

Full Length Research Paper

Investigating policy implications for the abolition of corporal punishment in secondary schools in Kenya

Jonah Nyaga Kindiki

Moi University, Kenya.

Received 1 August, 2009, Accepted 26 March, 2011

The main objective of this study is to investigate policy implications for the abolition of corporal punishment in secondary schools in Kenya. Adopting a survey design, using questionnaires, interviews and documentation, a sample of 355 was selected from target population of 3228 teachers, students and parents. The data were analysed thematically. Results indicate that awareness concerning abolition of corporal punishment is lowest among students with 80%; parents, 94% and teachers, 100%. Due to differences in attitudes towards the policy of abolition of corporal punishment, schools have been forced to evaluate other means of instilling discipline such as counselling and suspension which appeared to be regarded as the most effective alternative methods. Other alternative methods were ranked differently except suspension, pinching or pulling ears, which were ranked equally by all the categories of respondents. Despite the ban, corporal punishment is thriving illegally. The study recommends in-service courses for teachers, public education on harmful effects of corporal punishment and the promotion of positive non-violent, democratic, participatory approaches to child training and education at the national level. At school level the study recommends change of attitudes of teachers, parents and students, frequent open discussions in school gatherings and in special forums like staff, student and parent meetings.

Key words: Awareness, attitudes, policy, practice, implications, corporal punishment.

INTRODUCTION

This paper discusses one aspect of physical violence – the use of corporal punishment in schools. In line with the United Nations convention on the rights of the child (Unicef, 1989), abolition of corporal punishment in schools was legally introduced in Kenya in 2001. The problem of abolition of corporal punishment is worthy of further research and discussion because despite its ban the economic, social and political systems in Kenya still have strong elements of authoritarian leadership and some teachers, parents, education officials and students still have deep-seated beliefs in the merits of corporal

punishment.

Some schools break the law when they inflict corporal punishment to students. Perhaps this is because of the mismatch in matters of children discipline at home and school. The Kenyan law prohibits corporal punishment at school but it is unclear about prohibiting it within the family circles. Therefore, many educators in Kenya have found themselves in limbo; they do not know what to do in the absence of corporal punishment. Some teachers, parents, guardians, students and education officials are finding difficulty in prohibiting corporal punishment. In

E-mail: nyagajonah@yahoo.com.

Author agree that this article remain permanently open access under the terms of the [Creative Commons Attribution License 4.0 International License](http://creativecommons.org/licenses/by/4.0/)

fact, some teachers, parents and guardians still inflict cruel and other degrading forms of punishment on children in school and at home (Laws of Kenya, 1968, 1980).

The educators' indeterminate state concerning discipline has raised a huge debate at the national level about whether or not to reintroduce corporal punishment in schools. The national debate has been augmented by recent contradictory statements from government, followed by student protest in a number of schools countrywide. The Ministry of Education and the Ministry of Gender, and Children Affairs in Kenya have also generated the controversial debate. The two ministries have ruled out any possibility of reintroduction of corporal punishment in schools (Lauler, 2008).

In the African traditional setting, the upbringing of a child using corporal punishment was not necessarily a collectively cherished model. Some tribes believed that corporal punishment inflicted serious injury to the personality while others argued that it trained youths to be aggressive, quarrelsome and warriors who could protect their communities. However, in modern African states, abolition of corporal punishment is perceived differently in different countries depending on the history of colonisation (Shiundu and Omulando, 1992: 15; Mbiti, 2002; Sifuna, 1990, Marah, 2006: 15).

Indeed, the major factor in the global spread of corporal punishment was colonialism, particularly British, French and Portuguese rule in Anglophone, Francophone and Lucophone Africa. This is true because over the years authority and order in schools has consistently been associated with violent imposition. For example,

From their inception, formal schools in Western capitalist societies have been designed to discipline bodies as well as to regulate minds. A key purpose of modern state schooling has been the formation and conduct of beliefs, as well as the acquisition of prescribed knowledge. School discipline has frequently been overt and physically violent, with students most often the target of teacher-administered punishment (Rousmaniere et al., 1997:3).

In Lucophone Africa, the Portuguese colonialism seems to have helped caning to spread. For example, in Mozambique under Portuguese colonial control,

Teachers mercilessly beat children, insulted them, made them work in the fields, compelled them to spend hours kneeling on brick floors, pulled their ears, kicked them, and in some instances made them bleed. When one visited a Mozambican school in the 1960's, one invariably found two devices of punishment: a stick or whip and a palmatoria – a wooden device shaped like an arm and a hand. The hand part had several holes so that when it struck the child's hand it sucked some of the flesh,

causing severe pain (Azevedo, 1980:200).

In Anglophone Africa, British colonialism perhaps helped the spread of corporal punishment. For example, a Human Rights Watch study of the widespread use of corporal punishment in Kenyan schools noted that 'The Kenyan school system arose in the days of the British colonial government and adopted nineteenth century British traditions of school discipline, including the widespread use of the cane' (Human Rights Watch, 1999a). In spite of religious instructors expected to be understanding and gentle with their pupils, the majority were harsh in punishing their students for they were revered and reputed as custodians of knowledge and authority by the society. This is also validated by Islamic traditions and beliefs which uphold to its adherents to teach their children by age seven and to punish them for any defaults thereon by the age of ten (Abbasi, 1983). In fact, Harber (2008) argues that corporal punishment is a form of violence institutionally sanctioned in many schools around the world because authority and order in schools has consistently been associated with violent imposition.

This belief formed the overall basis for the empirical research and again on 13th March, 2001 the Government of Kenya declared a policy of abolishing an age-old practice of disciplining school children in both primary and secondary schools in the country by using the cane (MOEST, 2001). Different stakeholders, teachers, parents and students received the policy innovation differently. Even as education authorities decisively enforced the directive, various actors resisted it arguing that socially, culturally and practically the move would disastrously compromise the already poor discipline standards in Kenyan schools. Although Kenyan parliament passed legislation abolishing corporal punishment, the Ministry of Education and schools have problems with implementing the policy. This study therefore set out to examine the awareness of and attitudes towards, corporal punishment among parents, teachers and pupils. It also investigated the issue of attitudes to alternative to corporal punishment.

METHOD

In terms of the sample, the study covered all secondary schools in Isiolo district, which is situated in the upper part of Eastern Province of Kenya. A sample of 11% of the accessible population was taken. For the questionnaire this translated into 355 cases of the total 3,228 valid respondents, which included 18 teachers, 206 students and 132 parents. Each category of teachers, parents and students was represented as shown in Table 1 based on each school visited by the researcher.

A mixed multistage sampling design was adopted to ensure appropriate representation. The procedure involved picking every school at a time, followed by randomly selecting a number equivalent to 11% from each of the identified subgroups in the school. Specific cases were selected by use of computer generated

Table 1. Numbers of students, teachers and parents by school in Isiolo.

School	Teachers	Parents	Students	Totals
Isiolo Boys	35	340	405	780
Isiolo Girls	23	231	240	494
St Marys Girls	17	210	292	519
Sacred Heart Boys	17	199	300	516
Kinna Mixed	10	53	108	171
St Pauls Mixed	5	17	80	102
Garbatulla Mixed	12	38	112	162
Merti Boys	15	35	110	160
Merti Girls	15	44	105	164
Macci Mixed	9	33	118	160
Totals	158	1200	1870	3228
	11% of 158= 17.38 Approx. 18 teachers	11% of 1200= 132 parents	11% of 1870= 205 students	355

Source: Researcher's Survey Data, 2008.

random numbers with codes of known individuals. In the case of students, this was applied to every class and stream level. Identification of parents was difficult because after selection by simple random sampling some of them could not be traced. Some had migrated, others delegated the role of parenting to other people and others were cases of negligence. The process of simple randomisation was repeated without replacement until the required quota was attained as well as the 355 respondents identified for the questionnaire, there was an additional 40 respondents interviewed. Purposive sampling was used to identify them, for every school, the principal, 1 parent and 2 students, preferably a prefect were identified.

The instruments utilised to generate data in this study were a limitation in that it was assumed that all items in the questionnaires, interviews and documents perused were equal in their evaluation. The remoteness of Isiolo district in terms of infrastructure made transport arrangements to collect data difficult.

Before the actual commencement of fieldwork, the study was piloted on a small scale at Abrar High school in Uasin Gishu district, Kenya. The exercise involved forty (40) students, twelve (12) parents and three (3) teachers. The purpose of piloting was to refine and establish reliability of the instrument and assist in extrapolating potential shortcomings in the actual processes of data gathering and administration of instruments. The instruments used-questionnaires and interviews are included as an appendix to the paper.

Students were listed by admission numbers; teachers by personnel file numbers and parents by improvised numbering system derived from admission registers. Also, the researcher ensured that a suitable contact person was identified to assist with organization and logistics within that particular institution during the research period.

Three sets of questionnaires for teachers, students and parents were developed. Closed-ended and open-ended questions scored in Likert scale used on a 1 to 5 point scale were analysed separately. The questionnaires also featured the matrix list of items whereby respondents had to check and choose a specific response from a given list. The questionnaires used in the study were designed for self-administration because large numbers of respondents were involved. In all there was a return rate of 96% for

the questionnaires, 340 out of the 355 administered.

Interviews with open-ended, semi-structured questions provided further qualitative data. These were meant to counter-check the data from the questionnaires and they were analysed thematically through summaries and tabulations. Interviews were conducted at the convenience of the interviewees and usually took little longer periods to conduct than the questionnaires but the researcher tried to limit the sessions to between a quarter and three quarters of an hour. The interviews covered eight of the ten principals of secondary schools in the district, who managed to turn up for the exercise, ten parents who were mostly officials or apparently conversant with the school affairs. Forty students were also involved in the interviews and they included those holding various responsibilities among the student fraternity.

Official documents consulted included punishment books, minutes of various school meetings, school admission registers, class attendance registers, minute files and the school log books and records of staff returns at the district education office. Caution was taken since documents of many schools were inadequate or inaccurate for research standards.

What's more, the documents revealed a wide variation in quality. Except for the admission registers and class registers, some of which were not up to date and lacked crucial details, most of the documents were inadequate. In one school for example, a week's search and waiting yielded no punishment or log book only to learn much later that the authorities had withdrawn them from circulation where documentation existed, there often lacked detail or continuity.

RESULTS

Awareness of and attitudes towards abolition of corporal punishment

The first theme of the study investigated the awareness of abolition of corporal punishment in secondary schools in Kenya. The results revealed that 86% of the

respondents were aware while 14% were not. Further, this level of awareness was broken down into 80, 100 and 94% for the students, teachers and parents respectively. These results revealed that awareness concerning the abolition of corporal punishment is lowest among students in spite of the policy affecting them directly. The implication of sensitisation of various groups of stakeholders was considered a contributory factor. 43% of students reported that the abolition of corporal punishment is never discussed in school gatherings like assemblies, compared to 22% of teachers and 18% of parents. The implication here is that it is highly possible teachers resist discussing the issue of abolition of corporal punishment with students to avoid diminishing their traditional authority and status in school and because sensitised students are bound to resist corporal punishment.

The second theme was concerned with attitudes towards the policy of abolition of corporal punishment. It is recognized that attitudes are precursors of behaviour, a predisposition to behave in a certain way. Attitudes have three components, feeling, thinking and acting. They can also be classified as being positive, neutral and negative (Gutkin et al., 1990). The Likert scale questions regarding this theme revealed that there is a consistent conviction among all stakeholders that corporal punishment takes less time to conduct than alternative forms of punishment. Teachers particularly agree with this situation, perhaps due to pressure and kind of workload that they have to perform. Perhaps the perception of saving time makes students more easily accept corporal punishment than other forms of discipline. Probably, this notion is further reinforced by a common belief that corporal punishment is acceptable and normal in African societies and cultures. There is a high mean score for this view among parents and teachers. Students too have been socialized to this conviction, though to a lesser extent; regardless of the government ban of corporal punishment.

The data from the respondents also indicated the government's failure to consult them before abolishing corporal punishment in secondary schools. Teachers strongly felt that they should have been consulted before the abolition as was shown by a very high mean of 4.71 out of 5 with the parents mean standing at 4.33 while that of students was put at 3.24. In the absence of grassroots consultations, respondents considered debate over the same in parliament as the next viable alternative.

When the respondents were asked whether corporal punishment should be reinstated in schools, teachers (4.12) and parents (3.83) were in affirmative where as students (2.32) are strongly opposed to it. In fact, on average students expressed significant satisfaction (3.58) with the government's policy to abolish the corporal punishment procedure. On the other hand, teachers are dissatisfied (1.94) followed by the parents (2.33), probably because these two groups wield disciplinary authority and

power which they perceive abolition encroaches into (Gutkin et al., 1990).

In *madrassas*, the non-formal traditional Islamic schools, the practice of corporal punishment is not only widespread but also wholly sanctioned by parents, students and community instructors. A sizeable number of students in the area of study attend these institutions alongside the formal schools during the evenings, weekends and vacations. In an attempt to highlight the contribution of these community institutional experiences in attitudes practices relating to corporal punishment, respondents were asked whether those students attending both *madrassas* and schools displayed better behaviour than those who did not. Students and parents on the average tended to agree with this statement as shown by means of 3.41 and 3.25, respectively. Teachers disagreed (2.82), either because they are not keen on the existence and operation of this system or due to professional neutrality and religious considerations.

As regards the beliefs of respondents about the type of actions they consider appropriate to be taken against teachers involved in administering corporal punishment to students, there appeared to be a general consensus that such teachers should not be victimized, which may explain the prevalence of caning as a form of corporal punishment despite its ban. For example a majority of the respondents were of the opinion that such teachers should only be warned (35.5% of respondents); otherwise no action should be taken (30.9%).

Further, while teachers did not expect to be disciplined at all, most of the parents would support them while most students would prefer that those going against the policy should at least be warned. Only 8.5% of respondents overall thought that teachers found caning students should be dismissed from the service and an equally small percentage (13.3%) justified appearing before a court of law. For teacher respondents, those two options were out of their mental picture.

The results show that there are differences in attitudes towards the policy of abolition of corporal punishment in secondary schools in Kenya. Schools therefore have been forced to seek and evaluate other means of instilling discipline among students. To many teachers corporal punishment is seemingly the only means of disciplining children and a significant number had difficulty in identifying effective alternative techniques of discipline.

Many teachers and parents are not familiar with alternative methods of punishment to replace corporal punishment owing to the long years of existence of the practice (Wang'o et al., 2003).

The ban remains a controversial issue in Kenya; in fact, some Kenyans have even sued the government in a court of law to challenge the decision which is an indication of the huge gaps between policy on paper and policy in practice.

Table 2. Ranking of methods of discipline by students, teachers and parents.

Alternative methods	Ranking by students	Ranking by teachers	Ranking by parents
Suspension	2	2	2
Expulsion	1	5	6
Counselling	4	1	1
Summons before the BOG/PTA or Disciplinary Panel	8	6	3
Involvement of the police	3	9	10
Manual work for example, uprooting trees	6	3	4
Fines e.g. buying fencing materials	5	7	5
Detention that is, being locked in separate place	7	10	9
Physical exercise like running or kneeling	10	4	7
Pinching or pulling ears	9	8	8

Alternative methods of discipline in absence of corporal punishment

Questionnaires, interviews and documentary evidence were analyzed to investigate the third theme aimed at finding out how the respondents in general viewed alternative methods of discipline in the absence of corporal punishment. To achieve this, the respondents were presented with a set of ten selected alternative methods regarded as among the most commonly applied in schools. These were arranged in the form of a matrix whereby alongside each alternative method was a differential 5-point scale with 'very effective' at one extreme and 'not effective' at the other. These ranged from expulsion, suspension to pain infliction such as pinching or pulling of body tissues. Respondents were required to indicate on the scale provided the level of effectiveness that they assigned to each of the alternative methods. Each level on the matrix scale was awarded a score with 'very effective' scoring the highest 5 points and 'not effective' being awarded the lowest, which was 1 point.

The results showed that counselling scored the highest and hence, was perceived to be the most effective method. It was closely followed by suspension technique. Expulsion also scores highly; at the bottom of the score chart were pinching, pulling ears and physical exercises scored second lowest. Generally, counselling and suspension appeared to be the most effective methods.

A further analysis was conducted on the fourth theme of finding out the effectiveness of alternative methods used instead of corporal punishment where rankings were undertaken in respect of each category of respondents as shown in Table 2.

The data indicated other methods were ranked differently except suspension, pinching or pulling ears, which were ranked equally by all the three categories of respondents. The students interestingly ranked police involvement in discipline issues of the school fairly high.

This might be attributed to the feelings of insecurity in schools or a perception that teachers lacked decisive authority to deal firmly with disruptive behaviour among the students. It was notable that students prioritised expulsion and suspension of those among them who misbehaved indicating their felt need for keeping the problem out of school.

Parents on their part prioritised counselling, suspension and summons before a disciplinary panel in that order. This suggested their preference for a consultative and participatory manner of dealing with discipline issues. Teachers considered counselling, suspension, manual work and physical exercises as most effective methods of maintaining discipline in schools.

The results show that pain infliction through pinching or pulling ears appeared quite unpopular, probably on account of the age of students in secondary schools, which dictated that teachers and students were obligated to keep personal and ethical distances towards incidences of human rights violations. Detention was lowly ranked by all the categories of respondents—perhaps a confirmation of its irrelevance in the Kenyan context.

Corporal punishment is replete with controversy, for example, caning is seen by some as appropriate alternative method of curbing indiscipline cases in schools in Africa especially in Kenya perhaps because of its advantage of immediate compliance to behaviour. Techniques like counselling require training. Patience is also necessary so that training can bear observable benefits. But such patience is likely to be shunned in a highly competitive and achievement oriented education system like in Kenya. Those who are in support of it due to the advantage of immediate compliance to behaviour become opponents when it is abolished for excessive abuse and misuse.

Parents view teachers as a dependable source of support in the academic and behavioural development of their children on the strength that the society has

bestowed on teachers power and authority through the institution of the school. Parents therefore, tended to share attitudes, beliefs and perceptions of the teachers who in most cases are also parents. But students welcomed the idea of abolition of corporal punishment as opposed to their teachers and parents and make some revealing comments about the context of learning in Kenya. There are two broad approaches which can be described as normative and punitive in nature. The former involves manipulating conditions and situations to encourage appropriate behaviour while the latter include physical punishment, threats, and withdrawal of benefits or unpleasant experiences.

The results of this study indicate a general pattern of preference for punitive techniques rather than normative ones across the teachers, parents and students. Punitive methods like manual labour, suspension, expulsion and summons before disciplinary committees were generally ranked higher than normative ones such as counselling. The danger is that schools may resort to more insensitive and wasteful methods of handling students showing aberrant behaviour like forcing them out of the school prematurely in the absence of caning.

These different views indicate that there is mismatch between policy on paper and policy in practice. Despite the ban there are challenges of implementation. In fact, corporal punishment is still prevalent in secondary schools in Kenya. as witnessed by the teachers, parents and students who were the main respondents in this study. Kenyan law is also unclear about prohibiting caning at home.

Policy implications of abolishing corporal punishment

The fifth and final theme of this study sought to find out the policy implications of abolishing corporal punishment in secondary schools in Kenya. Although the government banned corporal punishment in 2001 nearly nine years ago, the practice still exists in many schools. The researcher inquired about the implications of abolishing corporal punishment and the respondents agreed, disagreed or could not decide on various aspects. It was imperative to establish whether the patterns in which they did so have any systematic and significant tendency or were as a result of incidental fluctuations. A set of ten selected items representing areas of impact were used in Table 3.

Table 3 shows in total there were 1,774 responses in questionnaires agreeing with the implications compared to 1386 responses disagreeing and 240 responses of undecidedness. This therefore, indicates that the policy is having implications in general. When data analysis arising from these responses was tabulated in Table 3, there emerged key thematic issues about abolition of

corporal punishment which were captured in interviews. The thematic issues were synthesised and summarised as indicated in Table 4. These themes are presented in such a way that allows for comparison between teachers, parents and students. A clarification is made of the first column where coding according to the itemisation formulated in the interview schedules such that the summary need to be used in reference to the schedules as annexed in appendix to this paper. The compilation indicates a general divergence of opinion on most of the issues that affect the various categories of respondents. This theme of differing views and opinions seems to consistently feature all along the data and is further concretised in the discussion section of the findings.

In the questionnaires used to tabulate information in Table 3 on the issue of whether the removal of caning had led to deterioration in discipline, the resulting data indicated that 62% of the respondents agreed with the statement while 34 % disagreed and 4% did not respond either way. Moreover, many school principals interviewed quoted 'increased indiscipline' as among the outstanding impacts of the policy of abolition of corporal punishment. Principals also cited 'discouraged teachers, exuberant students and a decline in performance' as some of the impacts of what they called government imposition of the discipline policy.

However, some students interviewed were optimistic and argued that it is a:

A good thing to abolish corporal punishment because teachers were harassing, revenging and mercilessly caning students making some to fear teachers and ran away from school (Student, School A).

Others were more pessimistic that:

The government has not effectively viewed the matter; it has not done enough by abolishing corporal punishment as cases of indiscipline will be on the rise (Student, School B).

When the study sought to find out if indeed it was thought that students misbehaved because they knew they would not be caned 56% agreed, 1.8% remained undecided and 42% disagreed with this assertion. It is believed that when students challenge the authority of teachers it is considered as a sign of indiscipline in itself (Farrant, 2005). Also, any policy that severs the pre-existing status quo is bound to create disequilibrium not only in disciplinary practices but also in culturally held beliefs about discipline. The resulting perceived decline in the authority of the parents and of the teachers can make children less amenable to discipline (Lawrence et al., 1985).

Premised on this, interviews were used seeking to establish from the respondents whether teachers'

Table 3. Frequency of categorised responses to implications of abolition of corporal punishment.

Item	Implication of the abolition of corporal punishment	Agree	Undecided	Disagree	Total
Qn1	Reduced authority of teachers	206	28	106	340
Qn2	Students misbehave because of no caning	190	6	144	340
Qn3	Involvement of parents in discipline Is inconvenient to students/teachers/parents	147	30	163	340
Qn4	Alternative procedures of punishment not effective	177	13	150	340
Qn6	All cases of misbehaviour are being referred to the school administration	173	38	129	340
Qn7	Led to friendlier student-teacher interactions	180	34	126	340
Qn9	Led deterioration in discipline	211	14	115	340
Qn15	Caning to be reinstated	165	21	154	340
Qn20	Satisfied with the policy of abolition	156	24	160	340
Qn21	Prefects are more engaged in discipline matters	169	32	139	340
	Total	1774	240	1386	3400

Source: Researcher; Survey Data, 2008.

Table 4. Key Thematic Issues Emerging from Questionnaires Cited in Interviews.

Item	Principals	Parents	Students
IS.1	-Mixed reactions have emerged since the abolition	-Regulated caning is necessary -parents need support of teachers and government	-the abolition is good
IS.2	-Diverse alternative methods are in use but time and diligence are constraints.	-Manual work is most common with teachers.	-Suspension, expulsion and forced exercises
IS.3	-The policy is disruptively challenging	-Other methods not working, -Students misbehave more these days.	-We cannot accuse teachers for caning us
IS.4	-Policy is being resisted greatly	-Abolition is the cause of indiscipline	-Some students, teachers and parents are opposed to abolition, change is required.
IS.5	-No enthusiasm in use of alternative methods, -attitudes are a problem	-This policy has no benefits -It only spoils students	-The cane saves time but can harm students - teachers not patient enough
IS.6	-No workshops, seminars or detailed guidelines from the ministry to sensitise stakeholders	-Better to cane than to fine or expel for small mistakes	-Government should be very strict with teachers who use cane
IS.7	-Since 2000 to date disruption and student behaviour has changed due societal changes like human rights/democracy	-Since 2001 parents' summons over indiscipline have increased	-No particular period of unrest
IS.8	-There is no consensus on how to manage student discipline since the abolition leading to inconsistencies	-Social and cultural institutions must be involved in policy making	-student need avenues for channelling complains
IS.9	-Ban on caning should be reviewed factoring the opinions of all parties and their cultural, social and religious backgrounds.	-Caning needs to be re-introduced -It is being done nonetheless	-Do not re-introduce caning.
IS.10	-Teachers, parents, clergy and leaders should have been consulted before the abolition of caning.	-Individual schools should have been left to decide on their own whether to abolish caning or not.	-Teachers should have been re-educated on the policy -Laws enacted

Source: Researcher; Survey Data, 2007.

authority and power to control and manage students' behaviour in secondary schools had been affected by the abolition of corporal punishing. Responses to the item indicated that 'the removal of corporal punishment reduced the authority of teachers to discipline students'. This finding confirms teachers' discomfort with the management of student discipline, especially given that they were not consulted during the initial policy roll out. In respect to this perceived disempowerment, teachers tended to refer all cases of student misbehaviour to the central school administration for resolution, further precipitating inefficiencies and ineffectiveness that further compound discipline issues. This is evidenced by respondents' confirmation of referral of students' indiscipline to the school administration by 51% compared to 38% who were opposed. Strong doubts emerge whether the office of the principal and the school boards possess the capability to solve all the misbehaviour referred promptly and exhaustively without creating alienation and conflicting tendencies, which in turn escalate indiscipline.

When the respondents were asked whether abolition of corporal punishment had led to friendlier interactions between teachers and students, 53% of respondents agreed it had, 37% disagreed while 10% could not decide. One student, for example, stated that:

Fear of teachers made some students run away from school and I can now approach teachers to ask more questions that I do not understand in class (Student, School C).

Clearly there were indicators of students' ability to concretise an association of their emotions with learning situations in relation to corporal punishment, a positive attitudinal and behavioural outcome of the policy. At the national policy level, the abolition was intended to ensure students develop well physically -absence of abuse, mentally, morally and socially. In order to investigate such levels of association respondents were asked to agree or disagree with a statement representing their degree of satisfaction with the government directive to abolish corporal punishment in schools. Overall, the respondents were equally divided with those dissatisfied accounting for 47% and those satisfied being 46% of the total number. This outcome serves to reinforce the passions and controversies pitting supporters and opponents of corporal punishment. This conflicting outcome is further substantiated by the following telling figures; 60% of the students indicated satisfaction with the policy, 68% of the parents expressed dissatisfaction and 76.5 % of the teachers also felt dissatisfied.

In fact, of the 340 despondences from questionnaires, 241 respondents or 71% of them reported having witnessed caning of students either in their schools or neighbouring schools in the last year preceding this study contrasting with 99 or 29% who had not witnessed any.

Also many students interviewed admitted the practice was prevalent. But a perusal of the official punishment records did not show evidence of corporal punishment measures. This implied the practice was thriving illegally despite the Ministry of Education (MoE) policy of banning it. Regarding the frequency with which it was administered, results showed that 'sometimes' was the most frequent occurrence. Comprising 50% of the times; 'many times' occurred 25%; 'few times' was observed 16%; 'once' 16% and 2% was witnessed 'other' unspecified times.

On the legal front some glaring contradictions require urgent reconciliation. For example, the Kenya constitution has provisions for existing laws that allow a person under age of 18 years to be deprived of his personal liberty for the purpose of his education, or welfare or care and it also allows for punishment or other treatment to the extent that the existing laws authorize the infliction of any punishment that was lawful in Kenya by the time of political independence from British colonial rule in 1963. Considering that the abolition of corporal punishment was introduced in the context of debate about human rights and democratisation (MoEST, 2001), it remains questionable whether the policy of abolition of corporal can stand the constitutional test, particularly given that it was not debated in the legislative assembly but was administratively introduced. This is probably why the respondents in this survey preferred that the policy should first have been first debated in parliament before implementation with 57% agreement compared to 27% who disagreed there was need for such legislation and 15% being undecided.

DISCUSSION AND CONCLUSION

The following conclusion and discussion nets out main findings in general and implications for policy and practice. These conclusions were based on the objectives set, research questions raised, and data generated and analysed in five themes which are indicated below:

1) Creating Awareness of the Abolition of Corporal Punishment: Awareness concerning the abolition of corporal punishment is lowest among students (80%), parents (94%) and teachers (100%). Although with different variations parents, teachers and students in secondary schools in Kenya are aware of the government policy on abolition of corporal punishment but schools have not been successful in implementing it as intended. There is a clear mismatch between policy on paper and policy in practice due to the fact that corporal punishment is still prevalent in secondary schools in Kenya as witnessed by the teachers, parents and students who were the main respondents in this study. Attitudes among the teachers show that acceptance of the policy as

formulated by the government of Kenya is yet to fully materialize.

2) Changing Attitudes towards Abolition of Corporal Punishment: Due to differentials in attitude towards the policy of abolition of corporal punishment schools have been forced to evaluate other means of instilling discipline among students. There is a systematic dissatisfaction with the directive among teachers and parents revealing that preparedness, readiness and commitment to implement the policy intervention are at very low levels.

3) Alternative Methods of Discipline in Absence of Corporal Punishment: Counselling and suspension appeared to be regarded as the most effective alternative methods of instilling discipline. The perceptions of teachers and parents are that more time is needed to execute alternative measures of punishment that required the use of corporal punishment. Techniques like counselling require training. Patience is also necessary so that training can bear observable benefits. But such patience is likely to be shunned in a highly competitive and achievement oriented education system like in Kenya. In fact, parents view teachers as a dependable source of support in the academic and behavioural development of their children on the strength that the society has bestowed on teachers power and authority through the institution of the school. Parents therefore, tended to share attitudes, beliefs and perceptions of the teachers who in most cases are also parents. Students welcomed the idea of abolition of corporal punishment as opposed to their teachers and parents and make some revealing comments about the context of learning in Kenya. However, the widespread lack of empowering of teachers through skills training for alternative methods of discipline by government agencies has negatively affected the implementation of the policy.

4) Effectiveness Of The Alternative Methods Used Instead of Corporal Punishment: The data indicated other methods were ranked differently except suspension, pinching or pulling ears, which were ranked equally by all the categories of respondents. Findings of the study also indicate that corporal punishment is replete with controversy. Those who are in support of it due to the advantage of immediate compliance to behaviour become opponents when it is abolished for excessive abuse and misuse. There are two broad approaches which can be described as normative and punitive in nature. The former involves manipulating conditions and situations to encourage appropriate behaviour while the latter include physical punishment, threats, and withdrawal of benefits or unpleasant experiences. The results of this study indicate a general pattern of preference for punitive techniques rather than normative ones across the teachers, parents and students. Punitive methods like manual labour, suspension, expulsion and summons before disciplinary committees were generally ranked higher than normative ones such as counselling. The

danger is that schools may resort to more insensitive and wasteful methods of handling students showing aberrant behaviour like forcing them out of the school prematurely in the absence of caning.

5) Policy Implications of Abolishing Corporal Punishment: There are general policy implications after the removal of corporal punishment. This is because after a perusal of the official punishment records did not show evidence of corporal punishment measures yet it is being practised in some schools. Part of the reason is that its abolition is pitted with controversies some respondents being dissatisfied and others satisfied. For example, some teachers felt that the removal of corporal punishment reduced their authority to discipline students. That means the practice was thriving illegally despite the Ministry of Education (MoE) policy banning it. More controversies arise due to the existing laws of Kenya by the time of political independence from British colonial rule in 1963 which allows persons less than 18 years to be punished for the purposes of their education.

RECOMMENDATIONS

The five recommendations given below flow from the findings above and are realistically based on low-cost changes stemming from good practice as revealed by the empirical evidence in this study. These recommendations are classified into two, namely; those suitable for consideration at the ministerial level and those that can be considered at school level as explained below.

At the national level, the Ministry of Education could consider:

1) Creating Awareness of the Abolition of Corporal Punishment: Through counselling, seminars and in-service programmes education officials need to develop in-service courses for teachers. Manuals for teachers on alternatives to corporal punishment, which could be distributed widely together with guide for persons facilitating training in the manual. In addition, legal reform could be accompanied by public education and awareness raising about the harmful effects of corporal punishment and the promotion of positive non-violent, democratic, participatory approaches to child training and education. The current approach of legislation of policies by parliament is uncoordinated particularly issues on student discipline, need to be reviewed to reflect the current social, political and cultural changes that Kenya is undergoing. Issues like gender, human rights, democracy, the role of religion and the media in behaviour need to be redefined.

At school level teachers, parents and students could consider:

2) Changing Attitudes towards Abolition of Corporal

Punishment: Frequent open discussions in school gatherings encouraged by school authorities could achieve a lot by changing attitudes of teachers, parents and students and emphasising deliberations during normal and special forums like staff, student and parent meetings. Resolutions endorsed by such meetings could be incorporated into the existing rules and regulations governing the whole school. Also secondary schools could formulate policies which could enable teachers handling student discipline to have decreased workload. The school can reasonably reduce the number of lessons handled by teachers involved in guidance and counselling, disciplinary committees, or the head of discipline. Teachers who do not administer corporal punishment should be given incentives, rewards, prizes, letters of recommendation.

1) Alternative Methods of Discipline in Absence of Corporal Punishment: Teachers and parents need to conduct regular interactive counselling and seminar programmes at school level in order to be sensitised and create awareness on abolition of corporal punishment. Adopting techniques like counselling could help to maintain discipline in schools although they require training. Patience is also necessary so that training can bear observable benefits. But such patience is likely to be shunned in a highly competitive and achievement oriented education system like in Kenya.

2) Effectiveness Of The Alternative Methods Used Instead of Corporal Punishment: Teachers could ensure that they have decisive authority to deal firmly with disruptive discipline at school level to minimise police involvement. In addition, teachers and students should be able to comply with the contemporary international agreements of keeping personal and ethical distances towards incidences of human rights violations.

3) Policy Implications of Abolishing Corporal Punishment: The MoE should design programmes to educate teachers, parents and students on the importance of abolishing corporal punishment. Educational programmes to abolish corporal punishment could minimise controversies which help it to thrive illegally. The Kenya parliament should change laws that support any form of corporal punishment to persons under 18 years.

Conclusion

Although the government through the Ministry of Education abolished corporal punishment in schools in Kenya, it has put in place little in the way of implementation plans, monitoring arrangements, publicity as well as solutions to possible management difficulties likely to face schools and those affected by it. This has resulted in conspicuous dissatisfaction, negative attitudes

and a general lack of support for the policy, especially among teachers and parents. Consequently, the policy can be termed as a failed one, at least in some parts of the country. It is unclear as to whether appropriate research, experimentation and piloting was done on the viability, legitimacy and capabilities required before the policy was introduced. If so, then that information was not tabled for public consultation and debate by policy makers. As a result controversy has emerged pitting diverse interest groups such as the government, parents, teachers, students and human rights movements against each other. The policy of abolishing corporal punishment in Kenya is a commendable goal but much still needs to be done to ensure successful implementation.

Clearly, this study suggests that there is need for further inquiry to establish whether gender and social economic status have any relationship with attitudes towards abolition of corporal punishment among parents, teachers and the students. Next, in hindsight this study can be taken further forward if the attitudes towards abolition of corporal punishment are correlated with the effectiveness of the alternative methods of discipline. Finally, it is of future interest for studies to investigate the effect of punitive methods of discipline on performance. This will help establish factually and with finality which of the alternative methods are inappropriately in use.

Conflict of Interests

The author has not declared any conflict of interests.

REFERENCES

- Azevedo M (1980). A century of colonial education in Mozambique In: A.T. Mugomba and M.Nyaggah (eds.) Independence without freedom (Santa Barbara:ABC-Clio)
- Abbasi SM (1983). Riyadh-us-saleheen:- Arabic/English Vol.1; Kutub Khana Ishayatul Islam; New Delhi.
- Farrant JS (2005). Principles and practice of education. Longman. London.
- Gutkin BT, Reynolds C (1990). The hand book of school psychology. John Wiley. New York.
- Harber C (2008) Another inconvenient truth: schooling, development and the perpetration of violence. University of Birmingham. Amsterdam.
- Human Rights Watch (1999a). Spare the child: corporal punishment in Kenyan schools (Washington:Human Rights Watch).
- Lawrence J, Steed D, Young P (1985). Disruptive children-disruptive schools. Nichols Publishing Co. New York.
- Laws of Kenya (1980). The education act chapter 211, revised edition Nairobi: Government printer.
- Laws of Kenya (1968). The teachers service commission act, chapter 212, revised edition Nairobi. Government printer.
- Lauler J, Biomdo B (2008). Cabinet didn't approve the cane: Minister. Nairobi. The Daily Nation.
- Marah JK (2006). The virtues and challenges in traditional African education. J. Pan Afr. Stud. 1(4):15.
- MOEST (2001). Report of the task force on student discipline and unrest in secondary schools. Jomo Kenyatta Foundation. Nairobi.
- Mbiti JS (2002). African religions and philosophy. Nairobi. East African

- Educational Publishers.
- Shiundu JS, Omulando SJ (1992). Curriculum theory and practice in Kenya: Nairobi. Oxford University Press.
- Rousmaniere K, Dehli K, de Conink-Smith N (1997). Discipline, moral regulation and schooling. New York. Garland.
- Sifuna DN (1990). Development of education in Africa: The Kenyan experience. Forwarded by Ominde, S. H. English Press Ltd. Nairobi.
- Unicef (1989). Convention on the rights of the child. Paris. Unicef.
- Wang'o G, Ndung'u F (2003). Discipline and punishment in schools unpublished presentation. Kenya Educational Staff institute. Nairobi.