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## INFLUENCE OF THE BAN OF CORPORAL PUNISHMENT ON LEVEL OF DISCIPLINE IN SECONDARY SCHOOLS IN KENYA. A CASE OF ELDORET MUNICIPALITY

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### ABSTRACT

*Caning for many years has been the most common form of punishment used by communities as well as schools to correct human behaviour. In Kenya, it was used in schools until April 2001 when it was officially banned by the government. The ban was abrupt hence leading to a long drawn controversy. This study set out to investigate the influence of the ban of corporal punishment on level of student discipline in secondary schools. It attempted to address two objectives; investigate the state of discipline in secondary schools before and after the ban of corporal punishment. This study is significant as it may assist the government to come up with policies on training of teachers on the use of alternative methods of managing student discipline. The study was guided by McGregor's theory X and theory Y of Motivation as well as J.F Skinners Reinforcement Theory. The study was a descriptive survey covering ten secondary schools with a total respondent of 238 that comprised of 10 head teachers, 10 deputy head teachers, 10 teachers, 9 guidance and counseling teachers and 199 students in Eldoret Municipality. Questionnaires, observation and interview schedules were used for data collection. The data obtained was analyzed using descriptive statistics. The findings from the study revealed that there was an increase in cases of indiscipline among students after the ban of corporal punishment. From the findings, it was concluded that corporal punishment seemed a more effective method of managing student discipline. The study recommends that the government should put mechanisms in place to prepare teachers adequately for management of student discipline in the absence of corporal punishment.*

### Introduction

Discipline has been a subject of discussion in schools since the ban of corporal punishment in Kenyan schools in April 2001. Before the ban there were debates by various stakeholders as to whether the ban should be effected or not. Since Kenya is a signatory to the United Nations'

Charter on Human Rights, it was highly criticized by the world for allowing the use of corporal punishment in schools. The situation became worse with the advent of the Children's Act. The Human Rights Watch Chapter criticized the government for failing to put in effect the ban as there continued to be many cases of teachers battering learners in the name of punishment.

## **Background of the Study**

In all institutions of learning, discipline is a key issue (Fite, 1985, Mbiti, 2002). Without discipline, an organization cannot function well towards the achievement of its goals. According to Okumbe (2001), discipline is in real terms the epicenter of success of a school. This is because the efficiency and effectiveness of all organizational activities depend on the overall organizational degree of discipline. According to this view, discipline is a negative word and has to do with correction of the wrong doer. But discipline can be regarded as a positive force as observed by Mbiti (2002). It can be connected with training, not correction, guiding not punishing, arranging conditions for learning, not just restricting. The word discipline therefore is used to mean a system of guiding the individual to make reasonable decisions responsibly.

Maintaining a state of good discipline is a strategy that ensures attainment of educational goals, (Mbiti, 2007). Discipline creates an orderly atmosphere in which meaningful attainment of learning can take place and positive values, social skills and attitudes can be inculcated. But while the educational management strives to attain good discipline, there will always be some students who require corrective measures as a result of infractions. Institutions use varied measures or punishments to curb indiscipline among students in schools. Nzuve (1999) defines punishment as either withholding of a reward or the application of an unpleasant stimulus in an attempt to extinguish an undesirable response.

Other scholars like Ginnot. (1972), define punishment as a technique for the suppression of a response. Igaga (1990), gives Skinner's definition of punishment as a stimulus that, when presented contingently after a response, reduces the rate of the response. According to Skinner (1963), in Slee, (1995), a person adapts by doing more frequently those things that increase good outcomes (positive reinforcement), and does less frequently those things that bring bad outcomes (punishment). These justify the use of punishment in behavior correction. The commonly used punishments range from suspension, expulsion, manual work, denial of privileges and corporal punishments. It is expected that education management apply the appropriate and legally based procedures in handling discipline cases.

For a long time, corporal punishment remained the most commonly used form of punishment in schools (Durojaiye1970). In Kenya, it was used in schools over a long period until April 2001 when it was banned by the Ministry of Education (Nation news paper editorial, 2001, April, 16). The attempt on ban of caning in schools was imposed in 1996 through a circular issued by the director of Education without a government gazette notice as required. Pressure on the ban of corporal punishment came from the recommendations by the Standing Committee on Human Rights Kenya Chapter, who presented the report to the president of the Republic of Kenya in

July 2000. In calling for the abolition of caning, the committee suggested that parents, teachers, and society be educated on the harm caused by corporal punishment to those affected.

The call for the ban on corporal punishment was further strengthened by the Children's Act, 2001, where no child offender was to be subjected to corporal punishment (ROK, 2001). After the ban of corporal punishment, schools in the country were rocked with a wave of violence and unrest, (Harding, August, 2001). This wave elicited debate as to whether the ban should be lifted or not.

## **Statement of the Problem**

There was a dilemma on enforcement of discipline in Kenyan schools following the abrupt ban of corporal punishment in the year 2001. The policy of banning of corporal punishment in schools was a major educational change that required planning by the government in order to avoid resistance from the concerned stake holders. The first critical activity in planning for managing educational change is to determine the potency of proposed change, that is, the degree to which a change requires a significant departure from the existing conditions. In this case, the ban of corporal punishment policy was a radical change, since corporal punishment had been used in Kenyan schools for as long as the teachers and even students could remember. Any change therefore would have required seeking the opinion of teachers through baseline studies to identify training needs for the new change. After the ban, teachers were confused as to how to maintain discipline in their schools without clear alternatives. This left a vacuum in the schools as witnessed by the students' increased arson cases, gang raping of their teachers and fellow students, looting, destroying schools' and public property, drinking and smoking in public, and even murdering their teachers, as was the case in some of the institutions in the country (Editorial, 2001, April, 16). In the light of the above, this study therefore, was conceived to investigate the effects of the ban of corporal punishment on management of student discipline.

## **Purpose of the study**

The purpose of this study was to investigate how the ban of corporal punishment has affected student discipline in secondary schools in Kenya. These study findings are significant as they may assist the government to come up with policies on training of teachers on the use of alternative methods of managing student discipline. Most studies on corporal punishment have been done outside Kenya, especially in Europe whose results have less significance to this country because of the diversity in social, economic, political and cultural set up.

## **Scope and Limitation of the Study**

This study targeted twenty one secondary schools in Eldoret Municipality, which is found in Uasin Gishu county of Kenya. The study involved 10 out of the 21 secondary schools. The respondents were head teachers, deputy head teachers, guidance and counseling teachers, and students. The researchers encountered the following limitations in the study: Some school

administrators were not willing to discuss freely the actual state of discipline in their schools, probably due to fear of intimidation. The researchers therefore used more than one research instruments to collaborate the various responses; questionnaires, interviews and document analysis.

### **Definition of key Terms**

**Administrators:** Head teachers and Deputy Head Teachers.

**Corporal Punishment:** In this study it is used to mean caning.

**Collective Punishment:** When several students, are punished by several teachers at the same time

**Discipline:** In this study, the term has been used to mean being able to act and behave in an acceptable manner.

**Extra classes:** Classes given outside the stipulated school time and for extra payment.

**Management:** A system of guiding an individual to make reasonable decisions responsibly.

**Lateness:** The term was used here to imply, reporting to school, as well as other respective places, such as classes, games, meals, and others, after the stipulated time.

**Indecent dressing:** Used here to mean not putting on the right school uniform, as well as, the general appearance of the students.

## **RESEARCH METHODOLOGY**

### **Research Design**

The survey research design was used in this study to gather data. This design was found appropriate because as stated by Cohen and Manion (1992), it helps to gather data at a particular point in time with the intention of describing the nature of the existing conditions or identifying standards against which existing conditions can be compared. The design can also be used to determine the relations that exist between specific events. The target population for the study was twenty one secondary schools in Eldoret Municipality. The sample of the study consisted of 238 respondents from 10 schools, comprising; 10 head teachers, 10 deputy head teachers, 9 guidance and counseling teachers, 10 ordinary teachers and 199 students, selected through both purposive and simple random sampling methods for head teachers, deputy head teachers and guiding and counseling teachers and ordinary teachers and students respectively

The study used three instruments for data collection, namely: Questionnaires, Interviews, and document analysis as a direct field observation. Five sets of questionnaires were administered: to the head teachers, deputy head teachers, guidance and counseling teachers, other teachers and students. The questionnaires consisted of two groups of items. One group sought general biographical information, (such as gender, age and level of training and teaching experience).

Group two contained statements seeking specific information such: as, frequency of discipline problems. The questionnaire was used because through it, the respondent is allowed to think over the items and is also saved from the anxiety involved in the face-to-face encounter with the researcher. Also, closed-ended items in the questionnaire check against giving ambiguous or irrelevant information by the subjects (Moser and Kalton, 1992). Open-ended questions were included to allow respondents give their honest views about the ban of corporal punishment and the effect of this ban. Interview schedules were also used because it was hoped that they would help clarify some responses to the questionnaire items. The responses were recorded in the field notebook immediately after each interview and were later matched with responses from the questionnaires. The other data came from inspection of the relevant documents used to record discipline cases in schools and observations on state of discipline in schools, with relation to issues such as dressing, grooming response to bells, noise making, and how the students generally related with their teachers. An observation was also made on the types of punishment being used in schools.

### **Validity and Reliability of the Instruments**

Content validity of the questionnaire was established by consulting experienced researchers in the Faculty of Education who were asked to rate the ability of each item in the questionnaire to measure what it was supposed to in order to get the anticipated data. They also assessed whether the required data would be meaningfully analyzed in relation to the stated objectives and research questions. Suggestions and advice offered were used as a basis to modify the research items and make them more adaptable in the study. To determine the reliability of the research instruments, a pilot study was carried out in two schools that were not used in the final data collection. The pilot study helped to check on the suitability and ambiguity of the research instruments designed, relevance of the information being sought, and level of language used, difficulties the respondents were likely to face when responding to the items. The results helped in adjusting question sequence, format and content, ensuring that the data collecting instruments yielded the information required.

### **Data collection procedures**

In preparation for data collection, the researchers first obtained a research permit from the office of the President and also from Education authorities in Eldoret Municipality. During the process of data collection, the researchers personally visited each study school and issued out the copies of the questionnaires to the head teachers and students after briefing them on the objectives of the study. Arrangements were also made for interviews with head teachers, deputy head teachers and guidance and counseling teachers. The data was analyzed using descriptive statistics involving, frequencies and percentages. The percentages were appropriate for the data on frequencies touching on the perception and problems of management of discipline. The data was then interpreted by observation of proportions of frequencies and percentage in each category and drawing inferences on the same.

## **Findings from the Study**

The findings of the study have been guided by the objectives of the study. The objectives of the study were to investigate the frequency of discipline cases before and after the ban of corporal punishment in Kenyan secondary schools. Here, the researchers looked at the frequency of discipline cases reported by the respondents before and after the ban. The head teachers, deputy head teachers, guidance and counseling teachers, as well as teachers were asked to give an approximate number of cases they dealt with in their schools, in one term before the ban of corporal punishment, and those after the ban. Students were asked to indicate the number of cases they had been punished for in one term before and after the ban of corporal punishment. This was intended to give a comparison of the frequency of such cases before and after the ban policy. The cases included personal and social problems such as: indecent dressing, untidiness, failure to complete class work, noise making, lateness, truancy, indecent language, drug taking, smoking, fighting, disrespect, rudeness or insubordination, as well as fighting. The results were as follows:

### **Cases of Indecent Dressing before and after the Ban of Corporal Punishment**

This item sought information on the frequency of cases of indecent dressing among students. The findings indicated an increase in such cases after the ban of corporal punishment, for, out of the 18 cases handled by the head teachers, 77.77% were after the ban policy, while only 22.20% were before the policy. For deputy head teachers, out of 40 cases reported, 80.00% occurred after the ban, while only 20.00 were before the policy. Out of the 39 cases reported by guidance and counseling teachers, 87.17% were after the ban, and only 12.80 % were before the ban. For other teachers, out of the 52 cases, 86.53% were after the ban, while only 13.5 were before the ban policy. Among students, out of the 119 cases, 81.51% cases were after the ban policy, while 18.50% were before. The results show an increase in cases of indecent dressing among students after the ban of corporal punishment. Of the teachers who were interviewed, the majority were of the opinion that cases of poor dressing among students were previously dealt with instantly through caning. A student who was caned for not putting on right uniform could not easily repeat the same mistake. After the ban policy, students now feel that there isn't much that teachers can do because the alternative methods used are unnecessarily long and too involving. While in the field, the researcher observed that in some of the schools, which reported using some form of corporal punishment, the mode of dressing among students was different from those that did not use it. This ranged from, the hairstyles, tucking in of shirts, sagging trousers for boys, loose ties as well as the type of shoes worn.

### **Cases of Sneaking before and after the Ban of Corporal Punishment**

The information in this item sought the frequency of sneaking cases that were handled by the head teachers, deputy head teachers, guidance and counseling teachers, and other teachers, as well as cases that students were punished for, before and after the ban policy. The findings indicated that all categories of respondents reported a higher percentage of cases of sneaking

after the ban of corporal punishment, as compared to the period before the ban. Out of the 18 cases reported by head teachers, 83.33% were after the ban policy, while only 16.7% were before the ban. Out of the 29 cases reported by deputy head teachers 79.31%, were after the ban, and 20.7% before the ban. For guidance and counseling teachers out of 21 cases, 85.71% were after the ban of corporal punishment, while only 14.3% were before the ban. For students, out of the 156 cases reported, 66.67% were after the ban policy and 33.3% before the ban. The findings confirm the worry by the Task Force on Student Unrest and Violence in Kenya (RTFSUV) which observed that student sneaking from school is a major discipline problem in schools (ROK, 2001). The task force established that some students sneak from school so as to go and indulge in other indiscipline cases such as drinking, smoking, drug taking, as well as disturbance to the community in the schools' neighborhood.

### **Failure to complete Class work before and after the Ban of Corporal Punishment**

The findings on this item indicated that there were more cases of failure to complete class work reported after the ban of corporal punishment than before. Head teachers reported 84.21 % after the ban compared to 15.8% before the ban. For deputy head teachers, 83.87% were after the ban compared to 16.1% before. Guidance and counseling teachers reported 82.41% cases after the ban, compared to 17.9% before the ban, while for teachers, 84.31% were after the ban as compared to 15.7% before the ban. For students 70.14% of cases were after the ban policy, while 29.8% were before the ban. Class work is the core of the school program yet the majority of students did not seem to take it seriously after the ban of corporal punishment, as it can be observed from the high percentage of such cases among all the categories of respondents.

### **Cases of Noise Making before and after the Ban of Corporal Punishment**

The items here sought information on frequency of cases of noise making by students while in school. The cases were general, covering those in classrooms, dormitories, as well as outside. The findings on the item revealed all categories of respondents reporting a higher percentage of cases of noise making among students after the ban of corporal punishment. Out of the 21 cases handled by head teachers, 85.71% were after the ban, while only 14.3% were before the ban. Out of 46 cases dealt with by deputy head teachers, 89.13% were after the ban, while only 10.9% were before the ban. For guidance and counseling teachers, 92.00% cases out of the 50 were after the ban while only 8.0% were before the ban. The same trend was observed among other teachers and students, where, 80.30% out of 66 cases, and 74.11% out of 271 cases for teachers and students respectively, were after the ban of caning. Noise making is an indicator of lack of seriousness on the part of students. Of the teachers interviewed, they expressed their fear that students are becoming uncontrollable, with some telling teachers off when they try correcting them. The teachers complained that in the past, such students were caned as a form of inflicting pain on them, instead of time consuming punishments, which are used at present.

### **Cases of Lateness before and after the Ban of Corporal Punishment**

In this item, information sought was on cases of lateness among students. Respondents were asked to give approximate cases of lateness they dealt with before the ban of corporal punishment and those after the ban policy. The findings indicated an increase in cases of lateness among all categories of respondents. Out of the 19 cases handled by the head teachers, 78.94% were after the ban, while 21.1% were before the ban. Out of the 44 cases by deputy head teachers, 86.36% were after, while only 13.6% were before the ban. For guidance and counseling teachers, out of the 34 cases, 88.24% were after and only 11.% before the ban. Teachers also recorded a higher percentage, for, out of the 51 cases, 84.31% were after the ban and only 11.8% before the ban. Out of the 132 cases among students, 68.18% were after the ban policy, while 31.8% were before.

### **Cases of Disrespect/Rudeness before and after the Ban of Corporal Punishment**

Here, respondents were asked to give the frequency of cases of rudeness among students that they handled before, and after the ban of corporal punishment. The cases included disrespect to the administration, teachers, prefects, and, fellow students. The findings indicated an increase in the rate after the ban of corporal punishment. Out of the 25 cases of disrespect handled by head teachers, 84.00% were after the ban policy while only 16.0% were before the ban. For deputy head teachers, 82.98% of the cases were after the policy, and 17.0% before the ban. For guidance and counseling teachers, 83.79% were after the policy, while only 16.2% were before. Out of the 82 cases handled by teachers, 87.80% were after the ban policy and 12.2% before. For students, out of the 141 cases, 75.52% were after the ban and 24.5% before the ban. The findings indicate a soaring up of rudeness cases after the ban policy. Of the teachers interviewed, they attributed this state of affairs to the ban of corporal punishment. Some reported outright defiance from students because of the assumption that there wasn't anything teachers could do to them.

### **Cases of Truancy before and after the Ban of Corporal Punishment**

This item sought information on cases of truancy among students, especially in day schools. The findings indicated a higher percentage of the cases, after the ban of corporal punishment, for out of the 15 cases reported by head teachers in the study, 73.33% were after the ban while 26.7% were before. For deputy head teachers, out of the 34 reported cases, 85.29% were after the ban and only 14.7% were before. For guidance and counseling teachers, 82.86% of the 35 cases were after the ban policy, while 17.1% were before. The same trend was observed among teachers and students, where, out of the 44 cases and 117 cases, 77.27% and 66.67% respectively were after the ban policy. The interview with teachers in day schools indicated their inability to control truancy among students. They stressed that without the cane some students absented themselves from school intentionally for they knew that it would not be easy for teachers to know, especially where parents were not keen. For such students, punishments such as suspension were seen to be a blessing in disguise because it would give them an opportunity to be out of school.

### **Cases of Smoking before and after the Ban of Corporal Punishment**



This item sought information on cases of smoking. The responses indicated an increase where out of the 11 cases reported by head teachers, 81.81% were after the ban policy while 27.2% were before the ban. For deputy head teachers, out of 21 cases 76.19 were after the ban policy while 23.8% were before the ban. For guidance and counseling teachers, 78.94% were after the ban and 21.1% were before. Teachers also reported a higher percentage of these cases after the ban policy, which was 75.86%, as compared to 24.1% before, Students, reported 69.07% of cases they were punished for after the ban compared to 30.9% before.

## **Conclusions**

Generally, it can be observed that there was an increase in indiscipline cases among students as reported by all categories of respondents. This is in agreement with the sentiments of the then Education Minister, who three months after the ban of corporal punishment in Kenya, admitted that the cases of indiscipline in schools had become too frequent and that everybody was getting worried that the learning system was being badly interfered with by too much disorder (Nation Team, July, 2001). Of the head teachers, deputy head teachers, and other teachers interviewed, a majority attributed this trend to the ban of corporal punishment. To them, cases such as lateness, noise making, failure to complete class work, were supposed to be dealt with instantly so as to act as a deterrent to the students. Some felt that punishments such as manual work, suspension from school, or detention were time wasting and therefore made students lose even the more. To them, one cannot correct a mistake by committing a second one, since a student who had indulged in indiscipline had already lost the very precious time. With the ban, students no longer respect the authority, because they know the bureaucracies involved in the other types of punishment. Of the respondents interviewed, they cited this as a major problem especially in the low performing and average performing schools, where punishment such as suspension or manual work was a blessing in disguise for the students. One head teacher equated the ban of corporal punishment to ‘disarming the police and telling them to face gun trotting gangs’, because some of the students acted as criminals, and if not punished adequately, they could end up hurting the teachers concerned.

## **Recommendations**

Based on the foregoing discussion of the findings, and conclusions, the study makes the following recommendations:

- a. There is need to prepare teachers adequately by equipping them with skills of managing student discipline.
- b. There is need for teacher training colleges and universities to include alternative methods of managing student discipline in their curriculum so as to ensure adequate preparation of student teachers in management of student discipline,

c. There is need for schools to facilitate all teachers in their schools to undergo in-service training on alternative methods of managing student discipline in the absence of corporal punishment

#### Suggestions for further Studies

- i. A similar study on the effects of the ban of corporal punishment to be carried out in primary schools.
- ii. More studies to be done on the types of punishments that are currently used to manage discipline among students and their effectiveness.

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