to challenges such as the geographical dispersion of Nam-Hana community. The community is in a range of 50 to 700 kilometres from cities and towns where MOJ services exist. This affects accessing the services. To make

matters worse, there is a lack of resources, which limits the electronic and digital means to access the MOJ's services. A participant reports:

*"We are working with marginalized communities who may not understand the system or have the resources to access mobile phones"* (MOJ11, 4:116-118).

By studying and understanding the actor-networks in Nam-Hana, it is evident that unconscious and conscious networks were formed to access Justice system's services by all. These actor-networks all served a particular purpose for the community members but all towards resolution and restitution.

### 7.2.1.3 Moments of translation

ANT's four moments of translation were used to guide the analysis as summarised in Table 7.1 below.

**Table 7.1: Moments of Translation – Nam-Hana**

| Problematization - 1                                                                                                                                                                                                    | Interessement - 2                                                                                                                                                                                                  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| During this moment, the Nam-Hana rural community collectively problematises access to the Justice system's services shaped by various barriers such as language, lack of information, and awareness.                    | This is the moment when various actors from Nam-Hana begin aligning their shared interest, which is to have improved access to the Justice system's services.                                                      |
| Mobilisation - 4                                                                                                                                                                                                        | Enrolment - 3                                                                                                                                                                                                      |
| This is the moment when all the enrolled actors perform their assigned roles through shifting negotiations in a network until the network is stable and functions collectively to access the Justice system's services. | During the enrolment phase, actors are formally assigned specific roles and responsibilities. This assignment enables each actor to contribute toward the common goal while ensuring the stability of the network. |

#### 7.2.1.3.1 Problematization

The Nam-Hana community relies on MOJ services for justice-related matters. Each service, such as obtaining information about legal action, is problematised either by an individual or the headman/headwoman of the community. For example, when a community member needed the MOJ intervention on information dissemination, they invited an MOJ agency to hold a meeting in the community with regard to their legal rights plus the types of services that the Nam-Hana community members can get from the MOJ. Another example is when the headman had to problematise domestic violence issues in the community. The headman would

act as the point of first contact when the community members report an issue, and the headman would then approach the MOJ on behalf of the community members for resolution.

Problematisation was increasingly important in the community because it helped to keep records of incidents and issues about MOJ-related services. The criticality of record-keeping concerning MOJ claims that the Justice system's services are available and accessible to all citizens in Namibia is arguable. While this may be true on paper and for urban areas, the reality in the rural areas, such as the Nam-Hana rural community, is different. This reveals a gap in understanding between the Nam-Hana community and the MOJ. The gap can be attributed to a lack of translations of events and efforts to provide and receive MOJ services.

Also, various means, such as language and venue, were some of the facilities used to problematise the need for MOJ services. These facilities enabled and, in some circumstances, constrained the problematisation effort. This is why some Nam-Hana community members acknowledge access to MOJ services, but others do not. Those who acknowledged the services learned about them through their relatives who live in urban areas and or through information disseminated by the MOJ. For example, a member of a certain family who lives in an urban area such as Windhoek for work would have access to information about the Justice system's services and MOJ in general. That member can use that information to seek the services or share the information with other community members, as a participant affirmed:

*“For instance, the kids are residing in the village with their grandmother, and their mother resides in the city. She would then be informed about this, and once she realises that the father of her kids does not support the kids, she then goes and reports that to the police” (RC001, 4:90-93).*

This transferability of information requires translation. What was even more important was the immutability of information such as the legal documents, court decisions, and laws. This information needs to maintain originality as they travel from one location to the other. For example, information traveling from Windhoek to Nam-Hana rural community needs to maintain originality for justice to work the same way regardless of location. Immutable mobile refers to the information contained in the legal documents, forms, etc., whether they are presented in courts or are presented to the Nam-Hana community members. The rationale for immutability is that the Justice system needs to work the same way everywhere. The court decisions, laws, and legal documents must mean the same thing and have the same power whether you are in Windhoek or in Nam-Hana rural community, so that justice is fairly accessible for everyone.

The community members who do not acknowledge the services are not aware of the MOJ's services. This can be attributed to several reasons such as geographic, information, and economic barriers. The geographic location of Nam-Hana community requires the community members to travel long distances to access the services. Travelling long distances has financial and time implications. These implications hindered many members of the community from accessing services. Additionally, there were other expenses such as the financial cost of photocopying documents. One of the participants voiced their experience on behalf of other community members:

*"We are also struggling because we do not have enough money"* (RC002, 3:60-61).

The long distances and costs (economic barrier) are worsened due to a lack of awareness. For example, a community member would travel a long distance to an MOJ office and be told that they do not have the correct documents, or they would have walked there and be told that they need certified copies of the original documents. The documents need to be certified by the Commissioner of Oaths (court officer or police) requiring the community members to travel again to other offices to acquire the documents, make copies or to certify them. These are consequences of how MOJ services were problematised that members of the community could only visit the MOJ offices in Windhoek, which is about 700 kilometres from Nam-Hana village. A participant stresses this:

*"The offices should have photocopy machines available to make copies of documents instead of sending people away to make copies elsewhere. This often forces people to spend extra money because copy services are far away and charge fees"* (RC002. 4:110-113).

Also, problematisation creates awareness. Awareness significantly influences access to services, because if people are not aware, multiple access issues arise, preventing people from seeking and obtaining the services they need. For example, in Nam-Hana community, some members are not aware of the service that the MOJ offers. This is because they miss the information being disseminated by the MOJ about services due to several reasons, including dissemination channels and their literacy levels - since most of the information is disseminated in English (official language), and many people are not fluent or cannot speak English in Nam-Hana. As a result, some community members are disadvantaged from accessing these services. Some participants briefly expressed their frustrations:

*“Many community members cannot read or understand English” (RC004, 3:77). “Many community members, me included, are not fully aware of what the Ministry does. Even when we face issues, we often don’t know where to start, where to go, or what steps to take” (RC006, 1:6-9).*

Information barrier is worsened by language barrier, as the majority of the Nam-Hana community members only speak Oshiwambo. Language barrier further builds a lack of access to the Justice system’s services as interpretation and translation would be required. One of the challenges is that during the interpretation, meanings could be altered. Hence, immutability becomes important to avoid misunderstanding, which is often prohibitive. Some examples are provided above of how some community members repeat a process, which affects their already limited resources.

Now that the problem has been defined by the community, the next moment of translation, *interessement*, was where the focal actor/s obtained the commitment of other actors towards the common goal. The community’s focal actor/s secure the buy-in, trust, participation and interest of community members to access the Justice system’s services.

#### **7.2.1.3.2 Interessement**

Due to the services of the MOJ, which include protection and justice for citizens, including human dignity, it was expected that community members would be interested. As expected, there was interest in accessing the services by various human actors in Nam-Hana. There were two main interest groups. One of the groups is MOJ employees who were willing to provide services to the community. The other group is the Nam-Hana community members. Thus, the various human actors who were interested in accessing and providing the services included the Nam-Hana community members, MOJ employees, traditional authorities, government agencies (police), and local businesses.

The interest varied from one person to another depending on the need and necessity. Some interests were obligatory, meaning the members of the Nam-Hana community had no choice and were compelled by individual need (or circumstances) or legal/formal structures. An example of individual need is when one wants to acquire legal identity documents, such as birth certificates and national IDs. These documents are required to access the Justice system’s services and to engage with the court system as a prerequisite. From the MOJ perspective, an example of obligatory interest is the community’s reliance on the police and traditional leaders as the formal mechanisms through which they can seek and access Justice system’s services due to the absence of permanent courts in rural areas. ANT refers to this type of situation as an Obligatory Passage Point (OPP), defined as a critical point where actors

are compelled to converge or through which all the actors must pass to achieve a common goal (Walton, 2013; Callon, 1984).

The interests of these actors were shaped by benefits and challenges associated with accessing the services of the MOJ by the Nam-Hana community members. Some of the benefits were legal registrations such as marriages, legal aid and representation. The challenges manifested from a lack of awareness, language barrier, distances, education and poor infrastructure. The challenges shaped and influenced the Nam-Hana community positively and negatively in accessing MOJ services.

Positively, for now (at the time of this study), human-to-human interaction and relationships have been helping to address some of the challenges. Nam-Hana community members work together as a team or group, unconsciously forming a network to assist each other. In ANT, Latour (1987) and Callon (1986) argue that one of the benefits of a network that is unconsciously formed is its ability to naturally enrol actors through association based on aligned interests as opposed to enrolment through obligation. Those who have access to certain information and resources share and assist others who are not privileged in that regard. One of the participants briefly explained a circumstance, although the sustainability remains a concern.

*“When someone has an issue and needs assistance, they approach other community members and explain their situation. Often, some community members step in to help by going to the Ministry on their behalf” (RC007, 2:42-44).*

Negatively, some community members were left frustrated and lost interest in accessing services such as child maintenance claim because they lacked transport to visit the MOJ office or lacked awareness. Primarily, some MOJ services could not be accessed via mobile phone or online; it required physical presence. For example, a community member needed to go to the legal aid offices to apply for legal representation. Where a service was accessible online, it was written in English language, which many community members were not fluent in. Therefore, it required interpretation or translation, which often affected the immutability of such a document (service) and the durability of the social structure of those who require such services.

ANT refers to immutability as a concept that refutes the distortion of original materials such as text and audio (Latour, 1988). Thus, immutable mobiles are objects that allow knowledge to be used beyond its development origin (Heaton, 2024; Latham, 2002). In ANT, durability

makes it possible for a socio-technical network to resist change from both positive and negative perspectives (Minn, 2016; Law, 2008). Bueger and Stockbruegger (2017) explained how through durable structures, elements and materials are held together for the interest of the actors. Iyamu et al. (2025) assert that durability of a structure should outlive the creator. At the time of this study, the Nam-Hana community members were not in the position to change the current legal or formal structures of how the services were set up or improve the infrastructures to make access to MOJ services easier, as a participant posits:

*“When someone has an issue and needs assistance, they approach other community members and explain their situation. Often, some community members step in to help by going to the Ministry on their behalf” (RC007, 2:42-44). “Many community members ask around for guidance on how to reach the Ministry. Often, they approach the headman’s office, and the headman assists them in reaching out to the Ministry’s offices on their behalf” (RC007, 1:13-15).*

Accessing the Justice system’s services is important for the Nam-Hana community members, despite the different challenges. With efforts from both the community and MOJ to solve these challenges, Justice system’s services would be equitably accessed in Namibia. It was therefore in the interest of the heterogeneous actors to achieve this equitable access, and an enrolment process was initiated to formally define the roles of these actors.

#### **7.2.1.3.3 Enrolment**

Enrolment is the third moment where the human and non-human actors are brought into a network and assigned roles that help the network achieve its goals. The enrolment happens consciously or unconsciously. Coyle et al. (2024) describe it as the moment relationships are translated by the actors through the use of power. Giddens (1984), in the constitution of society, associates power with resources, which include tangible (such as technology) and intangible (e.g. skills and knowledge) materials. This enrolment happens consciously due to personal needs or obligation. Unconsciously, it happens when actors contribute towards achieving the network’s common goal without realising their involvement (Latour, 2005; Callon, 1984). In Nam-Hana rural community, roles were assigned through formal structures as defined by the legal framework of the country. This includes a headman and headwoman and other community leaders such as senior traditional leaders and the king. The assignment of roles was intended to improve access to MOJ services in their community.

In performing individual or group roles and responsibilities, the actors faced several challenges. For example, due to a lack of awareness, a woman in Nam-Hana gave up on

inheriting from her father's estate after the father passed. This was because the lady, who remains anonymous, did not know how and where to access the right documentation that would enable her to inherit her father's estate. A participant reported as follows:

*"Some people do not even pursue these services as they are not able to get the required documents or have no funds to do so" (RC002, 1:27-29).*

Consequently, some actors de-enrol from the actor-network that focuses on accessing the MOJ services. In addition to a lack of awareness, other attributable challenges include factors such as a lack of infrastructure, language barrier, limited resources, appropriateness of information and timing, and distances (geographical locations). These challenges prevented the actors from effectively performing their roles; as a result, access to Justice system's services remains a challenge in the Nam-Hana rural community. Also, MOJ information regarding services is not reaching the rural community members because of over-reliance on government gazette and television broadcast, which many community members have limited access to. Thus, it is crucial to follow the actors using mechanisms (such as interactive systems and online platforms) that could improve interaction and responsiveness. A participant shared an experience as follows:

*"Only occasionally the Ministry conducts information-sharing sessions to educate the public about the system and available services" (MOJ01, 1:28-30).*

The community leaders, such as the headman, aided access to MOJ services by encouraging the community members to follow the formal structures to interact with public services. Also, the headman tried to get the community members involved by creating awareness and facilitating interaction between different actors such as the traditional authorities and MOJ staff. A participant from the community affirmed this as follows:

*"Many community members ask around for guidance on how to reach the Ministry. Often, they approach the headman's office, and the headman assists them in reaching out to the Ministry's offices on their behalf" (RC007, 1:13-15).*

At the individual level, the community members enrolled and de-enrolled in accessing MOJ services based on their resources that allowed or did not allow them to do so. Some of the critical resources were transportation and electronic devices required to access the services provided by the MOJ. Nam-Hanna community members would require transportation to access

the Justice system's services as the courts and other facilities are located far from the community. Alternatively, they would access these services through electronic (technology) devices but the infrastructure in the community did not fully support the service this way. A participant affirmed this as follows:

*"Additionally, while some services are available online, rural infrastructure often lacks internet access, and many people lack the equipment or IT knowledge needed to use these services" (MOJ07, 3:109-111).*

Additionally, the MOJ relies on print material (pamphlets, newspapers articles, and online articles) and uses digital platforms such as websites to disseminate information, which were intended to enable access to services. However, these mechanisms were also constraining because there were assumptions that all citizens have access to digital platforms. This exposes the government that there was no feasibility study to assess the technological infrastructure gaps (lack of internet, and lack of devices) and low digital literacy that persists in rural areas. Rural community members prefer and rely on oral communication through gatherings to share information. A participant affirms this:

*"There is no information sharing or dissemination through meetings in which the information can be given to the community members" (RC004, 2:52-54).*

Despite these challenges, technology as an actor can facilitate the other enrolled actors to participate towards improved service delivery. However, for technology to facilitate, there are factors needing consideration, especially in Nam-Hana community. The roles of the technology need to be well-defined appropriately. For example, in the use of technological devices by the rural community members, there must be access to internet facilities, which means technology enrolment led to the network. Also, considering the Oshiwambo language predominantly spoken in Nam-Hana, it would mean that the other tools such as language translators must be enrolled with the technology. A participant expressed themselves as follows:

*"Improving technology comes at a cost. If technology does not serve its intended purpose, that is a big problem" (MOJ10, 9:300-301).*

Enrolling various actors with various interests ensures that these actors can perform their roles and responsibilities towards the common goal of improving access to MOJ services by all in Namibia, including Nam-Hana community. This makes access to the services equitable and acceptable for all Namibians.

#### 7.2.1.3.4 Mobilisation

Mobilisation is the fourth and last moment of translation. Mobilisation is concerned with growing and stabilising the network. This can be achieved through spokespersons who are either appointed or self-nominated to represent the network (Callon, 1984). The spokespersons get actors' buy-in into the network to perform activities towards its common goal. By continually engaging in network activities, a network remains stable. Mobilisation maintains this stability. In Nam-Hana, there were different levels of mobilisation through spokespersons appointed by the traditional authority's hierarchical structure comprising the king and the headman, as well as those who were self-appointed. The self-appointed spokespersons would be those community members who would receive the message and would go and tell others about it, but this is not always effective as reported by a participant:

*"Sometimes people share incorrect information with one another, which can mislead or confuse others" (RC007, 2:54-55).*

The king, who is the appointed primary spokesperson of the traditional authority (kingdom's territory) in which Nam-Hana community is located, managed the activities to access MOJ services for the Nam-Hana community. The king is recognised as the traditional leader under the Namibian traditional authority act, for legal and administrative purposes. This appointment gives the king the authority and the ability to coordinate activities in the community, making him an appointed spokesperson for the MOJ. Through coordination, the king can create awareness of all the information pertaining to the MOJ and its services, mobilising access to these services. Additionally, the king's voice is always more powerful and influential. This way, the king can mobilise a network through his voice and can maintain the stability of a network.

In a traditional authority, there is a hierarchical structure headed by the king, who is the highest level of authority. After the king is the senior traditional leaders who assist him and are responsible for overseeing specific larger areas allocated to them by him. Reporting to the senior traditional leaders are the headmen/headwomen heading and leading the smaller communities called villages. As a spokesperson, the king is challenged to reach all the communities in his jurisdiction. To communicate with community members, the king's message passes through different levels as he must assign the senior traditional leaders to pass on the message who then pass on the message to the specific headman of a specific village to convey to the community members. In this manner, as the message is passed on through each level, there is a potential for message distortion and misinterpretation. A participant affirms this as follows:

*“Sometimes, people misinterpret the information because they perceive it differently. This can lead to misunderstandings or confusion, and in some cases, people may act on incorrect assumptions, which could create problems or hinder the effectiveness of the message” (RC006, 4:99-102).*

The message can be distorted due to the subjectivity of each person at the level through which it is passed. Also, the message can be distorted through misinterpretation as per the audience because of the different networks within the community. A network of elders and a network of young people have different interpretations depending on how and when the message is delivered and received. Time also plays a role in distortion because if the message is delivered too early or too late, it may have a different meaning. As a result, the message becomes mutable as it cannot maintain its originality, which affects mobilisation. This, therefore, affects the interests of the community members to access MOJ services. This delay is stressed by a participant as follows:

*“Sometimes, the problem is that the response takes too long, which can discourage community members from using the services” (RC006, 3:65-66).*

Technology can be an alternative solution to mitigate these challenges; however, the Nam-Hana community would require that the technology is customised to fit and meet the needs of the community set up. The design of the technology must consider many factors such as existing network facilities, literacy levels and spoken language. In support of the use of technologies that are customised to fit the setup of the community, it is important to consider what technology already exists and which technology works well and is favoured by the community members, such as radios over cell phones. A participant supports this as follows:

*“The information on the radio would be clearer, and a lot can be shared in a short time. However, they can also use SMS messages to share information via phones, especially since radios are not as popular as they once were” (MOJ007, 4:103-105).*

The community members can participate in accessing MOJ services via the network established through the four moments of translation (problematization, interestment, enrolment and mobilisation), whereby technology provides and mobilises a stable network. That network may provide easy and equitable access to the services by all Nam-Hana rural community members and, perhaps, all Namibians, despite their location, financial status and level of education.

### **7.3 Findings**

Ten (10) factors were found to have a significant influence on how Nam-Hana community accesses and uses MOJ services, as presented in the data analysis presented above. The factors found are as follows:

- Access barrier (centralised services)
- Documentation
- Geographical barrier (distance)
- Durability (transferability & translation)
- Information barrier (awareness)
- Language barrier
- Lack of resources
- Economic barrier
- Level of education
- Poor / lack of infrastructure

### **7.4 Summary**

This chapter presented the data analysis of the Nam-Hana community case. ANT was used to guide the use of thematic analysis, whereby actors and actor-networks were identified. Thereafter, the analysis was presented through the four moments of translation, namely, problematisation, interessement, enrolment and mobilisation. The data analysis highlighted ten factors, as presented above, significantly influencing the access to and use of the Justice system's services by Nam-Hana Community.

## **CHAPTER 8**

### **INTERPRETATION OF FINDINGS**

#### **8.1 Introduction**

This chapter presents the interpretation of findings from the data analysis. The findings are presented in the previous chapters 6 and 7, as per cases, the Ministry of Justice (MOJ) and the Nam-Hana rural community. The findings are the factors influencing the services provided and accessed by the MOJ and Nam-Hana, respectively. To gain a deeper understanding of how the factors manifest themselves to influence the provision and access to the MOJ's service delivery to the community, the actor-network theory (ANT) was used to guide the interpretation of the findings. This understanding led to the development of a framework that can be used to integrate a mobile technology-enabled platform with the Justice system's services to empower rural communities in Namibia.

This chapter is divided into five main sections, beginning with an introduction and followed by the presentation of findings from the data analysis, which discusses how the findings from both cases were mapped. The subsequent section is the interpretation of the findings guided by ANT. After the interpretation is the section which presents the framework, and the chapter is concluded by the summary.

#### **8.2 Findings from the data analysis**

The findings were extracted from the data analysis of two cases, the MOJ and the Nam-Hana community. The selection of the cases and the data collection processes are detailed in Chapter 4. As explained in Chapters 1 and 4, the interpretive approach was applied in the data analysis and guided using the ANT. The data analysis aimed to achieve the study's aim and objectives, which are stated in Chapter 1 and revisited in Chapter 4. The analysis of the data was conducted separately. Eight factors were found to influence how the MOJ provides its services to the community. Seven factors were found to influence how the Nam-Hana community members access or attempt to access the services provided to them by the Justice system.

From the data analysis, the subjective reasoning was applied in identifying the findings. Primarily, the process focused on two things: prevalence and decisiveness. In information systems and information technology fields, prevalence and decisiveness are considered critical (Braun & Clarke, 2006; Saunders et al., 2023). These were attributes which were subjectively thought to be of influence to change. Thus, prevalent items or incidents were extracted. Additionally, actions that were decisive or had an intricate element in changing a situation were identified. The factors that were identified are not only technical but also non-

technical. The findings are presented in Table 8.1 below. Since it was not a comparative study, the findings from both cases were mapped to ensure and ascertain corroborative evidence.

**Table 8.1: Findings from Cases #1 and #2**

| Case #1: MOJ                          |  | Case #2: Nam-Hana                     |
|---------------------------------------|--|---------------------------------------|
| Communicative scheme                  |  | Spoken language                       |
| Durability of services                |  | Awareness                             |
| Immutable mobile of service materials |  | Durability                            |
| Structural network                    |  | Passage point                         |
| Training                              |  | Automated processes                   |
| Power dynamics                        |  | Distanciation                         |
| Process automation                    |  | Immutability of documentation/service |
| Centralisation of services            |  |                                       |

The factors found were mapped against each other to identify relationships between them. Mapping helps find how the factors from the two different cases relate to each other. Moreover, mapping aids with merging or combining similar factors, which in turn leads to conclusions. The mapping can be done with the use of a table, putting the factors from the different cases side-by-side. Once side-by-side, similarities and differences are observed and where necessary factors are combined, or factors are left to stand alone. This is demonstrated in Table 8.2 below.

**Table 8.2: Mapping of findings from both cases**

| Case #1: MOJ                          |  | Case #2: Nam-Hana                     |
|---------------------------------------|--|---------------------------------------|
| Communitive scheme                    |  | Spoken language                       |
| Durability of services                |  | Awareness                             |
| Immutable mobile of service materials |  | Durability                            |
| Structural network                    |  | Passage point                         |
| Training                              |  | Automated processes                   |
| Power dynamics                        |  | Distanciation                         |
| Process automation                    |  | Immutability of documentation/service |
| Centralisation of services            |  |                                       |

Once the mapping was done, a list of factors (findings) emerged representing the factors influencing the Justice system's services, from both perspectives of the different cases. The findings are as follows: (1) Communitive scheme; (2) Durability of services; (3) Immutable mobile of service materials; (4) Structural network; (5) Training; (6) Power dynamics; (7) Process automation; (8) Centralisation of services; (9) Awareness; and (10) Passage point.

### 8.3 Interpretation of the findings

The interpretation of findings was guided by ANT, specifically focusing on following the actors, actor-networks and translation. In ANT, actors can be human or non-human (Law & Callon, 1988). According to Fioravanti and Velho (2010), following the actors and what makes them act helps to gain a deeper understanding of relationships and the influence that actors have in an actor-network. Thus, ANT provides a valuable framework for translating the relationships between different actors through the alignment of interests and actions towards a common goal, as argued by Iyamu (2018). The common goal is to improve the provision of Justice system's services to rural communities, thereby making the services equitable and easily accessible to all. Table 8.3 below demonstrates how ANT guided the interpretation of the findings.

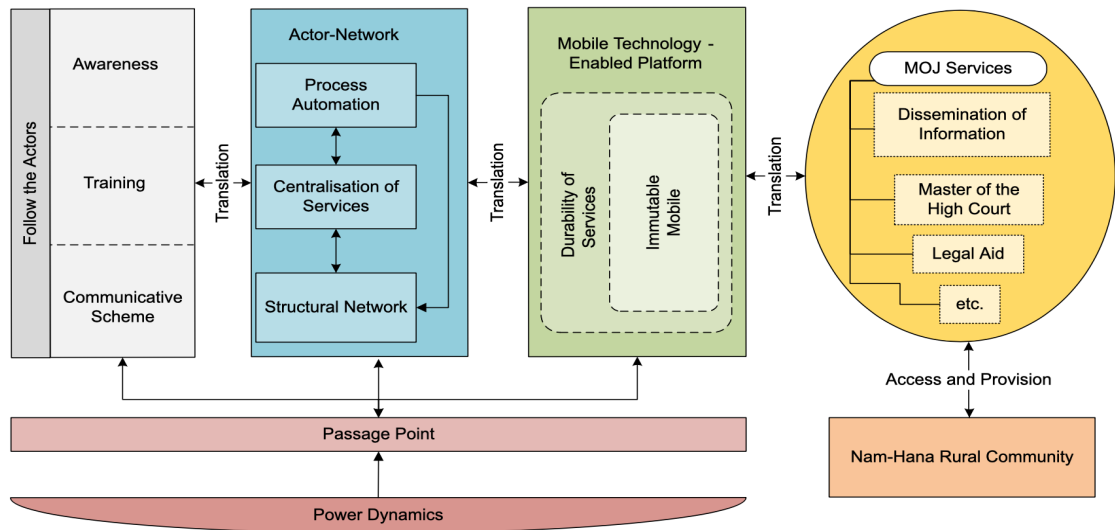
**Table 8.3: Interpretation of Findings Guide – ANT**

| Influencing Factors        | Interpretation of Findings: ANT Concept |
|----------------------------|-----------------------------------------|
| Communitive scheme         | Translation                             |
| Durability of services     | Follow the actors; Translation          |
| Immutable mobile           | Follow the actors; Translation          |
| Structural network         | Actor-networks; Follow the actors       |
| Training                   | Translation                             |
| Power dynamics             | Translation; Follow the actors          |
| Process automation         | Translation                             |
| Centralisation of services | Translation; Follow the actors          |
| Awareness                  | Translation                             |
| Passage point              | Translation; Follow the actors          |

The interpretation of the findings informs the development of the framework as per the aim of the study presented in Figure 8.1.

### 8.4 Framework for integration

From the interpretation of findings, a framework to integrate the services offered by the MOJ with a mobile technology-enabled platform was developed and presented in Figure 8.1 below. The different factors are explained in detail, specifically highlighting how they relate to or depend on or connect to each other.



**Figure 8.1: Framework for Integration**

The factors influencing the provision of and access to the Justice system's services are presented in a structured manner, according to the framework, as follows:

#### 8.4.1 Awareness

Awareness refers to the capacity of having consciousness about something, which influences your knowledge and utilisation of it (Alordiah et al., 2023). In the context of this study, awareness is knowing about the services that the MOJ provides to the citizens or community. Thus, awareness plays a significant role in mobilising actors to provide or access the MOJ services. The significance of awareness is threefold. Firstly, it allows the recipients (community members) to understand the types of services that exist. Secondly, it enables community (Nam-Hana) members to know how to access and use the available services. Thirdly, this allows the MOJ to understand how its services are being accessed or the challenges associated with them.

Existing literature attests that when different actors in the service ecosystem understand the importance of the services, they are more likely to partake (Opeke & Odunlade, 2011; Alordiah et al., 2023), either in providing or accessing the services. However, without the right information about the services and not using the right mode, awareness may remain a distant dream for many in Nam-Hana. Consequently, the community members may not have the knowledge and understanding of how to access and use the readily available services. Utilisation of services depends on prior awareness, as one cannot use something that they do not know exists or do not understand how to use it (Opeke & Odunlade, 2011).

Knowledge is gained through different means, including experience and training. When knowledge is gained, whether through training or information dissemination, it is an important way to mobilise actors and strengthen the network (Latour, 2005). Callon (1986) explains that the process of translation is more about negotiating meanings and fostering shared understandings. Thus, translation can be leveraged to influence the behaviour of other human actors within a network (Iyamu, 2024). This requires training and forms of communication. When MOJ provides training to their staff, the training helps them to understand their roles and provide more efficient services, including creating awareness for the community members of Nam-Hana. Training, therefore, translates into awareness, which enables actors to interact effectively with the Justice system's services.

#### **8.4.2 Training**

Training is the process of acquiring and developing knowledge and skills to perform a specific task (Fitzgerald, 1992; McCrie & Lee, 2022). The type of knowledge and skills can either be technical or non-technical (Kuruppu et al., 2021). Lack of proper training leads to poor service delivery (Ncamphalala & Vyas-Doorgapersad, 2022). Each actor in the network has a role to play, and they require the right knowledge to do so (Wang et al., 2021). This helps actors to have a good understanding of their roles and responsibilities. Based on the actors' type of training, they can facilitate their action, which contributes to the stabilisation of the network (Iyamu et al., 2014). On the one hand, MOJ employees can better translate their services to the levels the community members would understand. On the other hand, community members would gain a better understanding of the significance of each service provided by the MOJ and how to access them.

The training in this context must be specific for specific actors with specific, defined roles. For the actors to have a proper understanding of their roles and responsibilities, they need knowledge. This knowledge can be acquired through training (Wang et al., 2021). The data analysis revealed that the lack of awareness is attributed to a lack of knowledge, which is a result of a lack of training. However, effective training is preceded by a training needs analysis (Puspita & Nurhalim, 2021). The training needs analysis can translate into the relevant training that MOJ employees need to provide the right services that the Nam-Hana community members can access. This translation would ensure that the training is supported by appropriate training content using an appropriate mode of delivery. Mode of delivery in this context can be a type of communicative scheme. Training can be delivered through different communicative schemes such as technology and language.

### **8.4.3 Communicative scheme**

Communicative scheme refers to how tools are used to facilitate information dissemination (Oyighan & Okwu, 2024). In the context of this study, communicative scheme includes spoken language and the use of technology. According to Losee (1999) and Alsaawi (2019), spoken language is a communication medium that conveys knowledge, feelings, thoughts, intentions and opinions. Wilczewski and Alon (2023) posit that language allows individuals to communicate. The MOJ adopts English as the official language for communication and providing services to communities, including the Nam-Hana community. Alsaawi (2019:194) emphasises that “language must consist of 'meaning, words and sounds'”. However, the majority of the Nam-Hana community members are neither fluent in the written nor spoken English, as revealed from the data analysis. Thus, technology is required for translation purposes, from English to Oshiwambo. This helps with improving the inclusivity of the Nam-Hana community members accessing MOJ service offerings. According to Iyamu and Van Staden (2023), translation is critical for bringing people together and fostering collective understanding.

Technology is a communicative scheme that is reliable and can be used to facilitate communication within space and over time. According to Paniagua (2025), Giddens refers to time and space as distanciation. Kankam and Attuh (2024) argued that the use of technology as a tool for translation has a high chance of not distorting the original meaning. This is critical to ensure the durability and immutability of MOJ's services as they travel from Windhoek to the Nam-Hana community, which is about 700km. From an ANT perspective, Latour (1987) refers to immutability as a thing that keeps its originality. Thus, as shown in the framework (Figure 8.1), a platform can be used to maintain the originality of MOJ's services, including its artefacts such as documentation. Additionally, diverse interests can be translated from English to Oshiwambo, and the originality will be maintained.

### **8.4.4 Process automation**

Process automation refers to the use of technology to automate manual and repetitive business processes to improve efficiency (Cruz, 2024; Vu et al., 2025). Businesses are comprised of heterogeneous actor-networks, both human and non-human (Law & Callon, 1988). Iyamu (2018) argues that when actors are in a network and they understand their roles, they act towards a common goal. The MOJ relies on their processes to get tasks accomplished by various actors towards providing services to the communities. The study revealed that the processes are mostly performed manually, and they are confronted with different challenges. As a result, various actors are uninterested in providing or accessing MOJ services. To limit the challenges and improve citizen engagement with the MOJ in the country, some processes

should be automated. The automation will embed activities such as training and communication processes. This removes the many hurdles caused by the manual approach.

Furthermore, the data analysis revealed that the community members yearn for improved access to the Justice system's services. It would be ideal if some of the service points were merged to accelerate access to services. Additionally, technology can be used to translate and merge the service points to automate some of the manual processes that cause delay in accessing the services. For process automation to happen and serve its purpose, translation must be employed. This is to ensure that the activities and entities (such as submitting documentation, spoken language, and digital literacy) are geared towards a common understanding of both the service provider (MOJ) and receiver (Nam-Hana community). Technology aids the automation of processes and activities, as shown in the framework (Figure 8.1), to integrate a mobile technology-enabled platform. Sial et al. (2023) emphasised how platforms enabled by technology facilitate relationships among stakeholders.

Technology has been used as a tool to automate business processes in different public service sectors, such as health (Cruz, 2024). Technology such as mobile technology (Kakolu & Faheem, 2023), robotics (Nalgozhina, 2023) and artificial intelligence (Contini et al., 2024) have been used to automate business processes. The benefits of automating services include decentralised services, ease of access to services, and improved service delivery. Technology can be an enabler for the MOJ business process automation to maximise on automation benefits such as decentralised services for all in the Justice system services ecosystem.

#### **8.4.5 Centralisation of services**

Currently, the Justice system's services are overly centralized. This requires people of the Nam-Hana rural community to always travel long distances to access them. This study highlights some detrimental consequences for the community members, which include financial burden and time spent. Paniagua (2025) refers to time and space as distancing, which has additional implications for the actors involved. With distancing, there is a delay that results from the time the service is needed to the time the service is accessed and utilised. Service inaccessibility can result from failed translations between various actors, such as centralised service providers and Nam-Hana community members. Translation negotiates meaning and shared understanding to align interests and mobilise action in a network of actors (Mendonca & Iyamu, 2024). It entails a construct consisting of both technology and social structures. Thus, it contributes to the development of the integration framework (Figure 8.1).

Centralising the Justice system's services makes service delivery poor, unequal, and difficult for Nam-Hana community members to access. As a result, some community members lose

interest in accessing the services, making the existing actor-networks unstable. Nakashololo and Iyamu (2023) posit that actor-networks are continually changing through shifting negotiations, and they require active maintenance to have stability. The service provider (MOJ) needs to constantly interact and integrate the Nam-Hana rural community members as active actors and not passive service receivers. The flexibility of the framework makes it possible to integrate a mobile technology-enabled platform with the Justice system's services to empower rural communities. Through shifting negotiations and interactions with service access actors, the MOJ can gain insight into how to reconfigure networks to improve inclusivity.

#### **8.4.6 Structural network**

Like other governments' administrations, the MOJ was formally structured. From ANT's perspective, this is referred to as a structural network. It consists of humans and non-humans within cultural, legal frameworks, or contractual, as opposed to the informal networks, which are spontaneous (Watarai et al., 2023). It was designed for the provision of and access to services. The MOJ provides Justice system's services such as legal advice and legal representation in both civil and criminal matters. Legal representation would mean a public lawyer appointed to represent those who cannot afford to hire a private lawyer. The Nam-Hana community members access the Justice system's services for several reasons, such as a need for legal representation.

The community members would need to apply for services, including those mentioned above. Once their application is received, it needs to be approved by someone with the authority to do so, and a public lawyer would then be appointed for them accordingly. The design enables the allocation of roles and responsibilities, including automation of processes. This, consciously or unconsciously, permits power dynamics at various levels, either providing or accessing services. Power can be an enabler to enforce training within the network, leading to awareness and knowledge. For example, MOJ employees could be attending yearly mandatory refresher trainings on customer service as part of their contractual obligation, and this training can be enforced by the supervisors. In this manner, the trainings happen, through which employees gain knowledge, and the supervisor would be acting from a point of power in the network.

The use of power helps to enact process automation and other activities towards integrating a mobile technology-enabled platform with the Justice system's services in Namibia to empower rural communities. The study reveals that there were levels of authority from both the MOJ and Nam-Hana community settings. At the MOJ, there were the minister, executive director, directors and deputy directors, while within the Nam-Hana community, there were the chiefs, headmen and headwomen. In these settings with different authorities, power dynamics are

highlighted. The power dynamics are embedded with factors such as knowledge and skills, as well as the jurisdiction bestowed on the various authorities. In the MOJ, employees interact with the structural network in performing their roles and responsibilities.

The integration framework (Figure 8.1) shows how a structural network contributes to gaining a better understanding of the current ways used in supporting and enabling the Justice system's services towards integrating a mobile technology-enabled platform with the services to empower rural communities in Namibia. This is done through its relationships with other factors such as the centralisation of services, process automation, and passage point. A passage point is a point where different actors converge to achieve a common goal (Minniti & Magaudda, 2025). This requires translation, which helps align the interests of these actors to convince them that it is necessary or beneficial to perform their roles towards the common goal.

#### **8.4.7 Passage point**

An actor can establish itself or can be enacted as a passage point for other actors to perform their roles within a network (Minniti & Magaudda, 2025). In the MOJ, that actor was, for example, the legal documentation (forms to access Justice system's services). The legal documentation was written in the official language, which is English. For Nam-Hana community members to access Justice system's services, they were required to fill in the forms. There is no other way for the community members to access the services but through the forms (legal documentation) even if it meant that they did not speak the official language. This makes it a passage point, which is referred to as obligatory passage point (OPP) in actor-network theory (Callon, 1986). Most of the Nam-Hana community members primarily speak Oshiwambo and often require translation of the documentation to understand the content of the documents.

Passage point can play a significant role in the integration of the Justice system's services and mobile technology-enabled platforms as it features at different levels, as illustrated in Figure 8.1 (integration framework). Passage point can be obligatory because it gives little or no room for negotiation, even during translation (Lee & Wang, 2016; Callon, 1986). For example, when MOJ employees get trained, the mode of training delivery could establish itself as a passage point; therefore, the mode is translated to be indispensable. Additionally, when information is disseminated to the Nam-Hana community about the services, the communicative scheme (technology) used could establish itself as an obligatory passage point. The enforcement is influenced by power dynamics in that the passage point is mandatory for every actor to act, providing no alternative, giving the passage point power of control or forcing an interest. In ANT, it is emphasised that power relations and networks can be shaped by the active role that non-human actors, such as technology, can play (Gutiérrez, 2024).

#### **8.4.8 Power dynamics**

The MOJ, like many other private and public organisations, is structured hierarchically. At the time of this study, within the structure, there were units and teams of specialists. The units and teams make up the organisational network structure, which ANT refers to as actor-networks. Each network possesses specific powers through self-acclamation or bestowed by the organisation. This means that power was defined by various dynamics. Within the hierarchical structure, the flow of power was visible, understood, and expected. For example, the directors and deputy directors exercised their powers by making important decisions for the MOJ's operations, distributing resources and influencing the performance of other employees (subordinates) by communicating key strategic information. This is not a new phenomenon. According to Pansardi and Bindi (2021), power is the ability and capacity to effect change and to influence or affect other actors. Thus, the exercise of power can help facilitate the integration of a mobile technology-enabled platform with the Justice system's services to empower the Nam-Hana community in Namibia.

The power dynamics in the MOJ were fortified by factors such as knowledge, skills, and access to resources. Thus, there was a constant shift because none of these factors was static. ANT also does not classify power as static or fixed to individuals, since power shifts with context (Law, 1992). This makes it critical to ensure shifting negotiation in considering power dynamics in the integration of mobile technology-enabled platform with the Justice system's services. At one point, a director of a unit may have power over a jurisdiction in MOJ services and at another point, the jurisdiction may change.

For the Nama-Hana rural community, there was a traditional hierarchy in which the king was the head of the authority. Based on the framework (Figure 8.1), the traditional leaders under the kingship have crucial roles to play in ensuring the buy-in and cooperation of the community members in ensuring the integration of the mobile technology-enabled platform with the Justice system's services. This includes coordinating activities and practices such as culture, identifying and delegating those with required knowledge, and complying with government directives. However, the activities must be properly managed because neither power nor its dynamics is static. Modell (2020) affirmed that power shifts. Also, the elderly in Nam-Hana may have power in the community, but that power may not be recognised at the offices of the MOJ when they attempt to access and use its services.

#### **8.4.9 Immutable mobile**

Immutable mobiles, a concept by Latour (1987), refers to the translations that are formed into artefacts, such as documents, maps, forms and reports, that maintain their shape, meaning, and originality through time and space (distanciation). Translation refers to the transformation

of knowledge and authority into inscriptions that may help with the formation, stabilisation, and reconfiguration of actor-networks in different contexts (Lammes, 2017). As shown in Figure 8.1, the data analysis revealed that immutability (immutable mobile) is one of the factors that can help with the integration of a mobile technology-enabled platform with the Justice system's services to empower the Nam-Hana community. For example, the immutability of the MOJ's application forms, legal documentation, and standardised operational guidelines can instil confidence in the stakeholders and improve service delivery to the community. Challenges faced by the Nam-Hana community members, such as language barrier and the long distances they must travel, can be addressed knowing that the documentation transported (transmitted) to them through technology remains original.

The data analysis revealed that technological interventions are necessary to bring about stability in providing and accessing services within the Nam-Hana community. The stability entails consistency and originality, which can be inscribed but cannot be transformed into a new form. Therefore, in the context of this study, technology can be used to enable stability, which critically influences the integration of service offering platforms. This makes it easier for community members to access the services (such as filling application forms online, timely communication with legal practitioners, online consultations, etc.). Additionally, technological interventions can be carriers of information that is consistent and uniform, so that people from different settings can work with the same information and standards. Technological interventions can incorporate process automation (Kakolu & Faheem, 2023), which helps with document verifications and language translations, yet retaining the shape, meaning and originality of immutable mobiles.

As a result, the MOJ could function across multiple settings, providing uniform, equitable, and easily accessible services regardless of the economic-status or geographical location of Nam-Hana community members. This can be achieved using the framework to integrate MOJ services with a mobile technology-enabled platform as presented in Figure 8.1. However, the data analysis also discovered that, for technology to be successful in the community depends on how well it is aligned with the configuration of the community. For example, challenges, including language barrier and digital literacy, can be considered for designing a technological intervention suitable for community use. In this way, communities can effectively access MOJ services.

#### **8.4.10 Durability of services**

From ANT's perspective, durability is a concept that focuses on stability and originality (Law, 1992). This means that the concept makes it possible to resist change. In Bueger and Stockbruegger's (2017) explanation, durability entails structures that consist of elements and

materials that are logically held together. Thus, once a service is durable, it becomes difficult to change. Hence, durability of services is a critical component of the framework, which guides the integration of a mobile technology-enabled platform with MOJ services. Nam-Hana community members at the time of this study were faced with challenges when trying to access services provided by the MOJ. That was attributed to inconsistency and instability in how the MOJ provides the services, including service quality.

Despite the efforts that the MOJ has been making, such as public education outreach for creating awareness and utilising interpreters to help with the language barriers, service access remains unsatisfactory. This was primarily because the services lacked durability. Durability begets tendencies that can manifest into permanence rather than deterministic pathways (Minn, 2016; Law, 1992). Services may be in existence but were not easily and equitably accessible, especially by Nam-Hana community. New forms of service provision need to be employed to ensure that services are durable. A durable service may be a service that remains the same over time.

For the service to remain the same over time means that the service networks are stable. For a network to be stable, it means that both human and non-human actors have aligned interests (Latour, 1996). Technology can be used to enable the stability of the service networks consisting of MOJ and Nam-Hana community members, which influences service durability. This helps to improve equitable access to the Justice system's services, making them durable. The findings emphasise the importance of designing a framework (Figure 8.1) that includes service durability.

## **8.5 Summary**

This chapter presents the interpretation of the findings from the data analysis presented in chapters six and seven of this thesis. ANT was used as a lens to guide the interpretation. A framework was developed to demonstrate the integration of a mobile technology-enabled platform with the Justice system's services to empower rural communities. The ten findings (factors) presented above that significantly influence the access to and provision of Justice system's services in Namibia were interpreted, highlighting how they relate to each other, as illustrated in Figure 8.1.

## **CHAPTER 9**

### **CONCLUSION AND RECOMMENDATION**

#### **9.1 Introduction**

This chapter concludes the study, which aimed to develop a framework that can be used to integrate a mobile technology-enabled platform with the Ministry of Justice (MOJ)'s services in Namibia to empower rural communities. As discussed in Chapter 4, the study adopted the subjective approach from the perspective of the interpretive paradigm as the philosophical stance for both ontology and epistemology to achieve the aim. Qualitative data were collected using the semi-structured interview and document analysis techniques. The data were collected from the MOJ and the Nam-Hana rural community, which were used as cases in the study. The data were analysed using thematic analysis, and the actor-network theory (ANT) was used to guide the data analysis as well as the interpretation of findings.

This chapter has seven sections, beginning with the current section on introduction. The second section is the evaluation of how the research achieved the objectives and ultimately the aim. The third section presents the contribution of the research, which is threefold: (i) theoretical, (ii) methodological and (iii) practical contribution. The fourth section presents the limitations of the study, followed by Section Five on recommendations. Section Six highlights further studies, and the last section of the chapter is the summary.

#### **9.2 Evaluation of the research**

Research is conducted to increase humankind's understanding of phenomena; else, it is not worthwhile (Searcy & Mentzer, 2003). For that understanding to be trustworthy and credible, a rigorous systematic process is followed. According to Alexander (2019), the trustworthiness of a study entails the assessment of the quality and rigour to help determine if the study's findings closely reflect its aim according to the collected data. This study adopts an investigative approach because it is prefixed by what?, why?, who?, where?, when?, and how? (5W1H), in evaluating it and to determine its trustworthiness. Tsuji (2017) argues that the 5W1H structure is an effective way to extract and gather information and write and make a summary without missing important details. Important details fortify quality and help determine the depth of the rigour. Similarly, Hamborg et al. (2019) argue that the 5W1H structure is vital for understanding any writing and thus essential for research evaluation. Table 9.1 below explains how the 5W1H was applied for this study's evaluation.

**Table 9.1: 5W1H application in the study's evaluation**

| <i>5W1H – Structure (Questions)</i> | <i>Explanation (Focus)</i>    |
|-------------------------------------|-------------------------------|
| <i>What</i>                         | The study's main purpose      |
| <i>Why</i>                          | The rationale for the study   |
| <i>Who</i>                          | The participants of the study |
| <i>Where</i>                        | The study environment         |
| <i>When</i>                         | Timeline of the study         |
| <i>How</i>                          | The process followed          |

### 9.2.1 Summary of the study's evaluation

The 5W1H structure was used as follows to present the study's evaluation in Table 9.2 below. Table 9.2 demonstrates how the research process was followed, research problem, aims and objectives were revisited as well as the methodology.

**Table 9.2: Summary of the study's evaluation**

| 5W1H | Evaluation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Outcome/s                                                                                                                                                                        |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| What | The study aimed to develop a framework that can be used to integrate a mobile technology-enabled platform with the MOJ services in Namibia to empower rural communities. This was because access to MOJ services was limited, particularly in rural areas, at the time of this study. Thus, the phenomenon was studied towards providing a solution that ensures inclusivity by using technology to make it easier for people in rural communities to access the Justice system's services. | The factors influencing the provision and access to Justice system's services were revealed, as presented and discussed in chapter 8                                             |
| Why  | Despite efforts made by the Namibian government to provide services to all citizens, including those in the rural areas, access to these services remains limited due to various challenges. These challenges presented in Chapter 1 are attributed to many factors, including the geographical configuration of rural communities. Therefore, there was a need to find complementary approaches, such as the integration of a mobile technology-enabled platform in the justice            | Evidence of the challenges is presented in chapter 1. The analysis of the empirical data confirmed the challenges and their impacts on the community members in chapters 6 and 7 |

|       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                        |
|-------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|       | system to improve the provision of and access to these services in Namibia's rural communities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                        |
| Who   | Before engaging with the participants, all the relevant and required authorisations were obtained through the rightful and respectable authorities. To ensure rigour, the study necessitated a dual view from the perspectives of service provision and access. This helped to achieve the objectives of the study. The relationship between the MOJ and Nam-Hana was highlighted in Figure 5.1. From the perspective of service provision, a set of criteria was formulated to select participants from the Ministry of Justice. These participants comprised employees from different levels within the Ministry (Table 4.1). Two sets of criteria were used to select the rural community (Nam-Hana) and participants within the community, respectively. The criteria ensure appropriateness, which adds to the credibility and trustworthiness of the study | Participants were critical in achieving the objectives and quality of the study. Also, bias was reduced by using sets of criteria.<br>Figure 5.1, Table 4.1, Table 4.2 |
| Where | The study was conducted in Namibia (Figure 5.3) at two very distinct locations. MOJ offices are located in Windhoek, the capital city of Namibia, whilst the second location is about 700 kilometres out of Windhoek, which is hereby referred to as the Nam-Hana rural community. Nam-Hana is a pseudonym assigned to the community to uphold confidentiality as per the ethical considerations. MOJ is in an urban area while Nam-Hana is in a rural area. The rationales for selecting both MOJ and Nam-Hana are comprehensively discussed in chapters 4 and 5.                                                                                                                                                                                                                                                                                               | Empirical data were gathered from the MOJ and Nam-Hana.                                                                                                                |
| When  | The study began in March 2023, as the challenging circumstances worsened in the country. The proposal was approved by a committee in 2023. Data collection started in July 2024 and was completed in October 2024. Thereafter, the data was prepared immediately for the data analysis, which happened shortly after. Data analysis was                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 1. The research ethics that guided the data collection and the entire study were approved by the institution, CPUT.<br>2. Consents obtained from individuals and       |

|     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                             |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|
|     | completed in July 2025. The thesis write-up happened in parallel with research activity to aid timely reporting.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | groups from both MOJ and Nam-Hana community. Entire Thesis. |
| How | Based on the aim and objectives, a methodological approach was applied in the study. This entailed the selection of the most appropriate methods, approaches, and techniques. chapter 4 provides a detailed discussion on how the methodology was applied. Figure 4.1 depicts the process and highlights the relationships of all the parts of the process. With the guidance of the research objectives, the process began with the research philosophy, where assumptions were discussed and a philosophical stance was taken for both ontology and epistemology. Thereafter, the reason for adopting the inductive approach for the study was discussed. Data were collected using qualitative techniques (semi-structured interviews and document analysis). For research design, a case study was the most appropriate in achieving the objectives. Data were analysed using thematic analysis guided by ANT, as presented in chapter 3, Figure 3.2. Subsequently, ANT was also used to guide the interpretation of the findings, which led to the development of an integration framework (Figure 8.1), thereby achieving the aim of the study. | Figure 3.2, Figure 4.1, Chapter 3, Chapter 4                |

### 9.2.2 Achieving the study's aim and objectives

The aim of the study was to develop a framework that can be used to integrate a mobile technology-enabled platform with MOJ services in Namibia, to empower rural communities. To achieve the aim, three objectives and three corresponding research questions were formulated. Each objective focuses on a specific aspect of the research aim, which was to develop a framework.

The aim was achieved through the development of a framework as presented in Figure 8.1. The process followed to achieve the aim was guided by the objectives and the philosophical

assumptions and stance taken, as illustrated in Figure 4.1. Furthermore, ANT was used to guide the data analysis and interpretation of the findings. The framework shows the factors that can enable the integration of a mobile technology-enabled platform with the Justice system's services. This includes the relationships between the factors, which indicate how the factors exert their influence on the integration process.

#### **9.2.2.1 The research objectives**

The research objectives are presented in chapter 1 and revisited in chapter 4. How each objective was achieved is discussed as follows.

***Research Objective #1: To examine and gain a better understanding of the current ways used in supporting and enabling the Justice system's services in the Namibian rural communities.***

To achieve this objective, several steps were taken, starting with formulating an interview guide, consisting of qualitative questions. As discussed in chapter 4, the semi-structured interview technique was used to elicit responses from the participants, as the objective was to understand how the MOJ provides services to the rural community of Nam-Hana. Participants from both the MOJ and the Nam-Hana community had the opportunity to respond to similar questions. This was to allow corroborative or contradictory views from the service provider (MOJ) and recipients (Nam-Hana community members). The approach provides an opportunity to gain a deeper understanding of how services were provided to the community.

To the MOJ, some of the interview questions included: In your view, how is the organisation (MOJ) providing services to the community? Why do you think the services are provided in that manner? The responses were probed for further information, such as: what are some of the challenges in providing services to the community in that manner? To the Nam-Hana community, the questions included: What are some of the services that you receive from the MOJ? How are you receiving the services? In analysing the data, which was guided using ANT as a lens, the trend of processes and how events and actions of individuals manifested were followed. This was done heuristically.

The data analysis was done using thematic analysis and guided by ANT. The two cases, MOJ and Nam-Hana rural community, were analysed separately as presented in chapters 6 and 7, respectively. The data analysis revealed an understanding of how the Nam-Hana rural community members currently access the Justice system's services and how the MOJ is currently supporting and enabling these services. These findings stemmed from the perspectives of the service providers (MOJ) and the service receivers (Nam-Hana), as

presented in Table 8.1. As a result, the findings were mapped against each other to identify similarities and avoid duplications, as presented in Table 8.2. After the mapping, one set of findings was finalised (Table 8.3) and was then interpreted subjectively guided by ANT.

The interpretation of findings was necessary to highlight some of the shortcomings in the current ways in which Justice system's services are supported and enabled, particularly in the Nam-Hana rural community. Similarly, it was used to highlight how new interventions can improve the provision of and access to these services for all in Namibia in a fair and equitable manner. These interpretations also identify and suggest the necessary relationships between heterogeneous actors to aid the reconfiguration of the already existing service actor-networks for network stability and service durability.

***Research Objective #2: To examine and understand the challenges associated with accessing the Justice system's services by the rural communities in Namibia.***

The same process followed to achieve the first objective was also followed to achieve this objective. However, the understanding that was gained was different. The understanding gained was from the different challenges the MOJ faced when providing services to the Nam-Hana, and the challenges encountered by the community in trying to access the services. The interview questions to the MOJ included: What are some of the challenges that you have observed when providing Justice system's services to rural communities? Why do you think those challenges exist? In your view, how can those challenges be addressed? Whilst for the Nam-Hana community, the interview questions included: What are some of the challenges you face in accessing Justice system's services? In your view, why do you think those challenges exist? How do these challenges impact you when trying to access Justice system's services or resolve legal issues? The responses were probed further to gain a deeper understanding: How do you think the challenges can be addressed? Why do you think the challenges can be addressed in that way? The responses were enormous and helped to enrich the data from both the MOJ and the Nam-Hana community's perspectives.

Many challenges that the Nam-Hana rural community members faced in trying to access Justice system's services were revealed through the data analysis guided by ANT. It is understood that the rural community actors faced challenges such as a language barrier, a lack of awareness, geographical configuration, limited infrastructure, and financial constraints. Consequently, many community members lose interest in accessing information, which leads to denied or delayed services that are readily available and essentially needed. This understanding helped with the interpretation of the findings. The interpretation of these findings

is suggestive of translations that need to happen for the purpose of mitigating these challenges and finding an alternative service delivery mechanism by perhaps looking to technology.

The interpretation of the findings leads to the development of a framework (Figure 8.1). The framework highlights the relationships between different factors that significantly influence the integration of a mobile technology-enabled platform with the Justice system's services. The intention is to empower rural community members in Namibia. This empowerment adjusts the rural community members from being passive receivers of these services to active participants and collaborators within the service network, thereby helping the MOJ not only get first-hand information on the preference of service access but also on what to consider in providing satisfactory service delivery for rural communities.

***Research Objective #3: To investigate how a mobile technology-enabled platform can be integrated with the Justice system and its services for rural communities' purposes.***

This objective, to investigate how a mobile technology-enabled platform can be integrated with the Justice system and its services, was enacted by examining the outcomes of objectives 1 and 2. This was done through the interpretation of the findings, as presented in chapter 8. In addition, part of the interview questions, which were subsequently probed included questions such as: Do you think a mobile technology platform could help in accessing Justice system's services? In your view, what would be some of the benefits of using mobile technology to access these services? The data analysis revealed a set of findings that significantly influence the Justice system's services. These findings were interpreted by following the interpretivist approach, guided by ANT.

The use of ANT enables identifying the actors involved in service delivery by the MOJ and the community members accessing the service. ANT was instrumental, primarily, in three ways: non-superiority of actors, 'follow the actors', and translations. Firstly, because ANT does not differentiate between human and non-human actors and treats both equally (Callon, 1986), it takes away the difficulty of categorisation, making identification easier. Secondly, the theory's mantra 'follow the actors' (Mlambo & Iyamu, 2025), enabled the tracing and tracking of the actors and their activities in providing and accessing services. Thirdly, ANT's concept of translation helped to understand the interaction between actors in providing and receiving services. This includes understanding the roles and comprises the heterogeneity of actors. For uniform service provision, network stability and service durability, current actor-networks need to be reconfigured to allow for the enrolment of other actors such as technology. However, there are factors to consider, such as digital literacy, education level, and community setup when reconfiguring the actor-networks and improving service provision.

The most prevalent factor from the data analysis was a lack of awareness from both sides of the service provider and receiver. This lack of awareness for the Nam-Hana rural community meant that the community members were not aware of the services that MOJ provides, where the offices are, and how to go about accessing the services. This indicates that there were no adequate information dissemination efforts and the information disseminated did not reach those in rural communities. Conversely, some MOJ employees have no complete knowledge of the challenges faced by the rural community members when accessing their services. This hindered their performance, and they require training, which in turn would help increase their knowledge. That knowledge would aid their performance, which would then improve service provision.

A framework was therefore developed, as presented in Figure 8.1, which highlights the factors that influence the provision of and access to the Justice system's services. Equally, the relationships between these factors were highlighted. In addition to the framework, a discussion of the factors and how they are connected was also presented in Chapter 8. Based on the above explanations, all the objectives were achieved, thus the aim was also achieved.

### **9.3 Contribution of the research**

The study significantly contributes to advancing the Justice system's services in Namibia. Additionally, the study contributes to the body of knowledge by filling gaps in the literature in areas such as IT and community development. The three-part contribution; theoretical, methodological and practical, is discussed as follows:

#### **9.3.1 Theoretical contribution**

The Framework (Figure 8.1) is the study's main theoretical contribution. It is for the purpose of integrating a mobile technology-enabled platform with the Justice system's services to empower Nam-Hana and other rural communities in Namibia. The developed framework also contributes to a broader discourse on the use of technology solutions to improve access to justice and empower underserved communities. The Framework is a step forward, indicating the possibility of developing technological interventions that can improve access to Justice system's services in rural communities. The Framework represents an innovative approach to understanding how different actors and actor-networks can be coordinated to achieve a common goal while maintaining their individualities.

Another theoretical contribution is the use of ANT as a lens. Through its translation concepts, it helps to gain insights into shifting environmental changes, actors' needs and capabilities. This insight would be difficult without ANT. Thus, from a community development perspective,

the study advances the use of ANT for analysis purposes. Additionally, the Framework considers the unique needs, challenges and abilities of the rural communities, ensuring that the technological interventions genuinely serve the community members. This can be achieved by focusing on reconfiguring networks' top-down technological implementations to more inclusive and participatory developments that encourage ownership and collaboration.

### **9.3.2 Methodological contribution**

Methodologically, the use of ANT to examine rural community activities contributes to advancing indigenous systems. The use of ANT for both data analysis and interpretation of the findings is a methodological contribution. The contribution comes from the non-repetition of the theory's concepts in the analysis and interpretation. Additionally, in the information systems (IS) and information technology (IT) fields, it is rare to find a study where a sociotechnical theory is applied for both data analysis and interpretation of the findings. These processes highlighted the strength of ANT in identifying the key actors, the actor-networks and how shifting negotiations, obligatory passage points, and power dynamics can significantly influence the integration of a mobile technology-enabled platform with the Justice system's services to empower rural communities. It helps us understand how different actors work together in a rural setting in developing indigenous systems.

The theory also helped with outlining the relationships and the interactions between different actors, which helped to map the different actor-networks. The interpretation of findings through the lens of ANT leads to the development of the framework. It would have been difficult to analyse the data and interpret the findings without ANT because most of the dominant existing tools and techniques are quantitative in nature. This is because, quantitative data is measurable and numerical, which aligns well with computational processing that influences software development such as SPSS and Stata. For this study, which was qualitative in nature, ANT provided a guide that can contribute to helping other researchers and scholars also gain more understanding of the theory's strengths. Additionally, researchers and scholars can understand the process of applying it in the fields of IS and IT. It is important to highlight that ANT, a socio-technical theory, is relevant in this digital age because social and technical cannot exist without the other.

### **9.3.3 Practical contribution**

Practically, the study contributes to the MOJ, community development, and IS/IT fields. The contribution comes from applying the study's outcome (the findings and Framework) to guide the development of policy, service level agreement, and IT governance. This is important for policymakers and other stakeholders, such as rural community members and IT specialists, primarily because the study provides information about the feasibility of integrating a mobile

platform into the Justice system's services. Furthermore, the findings highlight the benefits and the potential implications that the integration brings to the fore. Policy makers can leverage the findings of the study as a vital resource to create comprehensive policies that can guide the implementation of strategies to ensure that access to Justice system's services is fair and equitable. The findings also guide the development and implementation of innovative approaches, ensuring that these services reach even the most remote areas.

The development of innovative approaches will be informed by the evidence-based findings discussed in this study to ensure that these approaches are inclusive, considerate, and sustainable. The findings also inform innovation developers and Justice system's services practitioners about the different actors, actor-networks, and diverse environments with unique considerations for technological interventions. Such insights are particularly important when developing innovations for communities with limited technological infrastructures and different levels of digital literacy. The practical contributions aim at improving access to Justice system's services. Thus, the developed and presented evidence-based framework for integration ensures that the technological interventions have the potential to improve access to and provision of the services. As a result, community members have easy and equitable access and satisfactory interactions with the Justice system's services.

#### **9.3.4 Limitations of the study**

Despite the comprehensive depth of the study, there are a few limitations. On the one hand, limitations are referred to as weaknesses or constraints that the researchers have no control over but must be acknowledged to avoid misinterpretations of findings by the readership (Theofanidis & Fountouki, 2018.). On the other hand, acknowledging the limitations enhances research credibility and process transparency (Clarke et al., 2024; Lim, 2025). According to Ross and Bibler Zaidi (2019), presenting limitations is ethical and supports the validity of the study's findings. In this study, four limitations were identified and are presented below:

- i. Coverage: only one community was covered in Namibia. Although the rationale is convincingly explained in chapter 4, it does not mean that the inclusion of more communities would not have added value to the study.
- ii. Limited generalisability: The findings of the study may not be generalisable beyond the specific context of Namibia. However, it does not mean that all parts of the African continent that experience similar challenges may not apply the findings.
- iii. From the service receiver's perspective, the study only focused on collecting data from participants accessing the Justice system's services from a rural setting; an urban setting was not considered.

- iv. From the service providers' perspective, the study only focused on collecting data from MOJ employees; no other justice-related organisation was considered.

## **9.4 Recommendations**

Considering the gaps that emerged through the rigorous processes of data analysis and interpretation of findings, a few recommendations are proposed below. Although the study's aim and objectives have been achieved, the recommendations are suggested to inform practice and policy within the justice system service ecosystem and to contribute to the wider body of knowledge. Primarily, the recommendations are a need for distancing by collaboration, awareness by training, and immutable mobile by technology.

### **9.4.1 Distancing by collaboration**

A disconnect between service providers' intentions of a service and the lived reality of the service receivers could be attributed to distancing. Paniagua (2025) refers to time and space as distancing. In the context of a mobile technology-enabled platform to enable access to Justice system's services for rural communities, distancing manifests itself when these platforms are designed and developed without considering the rural setup, cultural, and infrastructural positions. The consequence of this misalignment is wasted resources, inefficiencies, and limited adoption of and access to platforms. Distancing can obstruct the community members from using technological platforms due to a lack of trust and difficulty accessing services, leading to frustrations.

To address distancing, better strategies that are context-specific, involving the users to design and develop these platforms need be considered and implemented. These strategies such as collaboration can ensure that the developed platforms are inclusive, accessible and support community engagement, thus enhancing platform effectiveness and efficiency and improving access to service. Stout and Keast (2021) posit that collaboration is when two or more actors work together to achieve a common goal. Stout and Keast (2021) argue further that collaboration is not transactional, but rather relational, whereby actors are motivated to work cooperatively with coordinated activities. As a result, synergy emerges, and innovations occur among the collaborators through their relationships. Weak or a lack of collaboration can result in a lack of trust and ownership of technological platforms. Enhancing collaboration will promote shared responsibility between the Justice system's services provider (MOJ) and receivers (Nam-Hana). Also, when the service receiver is an active participant in the design and development of the platforms, it enhances trust and ownership of the platform, improving access to the services.

#### **9.4.2 Awareness by training**

Training is an essential aspect for sustainable service delivery. When one acquires and develops knowledge and skills to perform specific tasks, it is referred to as training (Fitzgerald, 1992; McCrie & Lee, 2022). Similarly, Wang et al. (2021) claim that knowledge can be acquired through training. For service providers, it is best to give training to their employees to be able to serve the communities accordingly. Conversely, it is also important to give the community members necessary training on how to access and interact with the services. Poor training or a lack thereof limits the organisation from providing effective and efficient services that are satisfactory to the communities. For the service provider, insufficient awareness manifests itself in many forms, such as poor access to services and or misunderstanding of services or the process of accessing and interacting with the services. While for the service receiver, insufficient awareness and misinformation cause difficulty in accessing services.

The insufficient awareness can be attributed to inadequate training of the service providers (MOJ employees) and the service receivers (Nam-Hana rural community). Proper training strategies need be adopted to enhance awareness for both the service providers and receivers. The strategies could address this awareness gap if they are sustainable, context-based, and are tailor-made as per the trainees' needs. The mode of training delivery should also consider the environment and other important factors such as literacy levels and language. Thus, awareness improves service effectiveness, efficiency and sustainability, making access to services easier and equitable.

#### **9.4.3 Immutable mobiles by technology**

Immutable mobiles were described by Latour (1987) as artefacts such as documents, forms, and reports that maintain their originality while being transferred over different contexts. For uniformity of service delivery in different contexts and locations, immutable mobiles are necessary. However, the lack of technology and or technological infrastructures hinders this uniformity. The immutable mobiles might be in existence but due to a lack of technological platforms to transfer them, there is a delay in service delivery and access due to distancing. With the implementation of mobile technology-enabled platforms that are consistent, stable and scalable, services in rural areas would be strengthened in areas such as accessibility, reliability, and sustainability, thereby improving service delivery.

### **9.5 Further study**

The objectives and the aim of this study as articulated in chapters 1 and 4, were achieved, as presented in chapters 6, 7, and 8, and summarised in this chapter. The aim of the study was to develop a framework, which can be used to guide the integration of Namibia's Justice system's services with a mobile technology-enabled platform, to empower rural communities.

The framework was developed and presented in Figure 8.1 in chapter 8. However, the findings, including the framework, trigger further studies, such as testing the framework, applying a different method (quantitative), and transforming the limitations.

- i. Testing the framework - further studies can be conducted, to test the framework. This will require different objectives or hypotheses. This is to ensure the pragmatism of the framework.
- ii. Applying the quantitative method - the study may apply the quantitative method to include more communities and gather quantitative data. This is to ascertain whether a different conclusion will be reached, which can contribute more to the literature.
- iii. Transforming the limitations - the limitations of this study presented in Section 9.4 of this chapter can be transformed into gaps that further research can consider.

## **9.6 Summary**

This chapter presents the conclusion and recommendations of the study. The study was evaluated in this chapter as per Table 9.1. The chapter revisited the study's objectives and explained how each of them was achieved. This leads to achieving the study's aim. The contributions of the study are presented threefold: theoretical, methodological and practical. The limitations of the study are identified and discussed. Thereafter, the recommendations of the study are offered in this chapter, followed by suggestions for further studies.

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## APPENDICES

### APENDIX A: Individual consent form



**FACULTY OF INFORMATICS AND DESIGN**

**Individual Consent for Research Participation**

**Title of the study:** A framework for the integration of a Mobile Technology-Enabled Platform with the Justice System Services to Empower Rural Communities in Namibia

**Name of researcher:** Hedvig Nyanyukweni Kakoko Mendonca

Contact details: email: [hmendonca@unam.na](mailto:hmendonca@unam.na) / [hiibizz@gmail.com](mailto:hiibizz@gmail.com) phone: +264812964717

**Name of supervisor:** Professor Tiko Iyamu

Contact details: email: [iyamut@cput.ac.za](mailto:iyamut@cput.ac.za) phone: +27716770300

**Purpose of the Study:** The purpose of the study is to develop a framework that can be used to integrate a mobile technology-enabled platform with the Justice system services in Namibia to empower rural communities. It will include identifying the challenges associated with accessing the Justice system and its services in the country.

**Participation:** My participation will consist essentially of an interviewer conducting interviews to gain insights into the challenges and other factors associated with accessing the Justice system services in which I am the interviewee.

**Confidentiality and Anonymity:** I have received assurance from the researcher that the information I will share will remain strictly confidential unless noted below. I understand that the contents will be used only for PhD thesis, journal articles, other academic publications and that my confidentiality and anonymity will be protected by using pseudo-names to not reveal my identity.

**Conservation of data:** The data collected will be kept in a secure manner. Access to the data will be limited to the student and supervisor only. The data will be securely stored in a password-controlled environment. Data storage procedures will strictly adhere to the rules and regulations established by CPUT, emphasizing the safeguarding of participants' privacy and information protection using pseudonyms.

**Voluntary Participation:** I am under no obligation to participate and if I choose to participate, I can withdraw from the study at any time and/or refuse to answer any questions, without suffering any negative consequences. If I choose to withdraw, all data gathered until the time of withdrawal will be destroyed.

**Additional consent:** I make the following stipulations (please tick as appropriate):

|                             | In thesis | In research publications | Both | Neither |
|-----------------------------|-----------|--------------------------|------|---------|
| My image may be used:       |           |                          |      |         |
| My name may be used:        |           |                          |      |         |
| My exact words may be used: |           |                          |      |         |
| Any other (stipulate):      |           |                          |      |         |

**Acceptance:** I, (print name) \_\_\_\_\_

agree to participate in the above research study conducted by Hedvig NK Mendonca of the Faculty of Informatics and Design (*Information Technology*) at the Cape Peninsula University of Technology, which research is under the supervision of Professor Tiko Iyamu (*name of supervisor*).

If I have any questions about the study, I may contact the researcher or the supervisor. If I have any questions regarding the ethical conduct of this study, I may contact the secretary of the Faculty Research Ethics Committee at 021 469 1012, or email [naidoo@cput.ac.za](mailto:naidoo@cput.ac.za).

Participant's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Researcher's signature: \_\_\_\_\_ Date: \_\_\_\_\_

#### **APENDIX B: Ethical clearance**

**Office of the Research Ethics Committee**  
Faculty of Informatics and Design  
Room 2.09  
80 Roeland Street  
Cape Town  
Tel: 021-469 1012  
Email: [ndedem@cput.ac.za](mailto:ndedem@cput.ac.za)  
Secretary: Mziyanda Ndede

04 December 2023

Ms. Hedvig Nyanyukweni Kakoko Mendonca  
c/o Department of Information Technology  
CPUT

**Reference no:** 213101181/2023/27

**Project title:** A framework for the integration of a Mobile Technology-Enabled Platform with the Justice System Services to Empower Rural Communities in Namibia

**Approval period:** 04 December 2023 – 31 December 2024

This is to certify that the Faculty of Informatics and Design Research Ethics Committee of the Cape Peninsula University of Technology approved the methodology and ethics of Ms Hedvig Nyanyukweni Kakoko Mendonca (213101181) for Doctor of Philosophy: Informatics.

Any amendments, extension or other modifications to the protocol must be submitted to the Research Ethics Committee for approval.

The Committee must be informed of any serious adverse event and/or termination of the study.



**Prof L.J. Theo**  
Chair: Research Ethics Committee  
Faculty of Informatics and Design  
Cape Peninsula University of Technology

## APENDIX C: NCRST permit

FORM RST/4 Ver.6 (19/07/2023)



NATIONAL COMMISSION ON RESEARCH, SCIENCE AND TECHNOLOGY

RESEARCH, SCIENCE AND TECHNOLOGY ACT, 2004

RESEARCH PERMIT  
OF  
NON-NAMIBIAN-BASED RESEARCH  
INSTITUTE/PERSON

(Section 21 and Regulation 22)

Permit Number  
RPIV012022024

|                                                                                                                                                                                                                                                                                                         |                                                                         |     |    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|-----|----|
| Name of Non-Namibian-based Research Institute/Person:<br>Hedvig Nyanyukweni Kakoko Mendonca                                                                                                                                                                                                             | Physical Address:<br>ERF 5124 - Buffalo Street. Extension 11, Ongwediva |     |    |
| Issue Date: 12 February 2024                                                                                                                                                                                                                                                                            | Commence Date: 13 February 2024                                         |     |    |
| Termination Date:<br>28 February 2025                                                                                                                                                                                                                                                                   | Sample Collection Authorised:                                           | YES | NO |
|                                                                                                                                                                                                                                                                                                         |                                                                         |     | ✓  |
| Type of Research Authorised<br>A framework for the integration of a Mobile Technology-Enabled Platform with the Justice System Services to Empower Rural Communities in Namibia.<br>Non-Commercial research and the use of the resources must be limited to what is specified in the research proposal. |                                                                         |     |    |
| Type and Size of Sample Collection Authorised<br>N/A                                                                                                                                                                                                                                                    |                                                                         |     |    |
| Locations Authorised for Research and/or Sample Collection<br>Ministry of Justice                                                                                                                                                                                                                       |                                                                         |     |    |
| Intended Use of Samples<br>N/A                                                                                                                                                                                                                                                                          |                                                                         |     |    |
| Responsible Person:<br>Hedvig Nyanyukweni Kakoko Mendonca                                                                                                                                                                                                                                               | Contact No:<br>+264812964717                                            |     |    |

Prof. Dr. Anicia Peters  
Chief Executive Officer



