

# **"An Examination of the Factors Influencing Teachers' Choice of Corporal Punishment as a Disciplinary Measure on students in Kenyan Public Secondary Schools in Masaba North, Kisii County"**

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## **ABSTRACT**

Corporal punishment was officially banned in Kenyan schools in 2001 through a government circular and the Children's Act. This notwithstanding, in order to enforce and maintain order in schools, teachers have chosen corporal punishment to realize this. Despite the official ban, reports from studies and information from both print and electronic media have revealed that the practice continues in many Kenyan schools. However, there is little information on the factors that influence teachers' choice of corporal punishment as a disciplinary measure on students. This study therefore was an examination of the factors influencing teachers' choice of corporal punishment as a disciplinary measure on students in Kenyan Public Secondary Schools in Masaba North, Kisii County, Kenya. To achieve this objective the study adopted a descriptive survey research design. The study adopted a descriptive survey design. Stratified random sampling was used to sample schools where teacher and student respondents were drawn from. Simple random sampling technique was used to select a sample size of 200 participants from a target population of 400 participants. Data was collected using Teacher Corporal Punishment Questionnaire (TCPQI). Data was collected using a self-administered questionnaire. The study utilized both qualitative and quantitative methods in data collection. These included structured questionnaire, interview schedule and document analysis. Data was analyzed both qualitatively and quantitatively in the light of the research questions. Data obtained was analyzed using Statistical Package for Social Sciences (SPSS Version 22.0). Qualitative data was analyzed thematically. The study revealed that; 45.5%) of the participants had not obtained any alternative training methods while a simple majority (54.5%) had undergone training in alternative discipline methods hence a source of information on teachers' choice about corporal punishment. Majority (66.7%) of the participants felt that they were unsupported on matters of discipline therefore corporal punishment was the way to go, whilst (43.3%) indicated that they had all the support from management on matters regarding student behavior, (60%) of the participants disagreed with the statement that ineffective policies was an important consideration, whilst (40%) agreed with the statement that ineffective policies was an important consideration on the use of corporal punishment, majority (60%) of the participants agreed that high indiscipline cases was a determinant to teachers' choices to use corporal punishment, whilst 33% of the participants did not believe so. A simple majority of (53%) reported that lack of consultation on the ban of corporal punishment was not a factor that determined their choice of corporal punishment whilst (46.6%) reported that it was a factor that informed their choice on corporal punishment. The study makes the following recommendations; Strengthenment of Institutional Support Systems: Since the findings of the study revealed that 66.7% of teachers felt unsupported, this means therefore that schools and the Ministry of Education should establish robust, easily accessible support systems which includes; clear disciplinary policies, mentorship programs, and on-site behavioral specialists who includes school counselors to help teachers manage challenging student behaviors effectively. Mandatory and Comprehensive Training: While 54.5% received some training, the high prevalence of corporal punishment suggests the training may be inadequate or not universally applied. The government should implement mandatory, high-quality, and ongoing professional development in positive discipline methods, conflict resolution, and behavior management. Monitor and Enforce the Ban: The continued

practice despite the 2001 ban suggests a lack of enforcement. Clearer mechanisms for monitoring compliance, reporting incidents anonymously, and implementing fair disciplinary action against repeat offenders are necessary to uphold the law. Promotion of a Whole-School Culture Change: Disciplinary reform needs to be a school-wide initiative, involving administrators, teachers, parents, and students. Fostering a positive school climate focused on mutual respect and non-violent conflict resolution is crucial.

**Keywords:** Teachers' Choice of Corporal Punishment, a disciplinary measure on students

## BACKGROUND INFORMATION

Corporal punishment has its recorded origin in classical civilizations which includes; Greek, Roman and Egyptian. According to Holden, G. W. (2002) the use of corporal punishment in medieval Europe was influenced by the medieval church which saw flagellation as a common means of self discipline. In most schools globally, corporal punishment which involves striking the student a given number of times in a generally methodical and premeditated ceremony, is the most common form of disciplinary action. According to Straus, M. A., & Stewart, J. H. (2000), by the time American children reach the age of four, 94% of them have been spanked in school by a teacher. In some cases, corporal punishment is highly dependent on a child's age, M. A., & Stewart, J. H. (2000). Parents are most likely to report daily use of corporal punishment when a child is 12-18 months Nikofoarakis, N. (2008). More than half of American parents still use corporal punishment at age of 12 years (Straus & Stewart, 2000). However, according to Jepkoech, C. (2012) corporal punishment, while potentially effective in stopping immediate behavioral transgressions, may have a range of unintended negative effects on children. Corporal punishment is however, a common practice in many schools in Kenya as revealed in Benbenishty, R. (2005).

Although corporal punishment was abolished in many states in America, teachers still use it to manage student discipline in schools (Thomson; 2002, Smith, 2008). This shows that corporal punishment ban has not been fully implemented in schools in America. This is because teachers feel that corporal punishment is effective in managing student discipline in schools and its ban results in increase in indiscipline (Hornsby, 2003). Despite the fact that corporal punishment was abolished in Australia, teachers still use it as a last resort to manage student discipline (Brister, 1999).

According to Wissow (2002), discipline is the guidance of children's moral, emotional and physical development, enabling children to take responsibility for themselves when they are older. It involves teaching children the boundaries of what is acceptable and what is not acceptable, and it makes them aware of the values and actions that are acceptable in their family and society. Positive discipline includes; praising the child for doing something good or for stopping doing something inappropriate; discipline can also be negative and this includes; smacking a child for doing something wrong. Positive discipline involves helping children to understand why certain behaviour is unacceptable and other behaviour is acceptable. Negative discipline focuses on doing what you are told in order to avoid something unpleasant (Wissow, 2000). The common school offences are stealing, dishonest, sex offences, disobedience, truancy, assault and insult, drug offences, suicide, strike or mass demonstrations (Jepkoech C, 2012).

Disciplinary actions have been applied by school administrators and teachers as an integral tool in the enforcement and maintenance of discipline in public secondary schools in Kenya. Discipline of students has been a major concern for school management (Ritter & Hancock, 2007). Benbenishty (2005) postulated that indiscipline in schools is ranked as a major problem among learners. Biglan (2003) states that the school management employs a number of strategies in maintenance of school discipline.

Despite abolition of corporal punishment in the year 2001, the economic, social and political systems in Kenya still have a strong element of authoritarian leadership and some teachers, parents, education officials and learners have deep-seated beliefs in the merits of corporal punishment Jepkoech C, (2012). This makes corporal punishment to be one of the most common form of punishment in Kenyan schools. It involves teachers striking students with a "cane": children are beaten on other parts of the body: on the back, the arms, legs, the soles of the feet, and sometimes even the face and head. Boys are hit on the backside, while girls are hit on the palm of the

hand. According to Jepkoech C (2012), the major factor in the global spread of corporal punishment was colonialism. From their inception, formal schools in western capitalist societies have been designed to discipline bodies as well as to regulate minds. Depending on the nature of the misbehavior of the child and the harshness of the teacher and school, a student might receive anywhere from two to twenty or more cane strokes at one time.

Corporal punishment has been considered as a form of torture. According to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, (U.N. Doc. A/39/51 (1984), entered into force June 26, 1987, torture means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.

Many opponents of corporal punishment argue that instructors may also discipline a child by assigning nonabusive physical tasks. They state that teachers can ask students to perform light chores, to water or weed a school garden, or to fix what they have broken: "Learners who build chairs are not apt to break them. Learners who wash walls are not apt to make them dirty on purpose. If learners are reinforced for keeping their schoolyard neat and clean, they are less likely to throw trash on it," according to the Namibian Ministry of Education and Culture (Jeff Otieno & Sekoh-Ochieng, 1998) advocates state that these punishments should be administered in a thoughtfully and not in an excessive or exploitative manner. According to Jepkoech C. (2012), for most Kenyan children, violence is a regular part of the school experience. Teachers use caning, slapping, and whipping to maintain classroom discipline and to punish children for poor academic performance.

A report by Human Rights Watch conducted in selected schools in Rift Valley Province, Kenya, in 2003 shows that in all the 20 primary schools and 20 secondary schools sampled, there was use of corporal punishment. The Kenyan government has made efforts to curb the use of corporal punishment in schools by making it illegal. This was first done through legal notice No.56 (2001), Childrens Act (2001) Article 91 and Republic of Kenya (2010) Constitution: Bill of Rights that out laws all forms of corporal punishment in the Kenya, it is however claimed that the use of corporal punishment has escalated violence in schools. This consequently justified a study about the factors influencing teachers' choice of corporal punishment as a disciplinary measure on students in Kenyan Public Secondary Schools.

### **Statement of the Problem**

Different disciplinary actions have been used as an integral tool in the maintenance of students' discipline and order while students are in school. Justification for any disciplinary action should be based on its judiciousness and the function it is deemed to play. Some modes of disciplinary actions may be inappropriate and constitute unsound educational practices. In some instances different punishments are prescribed to different students for the same mistake. This being the case, it still remains the role of the teacher to maintain discipline and order in a school to guarantee learning and educational success of learners. In doing this majority of the teachers use corporal punishment as a disciplinary measure on Kenyan students. This is done despite the official ban of corporal punishment in Kenyan schools by the Kenya government in the year 2001. Reports from both electronic and print media have indicated that this practice is common in many public schools. There is very little documented information on the factors influencing teachers' choice of corporal punishment on students.

This study therefore was an examination of the factors influencing teachers' choice of corporal punishment as a disciplinary measure on students in Kenyan Public Secondary Schools in Masaba North, Kisii County, Kenya.

### **THEORETICAL FRAMEWORK**

This study was guided by the unified theory of punishment as postulated by Thomas Brooks. In his understanding of punishment, Brooks coherently presented his thesis in three sections: The first explores in

detail the philosophical underpinnings of ‘general theories’ of punishment which includes; retributivism; deterrence; rehabilitation; and, restorative justice.

Brooks’ preferred model is a unified theory of punishment, which blends each of the previous six theories into a single, cohesive theoretical approach, which Brooks claims, rests upon the idea that different penal goals are compatible. This pluralist approach has its roots in late nineteenth-century British Idealism that popularised the works of Kant and Hegel. It is indeed compelling due to the complimentary use of each theory in combating negative aspects of the other, not to mention its flexibility *ad infinitum* in application. This may be the most ideal for a school setup, where punishment should aim to have an all-round effect on the learner. The consideration of how crime is punished is dealt with conceptually and operationally through a clear and consistent marrying of theory and practice, with extremely useful hypothetical scenarios that challenge a researcher to engage with their own moral views as well as those of society’s legal jurisprudence. Brooks reaches a comprehensive conclusion that collates theory and practice in a manner suitable to school administrators and discipline enforcers.

Brooks’s theory however, overconcentrates on punishment in form of imprisonment and does not consider non-penal responses to crime, such as community sanctions or probation, as forms of punishment. It fails to address crimes committed in schools and other institutions that do not necessarily call upon response from the state or judicial agencies. He however introduces the significance of tying punishment to existing theories. He argues that it is important to understand punishment as a practice informed by theory. This can be of great benefit to teachers and administrators in schools and more particularly Kenyan public secondary schools in Masaba North, Kisii County, Kenya

### 3.0 Research Design

The instruments of data collection were questionnaires, observation guide, interview schedule, focus group discussion guide, and document analysis guide. The content validity of the questionnaire, document analysis and interview schedule was addressed by research experts and their comments and suggestions were incorporated in the instruments. To enhance reliability, piloting was done in 10 schools. Test-retest method was used to estimate the reliability of the instruments. Quantitative data on level of use of Corporall Punishment and level of student discipline collected by use of questionnaires and document analysis was analyzed using frequency counts, percentages and means.

To achieve this objective, the study adopted *ex-post facto* research design. Simple random sampling technique was used to select a sample size of 200 participants from a target population of 400. Data was collected using Teachers’ Corporal Punishment Testing Questionnaire (TCPTQI) using a self administered questionnaire. Data was analyzed using descriptive statistics.

Masaba North of Kisii County, Kenya was chosen because it was considered as rich of information sought in this study. Data from central Bureau of Statics has indicated that Masaba North Sub-county of Kisii County is located in one of the most populated locations within Kisii County, this sub-county had a high number of primary schools to meet the needs of the rising population. The study, whose main concern was an examination of the factors influencing teachers' choice of corporal punishment as a disciplinary measure on students in Kenyan public secondary schools in Masaba North, Kisii County, Kenya".

## RESULTS AND DISCUSSION

This study was an examination of the factors influencing teachers' choice of corporal punishment as a disciplinary measure on students in Kenyan public secondary schools in Masaba North, Kisii County, Kenya". The study sought to find out from participants that factors that influenced their choice of corporal punishment as a disciplinary measure despite the official ban through legal notice No.56 (2001), Childrens Act (2001) Article 91 and Republic of Kenya (2010) Constitution: Bill of Rights that out laws all forms of corporal punishment in Kenya. The results are presented in table 1.

**Table 1: Factors influencing teachers' choice of corporal punishment**



Item	Statement	SD %	D %	A %	SA %	Total %
1	I have no training in alternative discipline methods including guidance and counseling	30	15.5	32	22.5	100
2	I feel unsupported in managing student behavior	40	26.7	20	13.3	100
3	I have a feeling that the current disciplinary policies are ineffective	33.3	26.7	20	20	100
4	I belief that corporal punishment is a necessary and sometimes ultimate solution for high-indiscipline cases	13	20	26.7	33.3	100
5	I was not consulted on the ban of corporal punishment	40	13.3	33.3	13.3	100
6	I have a strong desire towards the reinstatement of corporal punishment	13.3	20	20	46.7	100

The data obtained indicated that (45.5%) of the participants had not obtained any alternative training methods which was a factor that informed on the use of corporal punishment as a disciplinary measure while a simple majority of (54.5%) had undergone training in alternative discipline methods including guidance and counseling and consequently utilizing the available methods which included guidance and counseling as the available disciplinary measure. During a focused group discussion students reported that indeed there was corporal punishment in school and they further reported that they sought counseling services from school counselors. Busienei (2012) corporal punishment is more effective than alternative methods.

On the factor of participants being unsupported in managing student behavior (66.7%) of the participants revealed that they were supported and therefore use of corporal punishment was not a factor to concern them to choose corporal punishment as the only available option on matters discipline in school, whilst (43.3%) indicated that they had all the support from management on matters regarding student behaviour and therefore this was not an important consideration of utilizing corporal punishment as a disciplinary measure.

The findings revealed that majority (60%) of the participants disagreed with the statement that ineffective policies were important considerations to choosing the utilization of corporal punishment, whilst (40%) agreed with the statement that ineffective policies were important considerations on the choice of corporal punishment as a disciplinary measure in the absence of alternative disciplinary measures. Teachers are the implementers of policies at the school level (Ouma et al, 2013)

With regard to the factor whether teachers believed that corporal punishment was necessary and sometimes ultimate solution for high-indiscipline cases that informed teachers choice of disciplinary measure, the findings revealed that majority (60%) of the participants agreed that corporal punishment was necessary and sometimes was an ultimate solution for high-indiscipline cases and consequently an important factor on teachers' choice of use of corporal punishment, while 33% of the participants did not believe that high indiscipline cases was a determinant to teachers' choices to use corporal punishment as a disciplinary measure at school. According to Omboto (2013) teachers had a negative attitude towards ban of corporal punishment in schools.

The findings revealed that lack of consultation on the ban of corporal punishment by government was a critical factor that informed teachers' choice of corporal punishment as a disciplinary measure by a simple majority of (53%), while (46.6%) of the participants revealed that lack of consultation on the ban of corporal punishment was a critical factor on teachers' choice to use corporal punishment as a disciplinary measure on students to correct undesirable learning behaviors.

The strong desire towards the reinstatement of corporal punishment by majority of the participants (66.7%) was a very clear determinant to teachers' choice of utilizing corporal punishment as a disciplinary measure on students in Kenyan public secondary schools in Masaba North, Kisii county, Kenya, while 33.3% of the teachers disagreed with the statement and therefore the choice of using corporal punishment was not informed by a strong desire to the reinstatement of corporal punishment.

## CONCLUSION AND RECOMMENDATIONS

This study was an examination of the factors influencing teachers' choice to use corporal punishment as a disciplinary measure on students in Kenyan public secondary schools in Masaba North, Kisii County, Kenya". The study sought to find out from participants factors that influenced their choice of corporal punishment as a disciplinary measure despite the official ban through legal notice No.56 (2001), Childrens Act (2001) Article 91 and Republic of Kenya (2010) Constitution: Bill of Rights that out laws all forms of corporal punishment in Kenya.

Based on the findings of the study, a conclusion was made that despite the ban on the use of corporal punishment in Kenyan schools in 2001, the practice is still rampant in many schools with full knowledge and support of school management. The study findings revealed that all the six factors were critical considerations to teachers' choice to use corporal punishment as a disciplinary in school.

The findings revealed that majority (60%) of the participants disagreed with the statement that ineffective policies was an important consideration to choosing the utilization of corporal punishment, whilst (40%) agreed with the statement that ineffective policies was an important consideration of informing the choice of corporal punishment as a disciplinary measure in the absence of alternative disciplinary measures.

With regard to the aspect of whether teachers believed that corporal punishment was a necessary and sometimes ultimate solution for high-indiscipline cases that informed teachers choice of disciplinary measure, the findings revealed that majority (60%) of the participants agreed that corporal punishment was necessary and sometimes ultimate solution for high-indiscipline cases and consequently an important factor on teachers' choice of use of corporal punishment, while 33% of the participants did not believe that high indiscipline cases was a determinant to teachers' choices to use corporal punishment as a disciplinary measure at school.

With regard to the factor whether teachers believed that corporal punishment is a necessary and sometimes ultimate solution for high-indiscipline cases that informed teachers choice of disciplinary measure, the findings revealed that that majority (60%) of the participants agreed that corporal punishment was necessary and sometimes ultimate solution for high-indiscipline cases and consequently an important factor on teachers' choice of use of corporal punishment, while (33%) of the participants did not believe that high indiscipline cases was a determinant to teachers' choices to use corporal punishment as a disciplinary measure at school. The study made the following recommendations; the Ministry of Education should establish robust, easily accessible support systems which includes; clear disciplinary policies, mentorship programs, and on-site behavioral specialists who includes school counselors to help teachers manage challenging student behaviors effectively. Mandatory and Comprehensive Training: While 54.5% received some training, the high prevalence of corporal punishment suggests the training may be inadequate or not universally applied. The government should implement mandatory, high-quality, and ongoing professional development in positive discipline methods, conflict resolution, and behavior management. Monitor and Enforce the Ban: The continued practice despite the 2001 ban suggests a lack of enforcement. Clearer mechanisms for monitoring compliance, reporting incidents anonymously, and implementing fair disciplinary action against repeat offenders are necessary to uphold the law. Promotion of a Whole-School Culture Change: Disciplinary reform needs to be a school-wide initiative, involving administrators, teachers, parents, and students. Fostering a positive school climate focused on mutual respect and non-violent conflict resolution is crucial.

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