

THE IMPACT OF THE BAN OF CORPORAL PUNISHMENT ON STUDENTS' DISCIPLINE IN SECONDARY SCHOOLS: A CASE STUDY OF BAHATI DIVISION OF NAKURU DISTRICT

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ABSTRACT: Kenya is a signatory to International and Regional Conventions and Declarations which protect the child from brutality, cruelty and inhuman treatments. To institutionalize child rights, Kenya enacted legislation and a Legal Notice, which banned the use of corporal punishment in all learning institutions. Upon its implementation there was observed increase in students' unrest in public secondary schools. This became a concern to Ministry of Education, school managers, teachers, students and other key stakeholders, prompting the need to investigate the impact of its ban on students' discipline. The author presents findings of a study that adopted an *ex-post* research design. The target population was 1486 form four students, head teachers, deputy head teachers and teacher counsellors from 18 secondary schools in Bahati Division of Nakuru District. A sample of 120 students, head teachers, deputy head teachers and teacher counsellors was systematically sampled from the 12 schools. The study established that schools in Kenya experience student unrests before and after the ban of corporal punishment. After the ban schools witnessed increased indiscipline, challenges in classroom management, poor academic performance and relationship between teachers and students. Alternative disciplinary measures are not very effective in dealing with indiscipline problems. Corporal punishment contributes to disruptive and violent behaviours. Teachers have a negative attitude towards the ban unlike students who portrayed a positive perception. Guidance and counselling is critical in addressing problems experienced at adolescence stage. Sustained policy focus and institutionalization of guidance and counselling is crucial in dealing with issues that affect students in schools.

KEYWORDS: Impact, Ban, Corporal punishment, Discipline and Secondary School.

1 INTRODUCTION

Corporal punishment is one of the oldest methods used to instil discipline across the world. Its proponents have religiously embraced the biblical adage, "spare the rod and spoil the child". In Kenya, corporal punishment dates back to the pre-colonial era and is culturally acceptable among various communities (Human Rights Watch, 1999). During the colonial era, this method was used to ensure natives offered labour to Europeans in the White Highlands (Thiongo, 1981). Upon attainment of independence, use of corporal punishment continued to be applied in education and correctional institutions as a standard instrument for instilling discipline. The Education Act of 1972, legalized its usage for certain behaviours upon a full enquiry and in the presences of a witness (Republic of Kenya, 1980). Since it was widely accepted among Kenyan communities, they became aloof of its negative effects on the victims. Most communities approved its usage as they regarded it as educative and instructive without which a child could not learn.

In recent years, welfare and rights of the child have become a global issue. Several International and Regional Conventions and Declarations have been issued to protect the child from brutality, cruelty, inhuman and degrading treatments (Legal Resources Foundation 2004 page, 15). The United Nations Convention on the Rights of the child of 1989 and The African Charter on the Rights and Welfare of the child of 1990 are key in addressing the welfare of the child. The Convention on the Rights of the Child (CRC) asserts that "a child has a right against all forms of discrimination or punishment and further that in all actions concerning children; the best interests of the child shall be a primary consideration (Republic of

Kenya, 2002). Further, it emphasizes on the child's right to physical integrity and proposed revision of existing legislation and development of awareness and education campaigns" (Symonides & Vladmir, 2001).

Due to challenges in implementation of CRC framework, African states developed the African Charter on the Rights and Welfare of the Child (ACRWC) in 1990 (African Union, 1990). The ACRWC unlike CRC approaches child's rights from an African perspective and the peculiar position of the African child. This Charter gives children rights and obligations, as it outlaws traditional and customary practices that violate their rights. As a result, African countries are expected to enhance protection of child's rights. Kenya ratified this Charter in July 1990 and made provisions for the protection of the child through an Act of Parliament, The Children's Act of 2001 (Republic of Kenya, 2002). This legislation made key provisions to the management of primary education as Section 13 (1) asserts that a child is entitled to protection from physical and psychological abuse and Section 127 (2) a child shall not be subjected to torture, cruel treatment or punishment. Consequently, the government declared ban of corporal punishment as a method of disciplining learners, through Legal Notice No. 56/2001 thus nullifying the earlier Legal Notice No. 40 of 1972 contained in the Education Act 211.

After the declaration of the ban, Kenya is witnessed rampant increase of indiscipline cases and unrests in both primary and secondary schools. These became a matter of concern to educationists and parents. Indeed, the net effect of students' indiscipline has been destruction of property and even death of students. However, the secondary schools head teachers during their annual general conference agonized over the trend of indiscipline in schools and blamed the Ministry of Education (MOE) for taking away the cane without through deliberations with the stakeholders (Daily Nation, July 16th 2001).

2 LITERATURE

2.1 CONCEPT OF DISCIPLINE IN SCHOOLS

In every school, students are expected to adhere to certain patterns of behaviour. School rules and regulations are designed to create order and favourable environment for teaching and learning. Conformity to rules and regulations is mandatory for all students. According to the Ministry of Education Science and Technology (2001) the purpose of discipline in school is to create and maintain conditions favourable for teaching, learning and inculcating appropriate values, attitudes and skills. Therefore, breaking some of school rules, infringement upon the good will of members of the school, acts of mischief, and other forms of behaviour are undesirable and punishable.

2.1.1 CONCEPT OF CORPORAL PUNISHMENT IN SCHOOLS

According to Cangelosi (1988) corporal punishment is infliction of pain by a teacher or educational official on a learner for purpose of making him/her sorry for doing something which is not in tandem with school rules and regulations. This definition emphasizes on pain as a prerogative to learning. However, Sanderson (1996) revealed that affection between the punishing agent and child punished influence the effect of controlling behaviour.

2.1.2 WORLDVIEW ON CORPORAL PUNISHMENT IN SCHOOLS

All over the world corporal punishment has been used in learning institution. In Britain, corporal punishment was used in learning institutions until its ban in 1986 (British Broadcasting Corporation, 2002). In the United States of America, 23 states allowed the use of corporal punishment until 1977 (Washington Post, 14th September, 1999). In Singapore, four out of five teachers from primary and secondary schools approved the use of the cane as a disciplinary measure (Strait Times, 1997). Newel (1989) and Jenkins (1999) explained that a number of lessons were learnt as a result of abolishment of corporal punishment, not only in Britain but also even in other European countries such as Switzerland, Demark and Sweden.

2.1.3 BAN OF CORPORAL PUNISHMENT IN KENYA

Although for many years, the rod has been an emblem of the teacher its use has become controversial in recent years because some of them violated standards and regulations on its administration. As a result, corporal punishment became routine, arbitrary and often brutal. In extreme cases, teachers physically abused learners resulting in permanent injuries, disability and even death (Human Rights Watch, 2000). At times, corporal punishment is inflicted on students for petty offences such as reporting late, wearing torn or dirty school uniform, poor academic performance, absenteeism, not paying fees on time or homework among others. Unfortunately, this is done without the teacher making any effort to inquire the causes of the offences. As a result, this adversely affects a student's self-image and school achievement besides contributes significantly to disruptive and violent behaviour (Baler, 1988).

Corporal punishment is physically harmful to the child. Sanderson (1996), established that when learners perceive they are likely to be punished, this interferes with their attentiveness and perception. Therefore, he cautioned that corporal punishment adversely interferes with cognitive development, erodes trust, stimulates mistrust, anger and resentment. Erickson (1950) attributed severe corporal punishment in early childhood to delinquency in adulthood. In Kenya, despite clear guidelines on its administration students' sustained serious injuries. A case in point was a 13 years old boy who sustained fracture on three of his fingers after he was allegedly beaten a teacher for arriving late in school (Daily Nation, 19th November, 2003). This is in agreement with Jambor (2001) who stated that there are a number of recorded incidents of severe tissue damage, lower spine injuries and even sciatic nerve damage as a result of corporal punishment.

Besides, the Catholic Church in Kenya, argued that corporal punishment like capital punishment failed to deter indiscipline instead it instils fear which is not good for learning. The African Network for Prevention and Protection against Child Abuse and Neglect (ANPPCAN) advocated for alternative progressive discipline methods, since hitting is dangerous as is physically and psychologically harmful to child's development. A survey carried out by ANPPCAN in Nairobi found out that, despite the ban, corporal punishment was still meted on children (Daily Nation, April 6th, 2004). During Dakar Forum on Education for All (EFA), Kenya was identified among the countries that maintained corporal punishment in the statutes. As a result, the government repealed the Legal Notice 40/1972 to be in tandem with Article 19 of CRC which calls for protection of the child from "all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation" (Republic of Kenya, 2002). In addition, to operationalize provisions of CRC and ACRWC, the government enacted, The Children's Act of 2001 (Republic of Kenya, 2002). However, due to incessant abuse of corporal punishment, internal and external pressure forced the Kenyan government to declare the ban of corporal punishment in learning Institutions, through Legal Notice No. 56/2001 (Republic of Kenya, 2001).

2.1.4 STUDENTS UNRESTS PRIOR TO THE BAN OF CORPORAL PUNISHMENT

The first case of student unrests was reported in Maseno School in 1908 (Republic of Kenya, 2001). Since then, numerous unrests or strikes have been reported in educational institutions attributed to various reasons. High-handedness of the administration, lack of dialogue, rigid rules, drugs and substance abuse and general social disorder are blamed for the increased cases of students' unrest (Daily Nation, August, 7, 2000). Besides, political interference and patronage, as politicians agitate for removal of competent head teachers and replaced them with their sycophant (The Standard, September 18, 1998).

Some head teachers are blamed for running the schools in a draconian manner. This aggravates the situation because they do not operate an open communication policy (Daily Nation, August, 7th, 2000). Parents too are blamed for abdicating their responsibility of disciplining their children from an early age. The situation is compounded by formal employment particularly, of mothers who are forced to leave their children at a tender age under the care of house-helpers, who often are ill-equipped with childcare skills. Besides, house-helpers busy schedules leave them with no time to provide quality child-care (Ndegwa, 1987). As a result, most youths are growing up with little or no emotional guidance and security from their parents. Drugs and substance abuse is blamed for catalysing students' indiscipline from simple protests to massive destruction of property and death in some schools (Republic of Kenya, 1999).

2.1.5 RELIGIOUS TEACHINGS ON CORPORAL PUNISHMENT

The religious books such as the Holy bible in the book of Proverbs 23:13-14, portrays corporal punishment as a method of instilling corrective behaviour to wrong doers. "Do not withhold discipline from your child, if you punish him with the rod he will not die. Punish him with the rod, and save his soul from death" (The Holy Bible; 1984:490). According to the tradition of Prophet Muhammad (peace be upon him) he said "Ask children to pray at the age of seven, and discipline them at the age of ten..." (Riyadh, 2000). The religious teachings emphasized on the discipline of children to put them right with both religious and traditional expectations.

2.1.6 APPLICATION OF CORPORAL PUNISHMENT

Every African community had rules and regulations that governed its people. Corporal punishment, execution and fines were some of the measures taken on those who violated the set standards (Thiongo, 1981). The unpleasant experience of punishment prevented recurrence of undesirable behaviour. Consequently, children perceived punishment as justification for violation of the moral code of behaviour such as dishonesty, damage of property or inflicting injuries to persons or animals

among others (Durojaiye, 1976). However, among the African communities there was strict adherence to the administration guidelines since they were regulated by the council of elders.

During the colonial period, corporal punishment was administered as a sign of supremacy and authority. British colonialists administered corporal punishment to adult Africans for disobeying rules or failure to pay taxes. This was done in public as a deterrent measure. Subsequently, most countries in Africa entrenched it in their legal and education system (Human Rights Watch, 1999).

At independence in 1963, the Education Ordinance was handed over to the Kenyan government, legalized its use in learning institutions (Republic of Kenya, 1980). Despite existence of stipulated guidelines on corporal punishment administration, teachers made it routine, arbitrary and often brutal. These resulted in public outcry. However, with the ban, indiscipline cases increased in learning institutions. This necessitated the need for the study to investigate its impact on student discipline.

2.1.7 PREVIOUS STUDIES CARRIED OUT IN THE AREA

This section gives an overview of studies undertaken on corporal punishment. Studies conducted globally by Human Rights Watch, established that corporal punishment is a violation of child's rights. The findings enable several countries to realise that corporal punishment as cruel, inhuman or degrading practices. The study recommended that corporal punishment should be banned and teachers be trained on alternative methods of maintaining discipline in schools (Human Rights Watch, 1999).

A study conducted by UNESCO Courier journalist on "spare the rod, save the child", established that proponents of corporal punishment asserted that it is the only disciplinary tool that works. In Kenya, school administrators and teachers stated that for them to manage large classes of 50-60 learners, it is the only appropriate and effective method. They argued that without corporal punishment schools would become chaotic as students would become unruly. In this regard, corporal punishment is viewed as a cheap and easy means of maintaining student's discipline. Besides, most parents insisted that corporal punishment was good and necessary to enable schools maintain "proper discipline" while others quoted biblical verse on, "spare the rod and spoil the child". They claimed that the biblical verse justified the use of the cane and gave teachers authority disciplining the learners.

2.2 ROLE OF GUIDANCE AND COUNSELLING SERVICES AND PROGRAMMES

The objective of guidance and counselling programmes and services in schools, is to equip learners with skills that enables them meet growth and development needs for enhanced physical and psychological health. In Kenya, the MOE identified guidance and counselling programmes and services as a comprehensive alternative disciplinary mechanism for schools. This is because guidance and counselling adequately addresses learner's psychological and developmental challenges. Therefore, guidance and counselling s learners attain the maximum development and self-realization for the benefit of individuals and society (Republic of Kenya, 1999).

In Kenya, majority of students enter secondary school level at adolescence stage. During this stage the learners physical and motor development are generally developed unlike social, emotional, mental and moral aspects (Republic of Kenya, 2001). Consequently, these changes leads to anxiety, emotional difficulties and maladjustment due to imbalances between the physiological and psychological development. For this reason, students' experience challenges which should be resolved with understanding, hence the need to institutionalize guidance and counselling departments in schools. Teacher counsellors are expected to identify and assist learners who manifest personality profiles such as unhappiness, anger, violence, carelessness, inability to meet personal needs, loneliness, anxiety neurosis, excessive frustration, ignorance, under-achievement and total failure among others (Republic of Kenya, 1991).

Unlike counselling, guidance services are a life long process that involves assisting individually or as a group to understand who they are and their world. Students transmit from primary to secondary schools level with high hopes of success but majority leave with shattered dreams. In this regard, guidance is critical in assisting students adjust to the new environment away from their family. Guidance services are provided to assist students fulfil their potential, negotiate developmental facts and solve their problems. Therefore, schools are expected to offer developmental, academic and vocational guidance besides placement services. This is in agreement with Miller (1968) assertion that guidance is a process of helping individuals achieve self-understanding and self-direction necessary for maximum adjustment to school, home and community. Teacher Counsellors should deal with challenges such as poor or ineffective methods of studying, poor reading techniques, adolescent

growth and development which cause many students to under-achieve academically. Poor academic achievement leads to frustrations and maladaptive behaviours among students.

On the other hand, counselling basically helps students to overcome, cope, adjust or deal with life obstacles. It offers students opportunity of speaking of what is bothering or hindering their academic progress, growth and development. Through counselling, teacher seeks to understand students feelings, ideas, intentions and moods as expressed either verbally and non-verbally (Kadzin, 1995). To succeed, teacher counsellors must display warmth, understanding and friendliness to enable students trust and have confidence in them. This enable them inculcate in students desirable attitudes, interests and goals (Republic of Kenya, 2001). For this reason, guidance and counselling services are critical in mitigating against the changing trends such as socio-cultural issues, drug and substance abuse, divorce and single parenthood, HIV and AIDs among others. Consequently, teacher counsellors should aim at minimizing incidences of student indiscipline attributed to lack of sense of direction, purpose and fulfilment. For this reason, guidance and counselling services play a critical role in mitigating against student unrests.

2.3 THEORETICAL FRAMEWORK

The study was guided by classical and operant conditioning behaviourist theories and social learning theory. These theories emphasizes that behaviour results from learning hence modification of behaviour can be attained through the same basic conditioning principles.

2.3.1 OPERANT CONDITIONING

This theory was advanced by Skinner in 1971. Skinner consistently condemned the use of punishment as a means of controlling behaviour. In this theory, two basic reinforcement strategies for increasing frequency of behaviour are outlined. The most efficient method is to cease reinforcement thereby allowing the behaviour to extinguish while punishment is used to eliminate behaviour. In this theory, the frequency of the behaviour is reduced when it is followed by presentation of an aversive stimulus. This theory is appropriate for the study as research has shown that corporal punishment does not teach errant students appropriate behaviours but only decreases the frequency of occurrence of undesired behaviours. In this regard, teachers should strive to teach students to obey rules and regulations instead of punishing them to mitigate against student unrest. Besides, the theorist emphasized that to suppress the undesirable behaviour, punishment should be administered fairly and promptly. This implies that teachers should adhere to its implementation guidelines not should go overboard as has been the case.

2.3.2 CLASSICAL CONDITIONING

The study adopted classical conditioning theory advanced by Ivan Pavlov in 1904. Pavlov was opposed to use of punishment as a means of correcting behaviour because of the aversive feelings that are associated with the person administering it. As a result, students associate teachers who adapt corporal punishment with pain. Besides, other undesirable behaviours may be learned because children may learn that physical aggression is okay for those who are stronger and bigger. Finally, theorist asserted that corporal punishment interferes with learning of appropriate responses. This theory is applicable in the study because it portrays that corporal punishment impact negatively on teacher student relationship which is directly linked to student unrest. From the theory we also learn that students who are often punished may project their anger on other students.

Operant and classical conditioning aim at eliminating maladaptive behaviours. The behaviourist theorists advocates that learning of more effective behaviour patterns should be through focusing on factors that influences and solutions for problematic behaviour. Schools should address the root cause of maladaptive behaviour instead of forcefully punishing students for offences committed. Consequently, students should be guided by school rules and regulations to know how to behave in specific situations while guidance and counselling programmes should equip students with knowledge and skills in problem solving and self-regulation to enable them adjust to school and society at large.

2.3.3 SOCIAL LEARNING THEORY

The study adopted Bandura's (1980) Social Learning Theory which expanded on the basic behaviourist theory by suggesting that behaviour is determined by internal (cognitive) and external forces and can be learnt through observing other people's behaviour. He emphasized that behaviour is learnt in social institutions and environment can positively or negatively

affect behaviour. This theory is relevant to this study because it emphasizes that instead of using corporal punishment to discipline students, schools should provide an appropriate environment for teaching and learning. Instead of using corporal punishment, schools should enforce positive behaviour. Bandura argued that behaviour is performed in the absence of external reinforcement and punishment hence suggested that self-regulation is the means of controlling most of our daily actions. Consequently, schools should mitigate against negative peer pressure and encourage students to be themselves instead of seeking acceptance from their peers. From this understanding, teacher counsellors should provide appropriate role models and ensure school environment is conducive for learning positive behaviour instead of adopting corporal punishment to discipline students.

2.4 CONCEPTUAL FRAMEWORK

The conceptual framework for the study is based on the concept that school discipline problems could be managed without corporal punishment. To mitigate against student unrest, head teacher must involve the management, deputy head teachers (discipline master), teacher counsellors, teachers and parents in resolving students issues in schools. Guidance and counselling programmes and services should assist students resolve challenges they experienced in schools. The framework in Figure 1 illustrates that effective disciplinary methods result in high level of discipline and academic achievement.

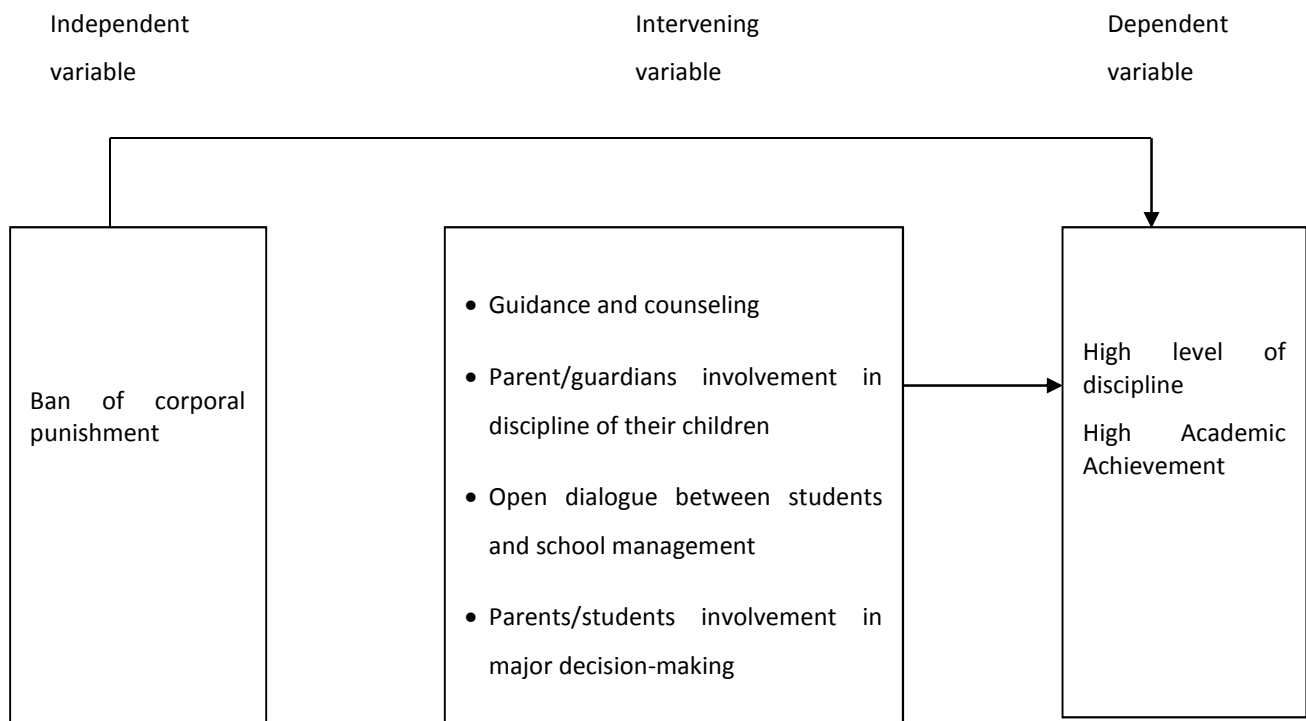


Figure 1: Factors related to indiscipline among Secondary School Students

3 METHODS

3.1 RESEARCH DESIGN

The study adopted an *ex-post facto* design. According to Best (1999) this design involves studying events or situations long after they have occurred thus presenting no possibility of variables manipulation. This design is appropriate for the study as it involved investigation of the impact of ban of corporal punishment on students' discipline. Bahati Division was chosen because it has the highest student population derived from different socio-economic, ethnic and cultural backgrounds. It also has all the categories of public secondary schools.

3.2 POPULATION AND SAMPLE OF THE STUDY

According to Borg and Gall (1989), the target population is a real or hypothetical set of people, event or objects which an investigator wishes to generalize the results of research study. The target population was 1486 registered form four students, head teachers, Deputy head teachers and Teacher Counsellors from the 18 public secondary schools of Bahati Division of Nakuru District.

To obtain a representative sample of the population, stratified random sampling was used to select schools based on gender, day or boarding. Simple random sampling technique was then used to sample schools from each stratum. This ensured all schools in each category had an equal chance of being included in the sample. The sample constituted twelve out of the eighteen public schools. Form four students were purposively sampled. Simple random sampling was used to select 10 form four students from the 12 schools hence a total of 120 students. Purposive sampling was also used to sample head teachers, Deputy head teachers and teacher counsellors of the 12 schools.

Table 3.1: Sample Size

Category of Schools	Number of Schools in Each category	Number of Schools Sampled	Number of Sampled Form Four Students
Boys Boarding	1	1	10
Girls Boarding	2	2	20
Mixed Boarding	4	2	20
Mixed Day	10	6	60
Mixed Day & Boarding	1	1	10
Total	18	12	120

3.3 INSTRUMENTATION

To collect data, three different sets of questionnaires and an observation schedule were used. Student's questionnaire elicited data on age, sex, year of admission, choice of school, perception and attitude towards issues on discipline, corporal punishment, causes of student unrests, perception of the ban of corporal punishment and suggestions on how to maintain and improve discipline in schools.

Deputy head teacher and Teacher Counsellor shared same questionnaire which sought information on personal characteristics such as age, sex, professional status, teaching experience, period one had served in their respective capacity, training, appointment status, causes of unrest, their perception on student discipline, punishment, guidance and counselling, attitude towards the ban of corporal punishment and suggestions on how to enhance discipline in secondary schools.

The Head teachers questionnaire sought information on administrative issues such as year the school was established, school type, student population, class size, number of teachers and staffing levels, students admission procedures, BOG appointments and status, causes of unrest, attitude towards the ban of corporal punishment, measures school have put in place to maintain and enhance discipline and suggestions on how to maintain discipline in schools.

3.4 DATA ANALYSIS

Both quantitative and qualitative data was collected. However, the study elicited mainly quantitative which was analysed by use of statistical package for social sciences (SPSS) version 11.5 and presented in tables, frequencies and percentages. To analyse teacher's attitude and student's perception of the ban on corporal punishment frequencies and percentages were used. Analysis of qualitative data is an ongoing process as it goes hand in hand with data collection. Qualitative data was coded and relevant themes reported in narrative form.

4 RESULTS

A total of 120 students, 65 boys and 55 girls participated in the study. Eight male and 4 female head teachers, 10 male and 2 female deputy head teachers and 2 male and 10 female teacher counselors from the 12 public secondary schools of Bahati Division of Nakuru District participated in the study. The research findings are presented based on the six research questions.

4.1 EFFECTS OF THE BAN OF CORPORAL PUNISHMENT

The first research question sought to establish the effects of the ban of corporal punishment on student discipline in secondary schools in Bahati Division of Nakuru District. The study established that 50% of the sampled school experienced student unrests after its ban in 2003. Therefore, the ban of corporal punishment had not minimized incidences of student unrests in schools.

The study established that school administrators and teachers attributed increase in indiscipline cases to the ban of corporal punishment because students do not view the alternative disciplinary measures as severe forms of punishment. For this reason, students violated school rules and regulations with impunity. Teachers reported that they are experiencing challenges in managing and controlling large classes of 50-60 students. This implies that some teachers believe that their power and authority over the students can only be attained through the use of the cane. Poor academic performance was reported as another effect of the ban of corporal punishment. Teachers affirmed that the use of corporal punishment enhanced students' academic achievement because it was used to create conducive teaching and learning environment. Poor teacher student relationships was also cited as an effect of the ban of corporal punishment because students have become less respectful towards them.

However, in view of the behaviourist theories anchored in the study, schools should nurture and inculcate concept of self-discipline among students to make them intrinsically motivated to obey school rules and regulations. The social learning theory affirms that instead of corporal punishment, teachers should endeavour to provide appropriate environment for teaching, learning and enhancing positive behaviour.

4.2 DISCIPLINE PROBLEMS IN SECONDARY SCHOOLS

The second research question aimed at delineating discipline problems in the public secondary schools in Bahati Division of Nakuru District as depicted on Table 4.1

Table 4.1: Discipline Problems Experienced in Schools

Disciplinary problem	Head teachers N=12		Deputy teachers N=12		Teacher Counsellor N=12		Students N=120	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
Lateness	10	83.3	14	58.3	7	58.3	96	80.0
Noise making	10	83.3	11	91.6	10	83.3	95	79.2
Absenteeism	9	75.0	8	66.6	6	50	57	47.5
Boy/girl relationship	4	33.3	8	66.6	7	58.3	43	35.8
Laziness	4	33.3	5	41.6	5	41.6	53	44.2
Smoking	1	8.3	8	66.6	4	33.3	37	30.8
Stealing	1	8.3	4	33.3	1	8.3	44	36.7
N	12		12		12		120	

The respondents cited lateness, absenteeism, laziness and noise making as the most common disciplinary problems experienced in school unlike boy/girl relationships, smoking and stealing. It is important to note that offences students perceived as serious are unlikely to occur compared to those they regarded as less offensive such as lateness, noise making, laziness and absenteeism. Boy/girl relationships, smoking and stealing are perceived as very serious because one can be suspended or expelled while in extreme cases police are involved. These findings are in agreement with Ayieko (1988) who cited common discipline problems as truancy, theft, destruction of property, defiance to authority, late coming to school, fighting in school and smoking. The findings are also in line with Sagani Report (Republic of Kenya, 1991) which reported challenges in schools as lateness, chronic absenteeism, truancy, rudeness, insubordination, disrespect, dissatisfaction, abuses, non-compliance to rules and regulations, drug abuse, destruction of property, bullying, assault among others. In light of the Social Learning Theory schools should address the root cause of maladaptive behaviour to mitigate against indiscipline cases. To achieve these schools should strengthen guidance and counselling departments so that teacher counsellors can adequately provide services to students.

4.3 DISCIPLINARY MEASURES AFTER THE BAN OF CORPORAL PUNISHMENT

The third research question sought to investigate disciplinary measures in public schools after the ban of corporal punishment. Majority of head teachers (91.7%) embraced manual work for offences earlier punishable through the cane. However, they noted that unlike before these offences have become frequent as students do not perceive mopping or weeding as severe form of punishment. Other head teachers (66.7%) adopted suspension which was noted to be as is the most effective measure. They stated that students' fear suspension because they are forced to leave school for two weeks, upon which they are accompanied by their parents or guardians to appear before the BOG. The BOG deliberates and can recommend for further actions such as expulsion. Only 25% of the head teachers reported that they adopted expulsion as a disciplinary measure. The study established that head teachers avoided adopting expulsion as it involved a long and tedious process. Further, 25% of the head teachers reported that they sought police assistance for criminal acts such as wanton destruction of property, theft of individuals or school property, assault, drugs and substance abuse among others. Payment of fines involved repayment for the loss or damage of individual or school property was reported at only 16.7%.

On the level of effectiveness of disciplinary measures compared to corporal punishment, 58.3% reported them as effective, 25% stated moderate while 16.7% reported them as not effective. Blandford (1998) argued that it is the responsibility of head teachers to ensure they apply effective discipline measures for the good of everyone in the school community. With regard to awareness of the ban of corporal punishment in learning institutions, 92% and 84% of the teachers and students were aware while 8% and 16% teachers and students were unaware. Consequently, 35% of the students reported that corporal punishment was still applied in their schools. To improve discipline, the respondents reported that they had resulted to involving parents in resolving disciplinary issues while majority adopted guidance and counselling services. The use and preference of guidance and counselling concurs with the findings of Kilonzo (1986) who reported that counselling is the best method of dealing with indiscipline because it touches directly on the lives of students more than any other helping profession. These findings also corresponds with Wotuku (2000) who suggested that guidance and counselling services are essential in facilitating school administration to deal with problems of indiscipline in secondary schools

4.4 TEACHERS' ATTITUDE TOWARDS THE BAN OF CORPORAL PUNISHMENT

The fourth research question endeavoured to establish teachers' attitude towards the ban of corporal punishment. To determine the attitude of teachers a 5 point Likert scale (strongly agree -5, agree - 4, undecided - 3, disagree - 2 and strongly disagree - 1) was used. The sum of ten statements from all respondents was summed up. The score of 10 indicates the least overall negative level of attitude while 50 indicates the highest overall positive level of attitude. The overall score was coded into three ordinal categories to differentiate between the levels of attitude among the respondents. Table 4.2 depicts the level of attitude of the teachers towards the ban of corporal punishment.

Table 4.2: Teachers' Attitude of Towards Ban of Corporal Punishment

Level of attitude	Frequency	Percent
Negative	22	91.7
Neutral/average	1	4.2
Positive	1	4.2
Total	24	100

Majority of the teachers (91.7%) reported a negative level of attitude towards the ban of corporal punishment in schools. This suggests that most teachers are yet to embrace change in schools discipline management. Most of them believe that the ban of corporal punishment robbed them power and authority over the students. They emphasized that learning and discipline in large classes of 50-60 students can only be attained through corporal punishment. In this regard, they blamed the MOE for withdrawing the cane without adequate consultation with stakeholders, sentiments echoed by secondary schools head teachers during their annual general conference held in 2001 (Daily Nation, July 16th 2001). In view of this, teachers are of the opinion that the MOE should have consulted them to determine the effectiveness of the stipulated alternative disciplinary measures before the ban of corporal punishment. Classical conditioning theory anchored in this study, advanced against use of punishment as a means of correcting behaviours because it interferes with learning. Consequently, to manage large classes teachers should equip students with knowledge and skills in problem solving and self-regulation as advanced by the behaviourist theorists.

4.5 STUDENTS PERCEPTION ON THE BAN OF CORPORAL PUNISHMENT

The fifth research question aimed at establishing students' perception towards the ban of corporal punishment. To determine their perception a 5 point likert scale (strongly agree- 5, agree – 4, undecided – 3, disagree – 2 and strongly disagree – 1) was used. The sum of the ten statements from all respondents was summed up. The respondents overall score varied between 10, indicating the least overall negative level of perception and 50 indicating the highest overall positive level of perception. The overall score was later coded into three ordinal categories to differentiate between the levels of perception among the respondents as depicted in Table 4.3

Table 4.3: Level of Students Perception towards the Ban of Corporal Punishment

Level of Perception	Frequency	Percent
Negative	52	43.3
Neutral/average	6	5.0
Positive	62	51.7
Total	120	100.0

Majority of the students (51.7%) reported a positive level of perception towards the ban of corporal punishment. This implies that students are happy with the government's directive on the ban of corporal punishment in learning institutions. This is because corporal punishment inflicted on them by some teachers caused them physical and psychological harm. This is in agreement with Jambor (2003) assertion that there are recorded incidents of severe tissues damages, lower spine injuries and even sciatic nerve damage attributed to corporal punishment. In Kenya, corporal punishment had reached an alarming rate with many reported cases of teachers going overboard resulting in severe injuries and deaths. Consequently, human right advocates, religious organizations and other stakeholders petitioned the government to legislate on its ban in learning institutions. The findings also established that despite the majority reporting a positive perception 43.3% were of contrary opinion. This was attributed to socialization and religious teachings which made them perceive punishment as justification for violation of the moral code of behaviour.

4.6 GUIDANCE AND COUNSELLING PROGRAMMES AND SERVICES FOR STUDENTS IN SECONDARY SCHOOLS

The sixth research question sought to establish whether guidance and counseling programmes and services are adequately provided in secondary schools. Teacher counselors (75%) reported that guidance and counseling departments are operational in schools. Majority of students (60%) affirmed that they sought guidance and counselling services with regard to relationship problems among themselves, between them and their parent or boy and girl relationships among others. Teacher counsellors noted that relationship problems occurs as most students are unable to handle developmental changes during adolescence stage. This leads to conflict with their peers, parents and the authority. Besides, during adolescence stage boys and girls result in participating in forbidden acts such as cigarette smoking, alcohol consumption and drug taking. The study affirmed that there was prevalence of drugs and substance abuse among students in the schools. This finding is in agreement with Sindabi (1992) who cited drug abuse as a serious problem faced by youths because they are easily targeted by drug peddlers. With regard to sexuality and pregnancy issues, the study established that teacher counsellors assists students by empowering them with life skills and living values in line with societal values and moral expectations. All respondents acknowledged that guidance and counselling plays a critical role in resolving developmental and discipline problems in Schools. These findings are in agreement with the report on the Presidential Working Party on Education and Manpower Training for the Next Decade and Beyond or Kamunge Report of 1988, which observed that guidance and counselling of youth in secondary schools is essential in enhancing discipline (Republic of Kenya, 1988). Further, Totally Integrated Quality Education and Training or Koech report of 1999 emphasized on importance of guidance and counselling programmes and services in schools and colleges (Republic of Kenya, 1999).

5 CONCLUSIONS AND RECOMMENDATIONS

5.1 CONCLUSIONS

This research study was prompted by the rampant increase in students' unrest in public secondary schools after the ban of corporal punishment. To gather data three sets of questionnaires were developed and administrated to students, Head

teachers, Deputy head teaches and Teacher Counsellors in public secondary schools in Bahati Division of Nakuru District. The following are the major conclusions drawn from the study:

1. In Kenya, student unrests in schools were experienced before and after the ban of corporal punishment. The effects of the ban of corporal punishment are increase in indiscipline cases, challenges in management of large classes, poor academic performance and relationships between teachers and students.
2. Discipline problems cited in schools are lateness, absenteeism, noise-making, girl and boy relationships. To effectively resolve indiscipline problems in schools, head teachers must involve teachers, students and parents. School administrators should also intensify campaigns to mitigate against drugs and substance abuse while Provincial Administration and Police are involved in arresting the drug peddlers.
3. Majority of head teachers adopted manual work as an alternative measure of instilling discipline. Other disciplinary mechanisms adopted are suspension and expulsion as outlined in the Education Act. Police are also involved in case of massive destruction of property or bodily harm while fines are charged on destruction of property. However, expulsion was least adopted due to long and tedious processes involved. Further, majority of the head teachers were of the view that some of the disciplinary measures are effective.
4. Most teachers had a negative attitude towards the ban of corporal punishment in schools because they believed it was the only effective method of maintaining discipline. To change teachers' negative attitude MOE should sensitize them on alternative methods of instilling students discipline and also strengthen guidance and counselling departments.
5. Students reported a positive level of perception because they were happy with the ban of corporal punishment as it caused them physical and psychological harm. However, some of them reported a negative level of perception attributed to socialization process and religious teachings.
6. Guidance and counseling departments are operational in most schools and majority of students seek services on relationships, drug and substance abuse, study habits, career choices, sexuality and pregnancy among others. The respondents acknowledged the role guidance and counselling plays in resolving adolescence developmental issues between students and their parents and teachers and among themselves. Therefore, guidance and counselling department should be institutionalized in schools and colleges to mitigate against the many challenges faced by youths.

5.2 RECOMMENDATIONS

In the light of the findings and conclusions of the study, the following recommendations were drawn:

1. Education sector stakeholders should work together to address student unrests in schools while school management, teachers and parents should adopt open communication policy with students.
2. Teachers Service Commission and MOE should sensitize school management on effective leadership and encourage them to adopt dialogue to mitigate against student unrests.
3. School administrators in public secondary schools should enforce implementation of alternative disciplinary measures to make them effective in dealing with the common indiscipline problems. To ensure their effectiveness head teachers should periodically discuss discipline issues with staff, students and parents.
4. School administrators, parents, Provincial Administration and the Police should work together to curb drugs and substance abuse among students.
5. School administrators and parents or guardians should work together to address indiscipline problems among students in schools.
6. Ministry of Education should organize sensitization programmes for teachers to enable them understand the physical and psychological effects of corporal punishment.
7. Ministry of Education should undertake to sensitize teachers, students and the public on its circulars especially, the ban of corporal punishment in learning institutions.
8. Teachers Service Commission should streamline appointments and deployment of trained teacher counsellors in public schools. This is because guidance and counselling services are critical in addressing challenges faced by youth today due to disintegration of social support structures, peer pressure, drugs and substance abuse, HIV and AIDs, career choices and reproductive health among others.
9. Kenya Education Staff Institute (KESI), TSC and MOE should collaborate to train teacher counsellors by equipping them with necessary skills and competencies.

5.3 RECOMMENDATION FOR FURTHER STUDIES

This research is a case study of one Division of Nakuru District and is limited to public secondary schools. It is crucial to have a study that will establish the situation currently in public secondary schools in the devolved system of government or in primary and private schools.

REFERENCES

- [1] African Union. (1990). Organization of African Unity, African Charter on the Rights and Welfare of the Child. CAB/LEG/24.9/9/49 (1990). Retrieved from <http://www.unhcr.org/refworld/docid/3ae6638c18.html>.
- [2] Baler, L. (1988). *Who's in Control?* New York: Poseidon Press.
- [3] Blandford, S. (1998). *Management of Discipline in Schools*. London: Routledge.
- [4] Cangelosi, J. (1988). *Classroom Management strategies, gaining and maintaining students' cooperation*. New York: Longman Publishers.
- [5] Daily Nation (2001). "Chronology of protest and destruction in schools" Daily Nation. May 21 Nairobi. Daily Nation (2001).
- [6] Daily Nation (2000). "Rising Student Unrest Blamed on poor Managers" Daily Nation, August, Nairobi.
- [7] Docking, J. (1990). *Primary schools and Parents rights, responsibilities and relationships*. London. Hodder & Stoughton.
- [8] Durajaiye, M.O.A. (1976). *A New introduction to Education Psychology*. Nairobi. Evans Brothers Limited.
- [9] Engelkes, J. R. & Vandergoot, D. (1982). *Introduction to Counselling*, USA Houghton Muffin Co.
- [10] Erickson, E. (1950). *Childhood and Society*. New York W.W. Norton.
- [11] Farley, L. (1985) *In Authority System of the School and Students Unrest. A Theoretical Explanation*. Chicago. University of Chicago Press.
- [12] Gall, M. D. Borg, W. R. & Gall, J.P. (1960). *Educational Research: An Introduction*. New York. Longman Publishers.
- [13] Hoover, K. H & Hollingsworth, P. (1978). *A handbook for Elementary School teachers*. 2nd Ed., Boston Ally and Bacon Inc.
- [14] Human Rights Watch (1999). *Spare the child: corporal punishment in Kenyan schools*, <http://www.hrw.org/hrw.report/1999/kenya/>
- [15] Jambor, T. (2001). Classroom Management and Discipline alternatives to Corporal Punishment: The Norwegian Example. *Journal of Education*, 109, 220-224.
- [16] Kilonzo, G.K. (1986). *Guidance and Counselling in Kenya. A seminar paper Kenyatta Bureau of Educational Research*. Nairobi. Kenya.
- [17] Kathuri, M. J & Pals, D. A. (1993). *Introduction to Educational Research*. Njoro Education Media Center, Egerton University.
- [18] Kayongo-Male, D. & Onyango, P. (1984). *The Sociology of the African family*. London. Longman Publishers.
- [19] Kazdin, A. E. (1995). *Behaviour Modification in Applied settings*. Chicago. The Dorsey Press.
- [20] Kenya Times (2001). *Schools Unrests: Task Force Commences Probe*. Kenya Times. August 20 Nairobi; Kenya Times Limited.
- [21] Korir. R. R. (2003). Violence in Kenyan Secondary Schools: Insights into the Adolescent's Socio-emotional Development. *Egerton Journal Humanities, Social Sciences and education*. 2 (3), 53-68.
- [22] Maina, H.O. & Igweta, R. (2003). *Introducing Human Rights In Secondary School. A Teachers' Manual*. Nairobi. Legal Resource Foundation.
- [23] Makinde, I. O. (1984). *Fundamentals in Guidance and Counselling*. London. MacMillian Publishers.
- [24] Mbithi, D. (1974). *Foundations of school administration*. Nairobi. Oxford University Press.
- [25] Miller, F.W. (1968). *Guidance: Principles and Services*, 2nd Ed., Charles E. Merrill Books, Ohio.
- [26] Mugenda, O.M. & Mugenda, A. G. (1999). *Research Methods: Quantitative and Qualitative Approaches*. ACT Press, Nairobi.
- [27] Mulusa, T. (1990). *Evaluation Research for Beginners*. Bonn Stifling Publishers.
- [28] Mutie, E. K. & Ndambuki, P. (1999). *Guidance and Counselling for Schools and Colleges*. Nairobi. Oxford University Press.
- [29] Ndegwa, R. (1987). *Maids: Blessings or Blight*. Nairobi. Uzima Press.
- [30] Osofsky, J. D. (1995). "The Effects of Exposure to Violence on Young Children". *American Psychologist*, 50(9), 782-788.
- [31] Coalition International (2000). *Global progress towards ending all corporal punishment*. [http://Global/progress towards ending all corporal punishment.html](http://Global/progress%20towards%20ending%20all%20corporal%20punishment.html).
- [32] Republic of Kenya. (2002). *The Children's Act, 2001*. Nairobi: Government Printers.
- [34] Republic of Kenya. (2001). *EFA in Kenya: A national handbook on EFA 2000 and beyond meeting our collective commitments of Kenya*. Nairobi: Ministry of Education, Science and Technology.

- [35] Republic of Kenya, (2001b). *Report of the Task Force on Students Discipline and Unrest in Secondary Schools*. (The Wangai Report). Nairobi. Jomo Kenyatta Foundation.
- [36] Republic of Kenya, (1999). *Commission of Inquiry into the Education System. Totally Integrated Quality Education and Training*. (The Koech Report). Nairobi. Government Printers.
- [37] Republic of Kenya, (1998). *Master Plans on Education and Training 1997-2010*, Nairobi. Government Printers.
- [38] Republic of Kenya, (1991). *Presidential Committee on Students Unrest and Indiscipline in Kenya Secondary Schools*. (Sagini Report). Nairobi. Government Printers.
- [39] Republic of Kenya, (1988). *Presidential working party on Education and manpower training for the decade and beyond*, (The Kamunge Report) Nairobi. Government Printers.
- [40] Republic of Kenya, (1980). *The Education Act*. Nairobi. Government Printers.
- [41] Sanderson, B. (1996). *Alternatives to corporal punishment*.
<http://www.sanbeck.org/punishmentalternatives.html>.
- [42] Savarananel, and Mahal, (1992). *Research Methodology*. Allah bad, Kitab Mahal.
- [43] Siringi, S. (2000). Kenya Schools Corporal Punishment.
[http://www.corpun.com/:archive:KE Schools August 2000](http://www.corpun.com/:archive:KE%20Schools%20August%202000).
- [44] Thomas, R.M. (1990). *The Encyclopaedia of human development and education: Theory research and studies*. Headington: Pergammon Press.
- [45] The Standard (1998). *Pupils dies after beating*. Standard September 23. Nairobi. The Standard Limited.P.17.
- [46] The Standard (1998). *Ban caning in Schools-KESI*. The Standard September 18. Nairobi. The Standard Limited.
- [47] Thiongo, N.W. (1981). *Decolonialising the mind. The Politics of language in African Literature*. Nairobi. East African Educational Publishers.