



ISSN Print: 2394-7500
ISSN Online: 2394-5869
Impact Factor: 5.2
IJAR 2016; 2(12): 436-442
www.allresearchjournal.com
Received: 02-10-2016
Accepted: 03-11-2016

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A critical analysis on effect of abolishment of corporal punishment on the management of discipline in Kenyan schools

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Abstract

Kenya Gazette supplements No. 25:199 dated 30th March 2001 bears the Legal Notice No. 56 that spelt out the misdemeanor of corporal punishment in Kenyan schools. Corporal punishment was forbidden in schools in Kenya and since then school discipline has deteriorated considerably and soon the school system may be rendered out of control due to the unruly behaviour of the learners (Kindiki, 2009). Therefore, with the challenges facing the education system the government has put in place measures geared towards curbing the indiscipline issues in learning institutions. Effective classroom management practices as well as counseling units not to forget inclusion of learners in formulation of the school rules and regulations has been introduced by the ministry (MOEST 2005) as an alternative to corporal form of punishment. In the face of the fore mentioned changes there have been reports of teachers continued use of the outlawed practice and this implies that the interventions put in place are not worth the salt in as far as improving the school discipline is concerned. This article considers the effect associated with abolishment of corporal punishment in as far as management of school discipline is concerned. It also explores the efficacy of alternative methods of curbing indiscipline in schools and how effective the outcome has been. Teacher's preparedness towards this goal in the paradigm shift was discussed as well. The discussion draws heavily from the Neo-skinnerian model as well as the Roger model associated with shaping desired behaviour. Critical analysis methodology was used in the study to review effects of corporal punishment abolishment on the management of discipline in Kenyan schools. A non- interactive research design that uses the existing literature was adopted to endorse the methodology utilized. The study conclusions were that alternative methods of dealing with discipline may not be effective if the key players in education adopts a hard line stance without proper consultations on how effectively the transition can be made smooth for teachers as well the learners. The study recommends that teacher education syllabus be reviewed to encompass the new development of abolishing corporal punishment for alternative methods in order to equip them with the required skills for managing discipline in Kenyan schools.

Keywords: Corporal punishment, management, discipline, schools, abolishment, counseling, guidance

1. Introduction

By definition the term corporal punishment is used to mean the deliberate use of bodily hurt as a way of modifying behaviour in children. (Mercurio, 1972) ^[10]. Hitting, spanking, punching, kicking, suffocating, making use of diverse substances, employing of unwarranted work outs or barring of waste discharge by learners are some of the crude methods used to instill discipline in learners. According to the Human Right watch (1999) corporal punishment do not necessarily mean restraining of a aggressive learner neither does it refer to a situation where a member of the school community is in danger and needs protection from such a student.

Above and beyond the ability to read and write as well as work with numbers achievement status, discipline in schools position itself as one of the chief apprehensions articulated by the society concerning institutions and its system in states the world over as asserts Flaherty, Owens & Layourne (1997) and slee (1995) ^[15]. The same sentiments are resonated crosswise in Kenyan schools through the media reports on the nature of how destructive students have become as evidenced by their riots bullying and violence in classrooms as well as in the streets (Daily Nation, April 16, 2001) ^[5].

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Behaviour problems in school are being widely perceived as endemic and there is growing concern about the struggle the school fraternity is being subjected to as it tries to guarantee the safety of learners (McCarthy *et al.*, 1992) ^[9].

Owing to the fact that school discipline has a direct correlation with learners academic performance and moral aptitude, it is, as a matter of fact, a national obligation that seems to be getting out of hand in all societies the world over (slee, 1995) ^[15]. Therefore, as a matter of urgency educators and parents along with all the stakeholders across the board should flex their muscles towards discipline related issues in schools (Daily Nation, April 16, 2001) ^[5]. Efforts to contain the situation has led educationist and researchers be geared toward searching for a lasting solution by seeking for alternative measures that will be efficient in enhancement of school discipline without hampering the rights of learners in any way. As espoused by Skinner in his psychology research in 1989, rewards and punishments have been the means by which the learners behaviour has been handled. However, the use of corporal punishment as a way of modifying behavior in learners have come under sharp criticism owing to the fact that the world is geared towards observing human rights and especially for the children who are voiceless. The study therefore sought to critique the effects of abolishing corporal punishment and the management of discipline in schools in Kenya as discussed here-under

2. Statement of the problem

High rate of indiscipline cases in the Kenyan schools has sparked off a wide range of concern amongst educators, parents plus all the stakeholders as to what could be the contributory factors. The question that begs, 'was outlawing of the corporal punishment the genesis of the indiscipline scenarios being observed in Kenyan schools?' There has been a paradigm shift in as far as the management of discipline cases is concerned for there is widespread advocacy of alternative mode of disciplining learners. However, the practice has not been rooted out effectively for there are indicators that the practice is still very prevalent. As espoused in reports carried out by Kopansky (2002), there are negative consequences of corporal punishment in that it brings about off-putting psychological and physical effects and thus miss out on the use of alternative ways of managing discipline. The end product of corporal punishment is the production of learners with anxiety and fear thus hampering their learning a great deal (baumrind, 1971). Research carried out shows considerable levels of occurrence of corporal punishment in the Kenyan schools despite the ban and therefore this paper sought to analyze critically the effect of abolishment of the practice and how the management of discipline has turned out.

3. Purpose of the study

The study purposed to analyze critically the effects of abolishment of corporal punishment on the management of discipline in Kenyan schools. It also took into account whether the desired results have been achieved and if not what is the way forward.

4. Objectives of the study

1. Critically analyze the legal framework governing the management of discipline in Kenyan schools.

2. Critically evaluate alternatives offered to counter corporal punishment in the management of discipline in schools.
3. Critically evaluate the effect of the alternative method in management of behaviour among learners in Kenyan schools.

5. Research questions

1. What the legal framework governs the management of discipline in Kenyan schools?
2. What alternatives are offered to counter corporal punishment in the management of discipline in schools?
3. What effect do the alternative methods have in management of behaviour among learners in Kenyan schools?

6. Research methodology

Critical analysis designs alongside qualitative research methodology were adopted in the study. The researchers critiqued the legal redress done to help outlaw corporal punishment and the aftermath of the ban. As espoused by Thinguri, *et al* (2014) ^[7] the design make possible the declaration of didactic management challenges against a backdrop of divergence. The researchers were able to come up with approbations on the way forward in regard to the management of discipline in schools

7. Literature review

7.1 The abolishment of corporal punishment in kenyan schools

The genesis of corporal punishment in Kenyan schools has its origin in the colonial master's school of thought and practices regarding student discipline especially if the latter showed deviant behaviour as well as poor academic performance. The culture was passively adopted by the subsequent educators long after the British had left and it became the rule rather than the exception (Muthiani, 1996) ^[13]. Conventionally, physical retribution is attached to the school regulation with the expression discipline itself being knotty and comprising several implications for the entire players in education (Rosen, 1997; slee 1995) ^[14, 15]. Clarifications of the term discipline take account of: a division of knowledge; teaching that inculcates self-discipline, moral fiber, regulation or competence; stern control to make compulsory obedience and treatment so as to controls or punish and as an organization rules advocates Rosen (1997) ^[14]. This kind of punishment was allowed in diverse education policy documents, as well as the Educational Regulations of 1972 which solely governed the direction of corporal retribution in learning institutions.

All through the precedent twenty years, nonetheless, escalating worldwide disapproval of physical retribution where learners in institutions of learning are concerned as emphasized by the Human Rights Watch (1999). Various human rights and child oriented organizations worldwide have condemned the practice of physical reprimand in learning institutions plus they formally advocated for its removal. Be that as it may, UNCRC (United Nations Convention on the Right of the Child) has disapproved any government that permits corporal punishment in schools both private and public. UNCRC asserts that corporal punishment is a clear infringement into the elemental laws governing the convention regarding child rights and therefore has urged states towards coming up with governmental legal structures that will back up the abolition

of the scandalous forms of corporal punishment (UNCRC, 1994). Furthermore, copious research accounts underpin the call for parents and educators to seek out substitute techniques of administering discipline mentioning scores of corporal and emotional upshot brought about by bodily retribution to the learners as the Human Rights Watch (1999) asserts. In Sweden; for example, corporal punishment was prohibited in schools as well as in homes in 1979. With the intention of making parents embrace the law sternly, the Ministry of Justice passed out a far-reaching pamphlet circulation to family circles with information on the ruling and suggestions of alternatives to corporal punishment (Save the Children Sweden, 2000). Various countries have stepped up to make illegal or to curb corporal punishment in a rejoinder with worldwide advocacies and research propositions, (Human Rights Watch, 1999). Some of these restrictions have taken the form of decrees or court verdicts that veto all forms of corporal punishment to learners in schools or at home. Others withdraw general law immunity for teachers who use corporal punishment, in particular the corporal punishment that is regarded as comparable to other types of beating and thrashing (slee, 1995) [15]. At the moment, the majority of countries have ruled out the utilization of corporal punishment in all circumstances be it in learning institutions or even at home as espoused by the Human Rights Watch (1999) a number of African countries have likewise banned the employment of corporal punishment institutions of learning. Championing this noble move are states such as Burkina Faso, Ethiopia, Namibia as well as South Africa Kenya notwithstanding. Prohibition of corporal punishment in Kenya is purely an orientation from Children Act which was enacted in the year 2001. The Act is a domesticated one geared towards providing a legal framework that is destined to cushion Kenyan children from the negative harmful acts of assault meted on them by adults. Therefore, the annulment came in the wake of the need to protect the voiceless in line with the world conventions that Kenya is a signatory to. Consequently, in 2001, corporal punishment was proscribed in schools. 2001 Notice (legal) No. 56 sealed the fate of corporal punishments in Kenya. In essence the notice was a repeal of Legal Notice No.40 of 1972 which had enacted the introduction of corporal punishment in the Education Act, as stipulated in section 11 to 14 which spelt how, when and by whom the corporal punishment could be administered to. The section also indicated the size of the cane to be used. Therefore, the Education Act, section 11 through 14 did encourage corporal punishment to children who showed grave disregard to their work, deceitfulness, intimidation, gross rebelliousness, indecency, truancy and other similar instances that could threaten the smooth running of the institution. According to the Act the corporal punishment was to be meted by the head teacher or an educator in the company of a head of the institution or a house master where boarding schools were concerned. In the same Act it was stated the part of the body where the canning could be applied. Every case was captured in a black book and the records stored by the institution head. In the record it was clearly indicated the number of strokes accorded plus the age of the child in question, name of the offender, offence committed and the date the punishment was given (Human Watch, 1999). The Ministry of Education realize that though corporal punishment was slotted in the Education Act, it was being administered indiscriminately and without regard of who it was being

meted on. As a result children suffered from injuries which at times resulted to death with teachers being the cause and the school heads who are supposed to protect them. To address the issues the Ministry of Education outlawed the corporal punishment (Daily Nation, April 16, 2001) [5]. The refusal of corporal punishment by the state was met by mixed reactions from the general public as well as the educators. the perceptions really differed from all the quarters with teachers citing a genesis of anarchy in the learning institutions. Consequently, it is evident that the view of the majority was that corporal punishment helped curb negative behavior exhibited by students and therefore aided in toning down irresponsible behavior amongst learners as advocated in the Standard, February 10, 2005. It was argued that relenting on corporal punishment would craft a possibility of indiscipline in schools.

The Kenyan Government of Kenya has stood its ground in as far as the corporal punishment in schools is concerned despite the fact that it has received widespread opposition from educators, scholars as well as politicians. Nonetheless, in the face of its ban, the administration of the corporal punishment continue to thrive in learning institutions as well as at home (The standard, February 14, 2005). In 2005, African Network for the Prevention and Protection against Child Abuse (ANPPCA) made statements regarding teaching fraternity continue to mark down the proof of the ineptness of corporal punishment as evidenced by the as research based highlights. The research based evidence therefore receives little or no attention since it is regarded as impractical and theoretical in nature and as such it continue to eat in the fabric of the child rights. Moreover, there exists no evidence whatsoever that validates corporal punishment as the vehicle to better school discipline as advocated by Kopansky (2000). Conversely, teachers tend to feel like they have been unclothed in terms of powers and express lack of authority to deal with issues pertaining to the discipline of learners. In essence this boils down to teachers failing to embrace the use of alternative ways of behavior modifications due to a deep rooted behavior that only the cane can help them curb school indiscipline. Therefore, the response received in as far as alternative methods of discipline remains wanting in Kenya.

In 1999 the Human Rights Watch conducted a survey that revealed that canning was still being administered in Kenyan schools even after it was outlawed through the Legal Notice No. 56. Variations in the patterns of canning however varied from school to school with some schools reported to have less rampant cases of canning. However, in some schools corporal punishment was the order of the day and it was being administered regardless of the ban. The lifting of the practice could as well have been the reason for some institutions to have dropped the practices owing to the fact that it has very stiff penalties if one is caught doing it. In view of the fact that the practice of corporal retribution had for several years been ethnically acknowledged and communally institutionalized in Kenya it was banned by the Kenyan government as the only means of achieving the desired discipline as observes the Human Rights Watch (1999) regardless of it having historical and ancient religious roots. The ban has been interpreted as a way of allowing indiscipline in Kenyan schools. Accounts to the augmentation in occurrences of student disruptive behavior have been mixed and debate exists among the general public concerning what bring about learners indiscipline in schools. The questions that beg, is there any form of resignation from

educators to instill discipline in their institutions? Are alternative measures being employed by teachers to correct behavior in place of corporal punishment? The guiding principle of exclusion of corporal reprimand was a key educational modification whose requisite was preparation by the Ministry of Education. As asserted by Stoner *et al* (1995), revolutionization in institutions is to be expected; nevertheless, for some change to be valuable, it has to be mapped. Be that as it may, the banning of physical punishment in schools in Kenya was a fundamental transformation, since corporal retribution has been in use ever since the inception of formal education. Needless to say, the opinion of the educators ought to have been sought in order to help come up with sound solutions to the issue of discipline in schools without necessarily having to appear like the ban is a source of conflict between the teaching fraternity and the government. When consideration is made for both sides to have a level playing ground then issues pertaining corporal punishment would be resolved without a lot of hullabaloo from both quarters.

7.2 The legal framework governing the management of discipline in Kenyan schools

Basic Education Act (2013) makes provisions on the government policy on discipline related issues by clearly spelling out the consequences of using corporal punishment on learners. A person who willingly contravenes the provisions made in the Act shall be liable to receive a penalty of a fine of not less than one hundred thousand shillings or serve a jail term of not less than six months in Kenyan prisons. Therefore according to the Act no learner should be subjected to torture or any inhuman or degrading treatment or punishment, in any method whether psychosomatic or corporal. Article 53 of the Kenyan constitution further reinforces the issue of the child's protection which encompasses the right to be protected from abuse, neglect and all forms of abuse that may be meted on the child.

Appraisal on children's rights in Kenya by the United Nations committee on child Rights (2007) has articulated apprehension about corporal punishment in learning institutions as well as at home. The report by the committee showed lack of procedures to make obligatory the ban of this practice. The Justice and Constitution Minister, received an open letter from the Human Rights Watch Kenya Chapter (2008) where it was indicated how some parents supported the canning by way of canning their children in front of teachers. This depicts a form of support from the parents on corporal punishment and as such there exist a discrepancy involving the Kenyan State policy on corporal reprimand in learning institutions and the tangible reality in as far as the practice is concerned. Therefore, children continue to suffer in the very hands that are supposed to protect and nurture them as well as serving as role models.

7.3 Kenya (seventh report – CEDAW/C/KEN/7)

Corporal scolding is legitimate in homes as indicated in Article 127(Children Act, 2001). "The entitlement of a parent or another person, in having legalized power over a child to be able to get out rational reprimand on a young person". After realignment of the draft, item 127 (5) in the Children's Act was revised in April of 2009. The 2004 constitution draft clearly affirms that everyone is not entitled to an exempt from corporal punishment as espoused in

article 29. however this is not very pronounced as to whether the practice is to be banned in child rearing practices

As championed in the Education Act Corporal Punishment is endorsed in learning institutions. stipulations in the Kenyan Education Act of 1968 sanctioning corporal punishment had been revoked by the Education Ministry through the lawful Notice (No. 56) in the year 2001, nevertheless, in the Education Regulations (School Discipline), as altered obviously advocates that corporal punishment may be meted out if and only if there is neglect of work, lying, bullying and gross misconduct on the part of the learner. The review on the Education Act has been in progress since 2009 and no concrete realignment has been communicated that one can write home about.

Research has frequently exposed a soaring occurrence of corporal punishment in schools as well as at home. According to a survey conducted by Africa Child Policy Forum and made public in the year 2006, involving 500 young women in the age bracket between 18 and 24 revealed that 99% agreed to have experienced physical reprimand as children in the hands of the significant other, 59.5% reported to have been struck, those who had experienced kicking totaled to 39.6%, 20.5% accepted to have been subjected to choking/burning or stabbing among many inhuman acts. Girls of between 10-13 years were the most vulnerable. According to a survey conducted by Population Communication in 2004, it revealed the physical punishment was so prevalent in institutions of learning where learners were subjected to slaps, hitting, punching and bullying.

Corporal punishment is against the law as expressed in the penal structure under article 191 of the Children Act, however, as at May 2010, stipulations for it in the Prisons Act and Rules in addition to the Borstal Institutions Act and Rules the clause regulating corporal punishment was still in effect. In charitable institutions however, corporal punishment is not legal as expressed in Article on children regulations (2005) nevertheless, there exist no ruling out of corporal punishment in other substitute care settings.

The Rights of the child committee foremost advocated ruling out of corporal punishment in every situation, including home, after assessing the primary account by the state party in 2001, CRC/C 15/ADD.160, and paras. 33, 34 and 64). Following the report thereafter in 2007, the Committee was made to believe that corporal punishment had been outlawed by law in schools and made approval to disallow it in other set-ups that did not exclude homes as asserted in CRC/C/KEN/CO/2, paragraph 6, 7, 34 and 35.

7.4 Alternatives to corporal punishment in the management of discipline in schools

Psychologists' suggestion on the issue relating to corporal punishment is that the teaching fraternity should employ alternative measures to instill discipline in learning institutions other than corporal punishment. Proponents to the alternative measures to physical beatings propose that learners should be given a chance to put down effects of their negative behaviour or they should be made to give apologies for their misbehavior to the entire school especially during assembly. As espoused by the Human Rights watch (1999), teachers can have a rowdy child sit at the back of the class as they reflect on the impact of their behavior and how to rectify it. The quiet moment would give such a child a chance to think about their life and what would become of it if the behavior is to continue. Thrashing

such a child may not necessarily bring the desired behaviour rather it may aggravate the situation making it a no win situation. If physical punishment must be administered the educators can use non abusive physical tasks such as mopping, sweeping the compound, tending the flower garden, repairing the broken fence among others as observes the Human Rights Watch (1999). Pupils subjected to these kinds of physical tasks may turn out to be the upholders of the best behaviour and a repeat of the mistake may not recur. If reinforcement on good behavior is employed the learners will definitely avoid being a nuisance in the school. Appreciation is the legal tender that all souls enjoy and children are no exception to these emotional games. Therefore educators should use alternative measure that would help realize good conduct from learners though caution should be exercised not to be used excessively or in an abusive manner. Giving up on corporal punishment is not synonymous to giving up on discipline of children as asserted by Save the Children 2001. guidance on what is right is all what children need as well as setting limits on the adult expectations otherwise the use of physical pain is a short cut that is likely to bring forth disciplined children. The mindset of the learners should be in such a way that it perceives an alternative where corporal punishment is not an option whatsoever. School discipline is a two faceted goal that encompasses the safety of both the learner as well as the teacher which creates a healthy environment that is supportive to learning. Moles (1989) argue that when students' behavior is criminal in nature it undermines the fundamentals to good co- existence and conversely, it would be a source of news headlines. According to a research conducted by Gottfredson (1989), it articulates that behavior that is disruptive can be curbed by means of setting out rules and regulations alongside repercussions of breaking such rules. The set rules should then be communicated to all the stakeholders through newsletters, handbooks and learners assemblies. Compliments from significant others serves as an extremely effective method in achieving desired behaviour from children as advocates Gottfredson (1989). If learners were to find the school environment friendly discipline issues would not be a major issue because they would always enjoy being in school. Needless to say, most of the times learners do not understand the expectations of the educators and therefore do not know how to behave. Corporal punishment is not as effective as other disciplinary measures though teachers like to have it as an option as Kopansky (2002) puts it. He further state that relatively manageable classes, parent participation in the learning process, improved teacher training as well as having discipline plans would go a long way in solving discipline issues thus creating a child friendly environment. Trainers of teachers in Kenya do advocate for the use of alternative methods instead of corporal punishment in handling learners discipline as indicated by the findings by the Human Rights Watch (1999). They further stipulate that corporal punishment was viewed by instructors as a tool towards achieving intelligence though in actual sense it makes a child redundant. Therefore they advocate for the use of a variety of alternative punishment such as withdrawing their favourite amusement, reprove or sending the child home for the parent or else parading them before others to make them remorseful. Such measures help achieve extinction of behavior since it is not being rewarded as purports psychologists.

7.4.1 Guidance and counseling for behaviour modification

As advocated for by the Human Rights watch (1999), educators can use alternative ways of behaviour modification such as guidance and counseling where they can elicit appropriate or desirable results if the teacher cares to know and understand the precursors of the behaviour in question. Behaviour is shaped mostly by what one is subjected to and it would be the sole responsibly of the teacher handling learners' with behavioral disorders to first and foremost understand the reason behind the behaviour. Moreover, some cases of behaviour are very sensitive to be handled casually. Therefore, the emotional factor of the learner should be paramount otherwise counseling may fail to achieve the desired results if not handled professionally. Aspects that educators need to have in as far as their learners background and not limited to the following factors; distance covered from home to school if the school is not in a boarding one, the type of family the child comes from as well as the financial bearing of the family could have a direct correlation to behaviour. More often than not, well off families tend to bring up children who are spoilt and the resultant effect may not be desirable at all. Poverty on the other hand may make a child irritable at the slightest provocation. Therefore, lifestyle of the child after school has a part to play especially if the child is overworked and has no room for his school work. The teacher may interpret this as laziness and when corporal punishment is meted out and as such the child may adopt a hateful stance where the teacher is concerned thus ignoring such a subject.

Be that as it may, external factors may be the causative agent of the learners' behaviour and the minute pressure it too much they tend to vent it all-in the wrong place and to people who got nothing to do with it. Therefore, as much as discipline is administered the wrong way then the desired behaviour may never yield good results. Needless to say the, beating and causing physical pain may end up aggravating the situation as indicates educators and psychologists who strongly disagree with administration of corporal punishment (Human Rights Watch, 1999). For the full realization of the application of guidance and counseling as an alternative method of behaviour modification the government and all the stakeholders should accord the teachers a comprehensive training on guidance and counseling. Therefore teacher education curricula should be revised to help achieve this noble goal.

7.4.2 Positive behaviour reinforcement

Neo-Skinnerian model stipulates that behavior is conditioned by its effects in the sense that is strengthened when followed by reinforcement. On the other hand, it is weakened if it is not reinforced. By extinction behaviour is made weak if followed by punishment and as such the school systems should follow the path of this model without necessarily inflicting pain on the learners.

Experts do not advocate for the use of corporal punishment, instead they urge those handling children to use alternative methods such as positive reinforcement techniques that are less dehumanizing and considerably reduce future occurrences of the same behaviour posits Human rights watch (1999). in addition learners' can be rewarded in various simple ways such as praises in class that would encourage those not noticed to put their best foot forward in order to earn such recognition from the teacher who is a significant other. Having a list of learners who are caring on

the notice board as well as giving special certificates to good performers in relation to discipline would go a long way in enhancing positivity in learners. A positive comment on the learners' books is another strong trick in achieving behavioral change. Those overbearing learners can be ignored if other methods have failed and with time the behaviour becomes extinct to the benefit of the learner and the class at large. As White (1975) puts forward, the less an educator responds to undesired behaviour the more extinct the behavior turn out to be. What's more, Hamblin (1978) noted that educators in all levels of learning focused on controlling behavior by inhibitions as well as putting up checks and balances.

Use of punishments in high school overshadows the use of rewards as confirms McNamara (1985 & 1986). Nevertheless teachers tend to use corporal punishment claiming it is still the better option without giving other alternatives a chance as point out Caffyn (1989). On a rejoinder, Wheldall & Merret (1978) surveyed teachers' response to different types of behaviour exhibited by learners found out that use of positive rewards was effectively accorded to those whose performance was excellent but those who performed dismally were not spared the wrath of the cane. Teachers tended to use double standards in their rewarding system as far as behaviour is concerned in that that who behaves well receives no reward while those misbehaved were reprimanded (Oso & Onen, 2005).

7.4.3 Child friendly schools (CFS)

As defined by the Ministry of Education, Child Friendly School (CFS) is one where the setting is favorable to learning, the staff is welcoming and needs such as health in addition to safety of learners are satisfactorily met.

As a way of improving the quality of learning and management in Kenyan schools, the Ministry of Education in collaboration with UNICEF launched in 2002, Child Friendly School (CFS) initiative geared towards addressing challenges that affects education in Kenya among them being safety and protection in schools. Protection of children in this case bars subjecting learners to corporal punishment which is such a dehumanizing practice that goes against the grain of the human rights conventions. The CFS initiative toolkit emphasizes on adults taking up their roles as trustees and guardians in creation of child friendly settings in schools. The kit has employed resource materials that have been used with a lot of success in other set-ups the world over.

7.4.4 Behavior management in the child friendly schools (CFSs)

Rogers (1997) came up with a model geared towards managing behaviours. He advocated that young people should own and manage their behaviours. The objective of the model is not to stop the challenging behaviors from happening but for the teacher as an adult to help the learner to manage the process of behaviour modification. CFSs draws heavily from this model in coming up with alternatives methods of discipline in schools. Children behave badly especially when disregarded and consequently demand notice from adults. Adults' instinctively tend to censure certain conducts. Needless to say, this should on no account mean censorious of a child as a person in the process. Thus it is imperative to disconnect the behaviour from the child. In essence the toolkit recommends behaviour

to be managed through; Effective establishment of classroom set of laws, formation of interesting learning surroundings with materials that are carrying great weight to children thus creating curiosity that makes them completely drawn in but not passive recipients of rules and regulations. In addition, having exceptional surveillance and recording skills to find out what causes a particular behaviour crisis. Nonetheless, Children should be aggressively engaged and motivated thus making the teacher just a part of the team in problem solving but not the custodian of everything.

7.4.5 Management of behaviour by problem solving approach

As espoused by the CFs toolkit (2002) this approach entails a group consisting of the learner, parent, or caregivers, educators as well as other professionals such as the quality assurance who will query over issues relating to physical infrastructure, social relations, instructional settings, as well as no-school circumstances. In this state of affairs the interest is not only on behaviour but also the reasons as to why it is so. More so, the needs of learners are paramount in helping shape up behaviour. Their reaction could be communicating something serious needs that redress. Positive discipline approaches involves: an entire school approach, founding of ground regulations, be acquainted with children, supervising the learning progression and the learning atmosphere earnestly. The school should be an all-encompassing and offer attention seekers a chance, be a mode and focus on resolutions instead of outcomes.

8. Conclusions

To wrap up, corporal way of punishment is not only degrading but also dehumanizing and therefore has no place in our learning institutions plus homes which are purported to be safe havens for children as points out UN committee on the Rights of the child. As guardians of learners trust and aspirations we should take up our roles of creating an enabling environment that supports children in their endeavours. Adults should always understand the fact that children are constantly learning how to live on this world and as they are fumbling with new concepts in their domains they are likely to make mistakes that tend to irritate adults and especially teachers who are charged with the responsibility of imparting knowledge. When children are drawn from diverse backgrounds and having been subjected to different parenting styles they are bound to bring the already acquired behaviour to school but that does not mean the child should be corrected through use of the cane. Moreover, there are diverse methods that can help tone down the behaviours while maintaining the dignity of the child as espoused by the world conventions on the right of the child. Essentially, the child should be socialized positively by the school as an agent, to be able to handle their own behaviours.

9. Recommendations

1. The study highly recommends that teacher education should be reviewed to incorporate aspects of handling discipline cases in schools in a humane way without necessarily causing bodily harm to the learners. Teacher education, therefore, should be flooded with proactive alternative methods of discipline that include but not limited to counseling, guidance, reinforcement as well as rewards. Child rights concepts should be infused as

well and the repercussions of failure to adhere to alternative mode of discipline be spelt out.

2. Regular refresher courses should deliberately be organized for practicing teachers to help keep their mindset on course. Circulars on the ban of corporal punishment should be sent to schools and every teacher be well versed with the contents.

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