

Teachers' Lived Experiences with the Ban on Corporal Punishment as a Strategy for Addressing Moral Decline in Secondary Schools in Bungoma County, Kenya

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ABSTRACT

The eradication of corporal punishment in Kenyan schools in 2001 signaled a major shift in disciplinary techniques, with a greater emphasis on guidance and counselling as an alternative strategy. This transition spurred widespread debate among educators, legislators, and other stakeholders over the effectiveness of non-punitive techniques in preserving discipline and moral standards in schools. The purpose of this study was to investigate the lived experiences of teachers in regard to the ban on corporal punishment in Kenyan secondary schools. The study was anchored on the following objective. Examine the lived experiences of teachers with the ban on corporal punishment as a strategy for addressing moral decline in Kenyan secondary schools. The study was grounded on African communitarian philosophy, which is anchored on collective responsibility within the community in moral development of children. Communitarianism advocates the family as the place where personal responsibility is first learned and then schools – the second line of defense. The study adopted two philosophical methods for the purpose of bringing out methodological triangulation. Hermeneutic phenomenology was used in order to extract the lived experiences of the teachers handling discipline in secondary schools. Philosophical analysis was infused into all the objectives with the aim of helping to foster Socratic dialogue and building logical coherence from the extracted lived experiences. The target population comprised deputy principals and heads of guidance and counselling from secondary schools in Bungoma County. To provide a representative sample, this study utilized purposive sampling in choosing schools. A sample size of four deputy principals and four heads of guidance and counselling was chosen. The sample size was guided by the principles of hermeneutic phenomenological research which is concerned mainly with the depth and not the breadth of the information. Information utilized in this study was sourced from both primary and secondary data. Primary data was collected using unstructured phenomenological interviews. Secondary data was gathered from articles from peer referred journals, government policy documents and reports, thematic text books, internet sources, pioneer projects, theses and newspaper articles that allude to issues of moral concern in the Kenyan context. Primary data was analysed through IPA and secondary through document analysis. The study concluded that, the concept of corporal punishment in the lifeworld of teachers doesn't ascertain the teacher's ontology since there is no smooth relationship between the etic and the emic knowledge of the teacher over the same. The study therefore recommended Socratic mode of teaching should be emphasised in order to prepare teachers for moral development among the learners. Communitarian philosophy should be emphasized so that all institutions within the society should be involved in the moral development of children.

Keywords: Ban on Corporal Punishment, Moral Decline, Teacher's Lived Experiences, Bungoma, Kenya

I. INTRODUCTION

Debate has persisted over the use of corporal punishment in modern pedagogy as a corrective measure for moral decline. This is due to two opposing schools of thought: one that believes corporal punishment is morally legitimate and should be legalized, and another that believes all corporal punishment, including parental spanking, is morally illegitimate and should be legally prohibited (Lenta, 2017).

The controversy is escalated by how the two opposing school of thoughts conceptualize the definition of corporal punishment. According to the united Nations committee on the right of the child of 2001 corporal punishment is any punishment in which physical force is used and intended to cause some degree of pain or discomfort however light.

Conversely, those in favour of physical punishment have also thought through what they mean by it. Hanna (2020) defines punishment as the direct or indirect infliction of physical discomfort or pain on a child by a parent or other person in a position of authority, usually for the purpose of stopping the child's unwanted behaviour, preventing the reoccurrence of an unwanted behaviour, or because the child failed to do something she was supposed to do.

Chisholm (2007), on the other hand, define corporal punishment as the use of physical force with the intention of causing a child pain but not injury in order to correct or control the child's behaviour.

From the above definitions it can be argued that those who oppose the use of corporal punishment have failed in their definition to explain why corporal punishment is administered while those who support, from their definition have justified why corporal punishment is administered. Due to divergent view points on corporal punishment, we have countries which have legally prohibited corporal punishment administered by parents in addition to that meted out by teachers (Lenta, 2017) some of this countries include Benin, Congo, Kenya, South Sudan, Togo, Tunisia and South Africa.

However Corporal punishment in schools, still viewed by many as a “necessary concomitant of education because deemed to be a stimulus to industry and good behaviour, an aid to building moral character and a means of creating and maintaining an environment conducive to learning Kiili (2014). As a result of this corporal punishment is still permitted in more than seventy others, including some parts of United States, Eritrea, Libya, Mauritania, Nigeria, Somalia Tanzania and Zimbabwe (Najoli et al, 2019).

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), Children’s Act (2001) Article 91 and Republic of Kenya (2010) Constitution: Bill of Rights that out laws all forms of corporal punishment in the country. Most recently, the government has outlawed all forms of harassment be they physical or mental through Basic Education Act of 2013. Article 35 of the bill states that no child shall be subjected to in human or degrading treatment or punishment in any manner. However, despite the ban studies indicate punishments especially corporal punishment is widely used to solve disciplinary cases in some schools in Kenya despite the ban (Ajowi & Simwata, 2010; Mweru, 2010).

The argument over corporal punishment in schools, when analysed via Kant's categorical imperative, which asserts that, act only according to that maxim that you can, at the same time, will that it should become a universal law Matofari (2021), clearly indicates that it does not correspond to the categorical imperative. The fact that corporal punishment is accepted in some countries but not in others implies that it does not satisfy the condition of being a universal moral law, as stated by Kant. However, the debate of whether corporal punishment can ever be universally justified is complicated, with cultural, legal, and moral viewpoints all entwined.

1.1 Statement of the Problem

In 2001, the Kenyan government prohibited the use of corporal punishment in schools and implemented the Children's Act, which guarantees children's protection from all forms of maltreatment and violence (Government of Kenya, 2001). Furthermore, Kenya is a signatory to the Convention on the Rights of the Child, which in Articles 19, 28(2), and 37, states that discipline involving violence is prohibited. Nevertheless, a variety of empirical studies and reports (Stephen and Simiyu, 2022; Matofari, 2021; Farrell, 2020; Kindiki, 2015) suggest that corporal punishment, particularly caning, continues to be in use in numerous Kenyan schools.

Tragically, this continued use has sometimes resulted in fatalities among students (Awala, 2021). Despite clear legal prohibitions, the persistence of corporal punishment in schools raises significant concerns. To address this, the study seeks to investigate the lived experiences of teachers in Kenyan secondary schools through a phenomenological approach, aiming to understand their ontological perspectives on corporal punishment as a means of controlling student behaviour.

1.2 Research Objective

Explore the lived experiences of teachers with the ban on corporal punishment as a strategy for addressing moral decline in Kenyan secondary schools

1.3 Research Questions

What are the teachers' lived experiences with the prohibition on corporal punishment as a technique for mitigating moral decline in Kenyan secondary schools?

II. LITERATURE REVIEW

2.1 Theoretical Review

2.1.1 African Communitarianism

The concept of ethics in the African traditional society is based on the notion that man is never alone. Thus, society according to Husien & Kebede (2017) is a series of interrelationships in which each one contributes to the welfare and the stability of the community, and avoids that which is disruptive or harmful to the community’s life.

African communitarianism therefore asserts that education of African child did not lie solely with the parents; as a child born into a community was expected to acquire the norms and values of such community. The community played a bigger role in the upbringing of the child. Marah (2006) posits that while biological mother attended to the education of the child in the early childhood, community assumed the greater role as he approached adolescence.

Awala (2021) observes that the African communal structures which involved the family and the society in the moral development of the learners were very effective then. The father for instance was the custodian of morality in the family and was to be a role model to the children. Bad habits were not tolerated and corporal punishment was used to administer discipline.

He is of the opinion that the variance between contemporary education and the indigenous one is that while in the indigenous educational system the entire family played an essential part in the formation of the young person, in the contemporary society, this role is fully handed over to schools and yet the power to admonish the children is withdrawn from them in Kenya. The children's rights have been stressed at the expense of their responsibilities. to Kazeem (2009), the community took priority both ontologically and epistemologically over the individual (the child). Education of this sort was expected to inculcate in the child moral probity, right conduct and integrity in order to demonstrate that his moral life is united with that of the community (Ezekwonna, 2005).

2.2 Empirical Review

2.2.1 Perceptions of teachers on prohibition of corporal punishment

Makewa et al. (2017) highlight teachers' continued use of corporal punishment, despite the legal prohibition in many countries. This continuous practice indicates a complicated link between policy and practice, especially in the context of education. The persistent use of corporal punishment highlights the challenges in properly adopting alternatives, raising issues about teachers' ontology in light of the prohibition on corporal punishment.

In 1987, the United Kingdom outlawed corporal punishment in schools. Nevertheless, some studies indicate that the underlying belief system that supports this kind of discipline has remained substantially unchanged. According to Zhou (2023), over half of British parents still favour the use of corporal punishment in schools, seeing it as a potentially useful tool for preserving student discipline and enhancing educational achievements. Concerns about increased occurrences of school bullying, absenteeism, and chaotic classrooms have generated conversations among teachers, parents, and lawmakers about the necessity of school safety and order.

According to Vagle (2018) in India, the notion of corporal punishment is inspired by socio-cultural views that justify its usage on students. Enduring religious beliefs and practices, such as the caste system, have affected teachers' use of corporal punishment. In Indian schools, corporal punishment is a popular form of strict discipline and child management. Some teachers believe an instant response for each offence helps to create an ordered atmosphere, and that corporal punishment is a suitable tool for that purpose, particularly in packed classes. Teachers often regard CP as a fast and effective type of punishment and as a deterrent to future disturbances, the latter objective serving notably when utilised publicly as a warning message to other students (Vagle, 2018).

In Africa, corporal punishment is considered a cultural tradition. It is considered an important instrument in education. According to Makewa, et.al. (2017), teachers and parents who refrain from using corporal punishment are considered neglectful. Some parents believe that if children are spanked or punished for particular mistakes, they will develop into well-mannered adults. Some argue that removing corporal punishment is a Western-centric ideology that would disrupt African customs and lead to moral deterioration (Makewa, et.al., 2017).

Onias (2022) conducted a study on *primary school teachers' perceptions of the abolition of corporal punishment: a case study in Zimbabwe to interpret teachers' views on the abolition of corporal punishment*. The study's main finding revealed that most teachers were opposed to the abolition of corporal punishment, in contrast to current trends informed by human rights and psychological perspectives that support the ban. The findings revealed that teachers continue to use corporal punishment in response to parental requests.

In contrast to Onias' (2022) psychological lens, this study placed a greater emphasis on rational knowledge. It aimed to delve into the participants' depths of consciousness and gain a profound understanding of the ontological perceptions held by teachers regarding the ban on corporal punishment in schools.

The shift to a philosophical viewpoint was critical for several reasons. First and foremost, it recognizes that the issue of corporal punishment in schools extends beyond the realm of psychology. It examines not only the immediate emotional and psychological effects but also the philosophical underpinnings of educational practices and ethics.

This study utilized rational knowledge to investigate the underlying philosophical beliefs and values that guide teachers' actions and attitudes. It goes beyond simply documenting psychological reactions and seeks to uncover the fundamental principles that shape teachers' attitudes toward the prohibition of corporal punishment.

Furthermore, the study's goal of understanding teachers' ontological perceptions added complexity and depth to the research. It acknowledged that teachers' attitudes toward corporal punishment are more than just surface-level opinions; they are deeply rooted in their understanding of reality, morality, and the nature of education itself. Exploring the ontological dimensions of teachers' perspectives shed light on why certain practices persist and what this means for the larger educational landscape.

Furthermore, Ntuli and Machaisa (2014) conducted a study on the Effects of Banning Corporal Punishment on Discipline in South African Schools: A Case Study of Secondary Schools in Sekhukhune District, Limpopo Province,

which utilized qualitative focus-group interviews with educators. According to the study, there has been a decline in school discipline since the prohibition of corporal punishment. It was also found that there is a problem with using modern disciplinary methods because of, among other things, a lack of training or, in certain cases, very little training from the Department of Education on alternatives to corporal punishment and its ambiguity.

Similar to the above, a study carried out by Atemnkeng and Azefack (2020) on the *Abolition of Corporal Punishment as a Form of Discipline in Cameroon's Secondary Schools: "Constraint or Enhancement*, the paper sought to investigate the constraints or enhancements of the abolition of corporal punishment on the behaviours of students in secondary schools in Cameroon, the root causes of school disciplinary problems, the behavioural challenges teachers face in class, the effectiveness of disciplinary reasoning, and proposals from school administrators on better disciplinary strategies to be implemented in secondary schools.

Findings suggested that, the abolition of corporal punishment alongside other factors such as an un-conducive school environment was responsible for highly noticeable deviant behaviours such as truancy, delinquency and recalcitrance marked with insults from students on teachers and administrators who try to discipline them.

They observe that while the idea of counselling is well received by teachers and administrators, corporal punishment is more effective, particularly in the African context. As a result, the elimination of corporal punishment is a constraint on students' behaviour. The study concluded that corporal punishment should be reinstated, but with caution.

Both studies agree that when corporal punishment is absent, the rate of moral decay increases. In Lenta (2017), Socrates expressed similar views, arguing that spanking is an effective form of discipline when other forms fail. He contends that in the absence of corporal punishment, children's behaviour will spiral out of control and become increasingly anti-social.

He goes on to say that corporal punishment is thought to benefit not only the children who receive it but also their parents and teachers, and that it promotes the collective good by encouraging law-abidance in future adults and helping to "produce a civil, respectful, and educated citizenry, which, in turn, generates significant benefits for all members of society," thus Contributing to the widespread approval (Moyo et al., 2014).

From the above studies it can be vividly argued that the elimination of corporal punishment from the school is a contentious issue. While supporters argue that it is a progressive step toward creating a more humane and compassionate learning environment, there is legitimate concern that simply banning corporal punishment without also establishing appropriate mechanisms to mitigate moral decline among students may have unintended consequences. One such consequence is the possibility of producing a generation devoid of values.

The use of corporal punishment in schools has frequently been linked to instilling discipline and values in students. In its absence, the question becomes: What will take its place to instil these values? This void in disciplinary measures may result in an environment in which students are not held accountable for their actions, resulting in moral decay.

Furthermore, emphasizing alternatives to corporal punishment without implementing effective deterrence mechanisms may not be sufficient to address the issue. In the absence of strong deterrents, students may not take disciplinary measures seriously, and the effectiveness of alternative approaches may be jeopardized. This highlights the need for a comprehensive study to investigate how the elimination of corporal punishment and the implementation of alternative disciplinary methods affect students' moral development and behaviour.

This study sought to bridge this gap by investigating teachers' lived experiences while dealing with indiscipline cases in the post-corporal punishment era. While previous research has looked into teachers' attitudes toward corporal punishment (e.g., Najoli et al., 2029; Cicognani 2004; and Kindiki 2015), understanding these attitudes requires a more in-depth examination of the experiences that shape them. Teachers' attitudes are shaped by their daily encounters with student behaviour and disciplinary challenges.

The phenomenological approach taken in this study aimed to bridge that gap. Phenomenology, as a philosophical method, holds that human experience of the everyday world is a valid and necessary way to interpret the world. By focusing on teachers' lived experiences, it delves into the intricate web of thoughts, emotions, and perspectives that inform their actions and attitudes.

The study intended to uncover the deeper layers of teachers' experiences in dealing with indiscipline cases using phenomenology. It aimed at investigating not only what teachers think but also why they think that way. This approach provided a nuanced understanding of the complex interplay of factors that influence teachers' decision-making, which goes far beyond the surface-level attitudes examined in previous studies.

In essence, this study aimed to close the gap between policy changes and their implementation in schools. Understanding teachers' lived experiences provides the insights that are needed to develop more effective and contextually relevant strategies for maintaining discipline in schools while also upholding fundamental values.



III. METHODOLOGY

3.1 Research Design

The Interpretive Phenomenological Approach (IPA) was implemented in this investigation. This qualitative research methodology facilitated the examination of the "lived experiences" of the participants in the study.

3.2 Study Location

The study research was situated in the entire country due to the pervasive nature of the issue across the entire country. However, for the sake of specificity, schools in Bungoma County were selected as the primary focus, given that the county is among those that had witnessed incidents of school unrest in the past two years.

3.3 Target Population

The target population comprised deputy principals and heads of guidance and counselling from secondary schools in Bungoma County. The study targeted 4 deputy principals and 4 heads of guiding and counselling especially those who had recently experienced the phenomenon. In this selection, there was no need to visit schools that had not experienced violence, for there would not be any phenomenon to study.

3.4 Sampling Procedure and Sample Size

The study adopted purposive sampling as a method of participant selection. This approach was chosen because it ensures that persons chosen to engage in the phenomenological study possess substantial and relevant experiences related to the topic under investigation (Moustakas, 1994). The research used a sample size of eight participants. They were selected from schools in Bungoma county, consisting of three boys' boarding secondary schools, two girls' boarding secondary schools, and three mixed day and boarding secondary schools. The selection was made by the researcher's discernment, specifically targeting schools that had encountered the predominance of the phenomenon under investigation

3.5 Data Collection Method

Unstructured phenomenological interviews were used for the study. This is a common way to collect data in phenomenology because it helps people give detailed accounts (Vagle, 2018). Conversational, open, and dialogic are words that describe unstructured conversations.

3.6 Data Analysis

Interpretive phenomenological analysis (IPA) was used to explicate primary data from phenomenological interviews of the co-researchers who had experienced the phenomena.

IV. FINDINGS & DISCUSSION

The lived experiences teachers on the prohibition of corporal punishment as a strategy for addressing moral decline in Kenyan secondary schools. The Table 1, Interpretative Phenomenological Analysis of Interview Transcripts (IPA) from first to second order constructs and derived themes on the lived experiences of teachers on prohibition of corporal punishment as means for addressing moral decline in Kenyan secondary schools.

Table 1

Interpretative Phenomenological Analysis (IPA) of Interview Transcripts on the lived experiences of teachers on the ban on corporal punishment in addressing moral misconducts

First order constructs	Second order constructs	Derived themes
DP1: It worked best if done right since it made students fearful of making the same error again	CP is effective when administered in accordance with appropriate guidelines; instils fear in order to prevent the recurrence of mistakes.	Worked if regulated
DP1: What do you mean when you say "as long as it's done right"? Long ago, there were guidelines for the head teacher to follow regarding how many strokes to deliver and where, followed by a complete abolition of these guidelines. For the time being, we call on parents and instruct them to discipline their children at in school. For some parents, this works incredibly well, but for those who don't discipline their children at home, it's difficult to take on such tasks	Corporal punishment is beneficial when administered under appropriate conditions; teachers engage parents due to the absence of legislation governing parental application of corporal punishment.	Parental engagement
Dp2 Corporal punishment is a short-term deterrence to deviation from moral code in the school context but where moral decline needs a lasting cure the students should undergo a patient process of moulding and mentorship to develop character that will enable them fit in the larger society	CP provides short-term solutions, but character-building requires long-term, patient mentorship and guidance	short term deterrence
DP3 Because of little pain inflicted by the cane it used to create some fear for deliberate mistakes made by students	CP creates fear, especially for minor mistakes	Fear as a tool
DP4 from where I sit I tell you there are classrooms teachers dread to enter especially when other teachers are not around like over the weekend, they are chaotic they fear for their own safety CP helped to control such behaviours but for now they feel going to such a class is wasting time	CP helped control chaotic behaviours, and without it, some classrooms are uncontrollable	Chaotic classrooms
DP5 some teachers abused the cane. It was not controlled. It really stipulated as to who should administer it and on what grounds	There was a lack of regulation in CP administration, leading to abuse by teachers	Abused if not controlled

The table above presents an interpretative phenomenological analysis of teachers' lived experiences regarding corporal punishment (CP) as a strategy for addressing moral decline in Kenyan secondary schools. The first-order constructs reflect direct quotes from respondents, providing insight into their experiences and perceptions. The second-order constructs categorize these experiences, while the derived themes synthesize the overarching ideas.

4.1 Discussion

4.1.1 Corporal Punishment and Fear

The derived themes from the second order constructs of the interpretive phenomenological analysis expresses the being in the world of the teachers. These are their thoughts and feelings in their lifeworld; From the lived experiences of teachers, the use of corporal punishment creates fear among the learners and in the absence of the same the learners are no longer fearful, they openly challenge teachers. So corporal punishment creates fear on the learners to avoid some mistakes and it is effective if it is given some limitation. Also, from the literature gathered the use of corporal punishment creates fear among the learners (Potter, 2009).

The first expression of fear from the lifeworld of teachers connotes positive attributes such as respect for authority that emanates from controlled use of the CP. The second expression of fear connotes negative feelings, unpleasant emotions that can be portrayed by learners when caned. The above two observations bring about the ontological conception of corporal punishment as explained in the next section.

4.1.2 Ontological Conception of Punishment

The gathered literature helped this study to get what Husserl referred to as ‘what we can know about the world’ that is the epistemology. What we know about corporal punishment from the psychological, sociological and the human rights perspectives. Through hermeneutic phenomenology then, the study ventured in what is referred to as ‘to the things themselves’ thereby shifting from what we know about the world (epistemology) what it means to be in the world (ontology).

Therefore, the lived experiences extracted from the teachers helped to bring their ‘inner’ and outer experiences on the phenomenon of moral decline in schools and on the use of Corporal Punishment to control learners behaviour. The synthesis of inner experiences and outer experiences is what is termed to as the intentionality. That is the aboutness of an object (Farrel, 2020). The perception arising from the physical object and what the mind feels. Outer experiences as explained by Kiili (2014) are the ontic or etic this is the objective knowledge about the phenomenon. In this case, the phenomenon being moral decline in schools and the use of corporal punishment in mitigating the vice. The inner experiences are the ontological or the emic. This is the subjective experiences within the individual.

The ontic or objective knowledge that displays the outer experiences as gathered from the reviewed literature displays that corporal punishment has diverse psychological effects on the learner, it is against the human rights and so many others. However, from the lifeworld of the teachers who spend most of the time with the learners their ontological position is that in the absence of the corporal punishment the learners are out of control. The learners can openly challenge them because they know there is no any other punishment equivalent to corporal punishment. The teachers therefore feel hopeless and helpless. In short the learners are no longer fearful.

The aforementioned arguments suggest that there is a lack of integration between the etic and the emic in teachers' lifeworld when it comes to the prohibition on corporal punishment for behaviour control. Therefore, corporal punishment as expressed by different school of thoughts from the reviewed literature does not ascertain the teacher's ontology. To expound further there is need to look into the concept of knowledge so that we can deduce the epistemological concept of punishment.

According to Scheffler (1965), there are three conditions of knowledge. That is belief condition, the truth condition and the justification condition. So for one to claim to have known something It has to meet the above conditions. So knowledge is justified true belief. Belief is a construction that something is as it is stated. Anyone who makes a claim to knowledge must believe that it is so. There is need for psychological change of mind, it entails the conviction. Truth refers to the agreement between our thoughts or mind judgements and reality. The justification entails that there must be evidence or the ground for the belief. We must have good reason for believing that this supporting idea is true. The above three conditions must be satisfied in order for one to possess knowledge. This account, known as the tripartite theory of knowledge. The Tripartite Analysis of Knowledge:

S knows that p if

- i. p is true;
- ii. S believes that p ;
- iii. S is justified in believing that p

P is the fact that punishment has negative impact S is the teacher who has been given valid reasons to him that punishment has negative impacts and he needs to believe it for that to be knowledge to him.

Aforethought there could valid reasons that justifies that corporal punishment has negative effects on the learners but the problem arises on what the teachers and others who support it perceive. There is no psychological change of mind over the same. Probably the reason for this due to the the cultural background of the teacher on the use of corporal punishment. The concept of corporal punishment as expressed could probably not ascertain the ontological positions of the teachers. This has resulted in teachers complaining on why it was banned.

Hence, one could posit the fact that the controversy surrounding corporal punishment is complicated by cultural and societal beliefs and differences. Practices and beliefs around discipline vary across different countries and communities, and what may be considered acceptable or unacceptable can differ significantly.

The above observation is supported by Atemnkeng and Azefack (2020), who argue that The world's globalisation in the 21st century fails to successfully homogenise respective cultures, traditions, and belief systems in terms of imparting discipline in education. Differences in norms, attitudes, and values continue to persist in disciplinary methods such as punishment.

It is noteworthy to mention that despite the implementation of the United Nations Convention on the Rights of the Child (UNICEF, 1989), which safeguarded children against violence, the notion of corporal punishment remains a

subject of controversy. Kindiki (2015) contends that despite the prohibition of corporal punishment, Kenya's political, economic, and social systems continue to exhibit authoritarian tendencies, and certain educators, parents, and students continue to hold deeply ingrained convictions regarding its validity. It is therefore imperative to provide a smooth integration of the ontology and ontic aspects of the concept of punishment.

4.1.3 Corporal Punishment and Deterrence

The lived experiences of teachers express that the behaviours of learners express that the deterrence mechanisms in schools after the ban of corporal punishment are very minimal. From the lived experience of DP1 he expresses that

DP1: It works best if done right since it makes students fearful of making the same error again

And *Dp5* expresses that in the absence of CP the learning environment turns out to be chaotic. However, there are those teachers who opine that CP provides a short lived solution to the problem hence does not deter DP2.

R.S. Peters, one of those who defend the use of corporal punishment on the grounds of deterrence, argues in Lenta (2017) that teachers' use of corporal punishment on pupils is predominantly justified by its deterrent effect.—by being necessary for preserving a system of order which is necessary for educational activities to proceed and that of the usual forms of punishment, the cane is probably the most effective as a deterrent.

According to Benatar in Lenta (2017), the infrequent use of physical punishment may give it a special status that may well provide psychological reason to avoid it out of proportion to its actual severity, which might make it effective as a deterrent.

Lenta however contends that Empirical ambiguity undermines the assertion that physical punishment is a useful marginal deterrent. He argues that Peters gives no supporting data over the same.

However, this study refrained from delving into the contentious discussion of whether physical punishment is morally acceptable or unacceptable or whether it serves as a deterrent in a school environment. The primary question on the agenda was whether the moral development of the learners required deterrence as a philosophical notion and whether schools have put in place deterrence mechanisms. In order to address this, the study examined how the teachers' real-world experiences reflected Kant's metaphysical moral philosophy.

4.1.4 Metaphysical conception of deterrence and moral development of learners

Regarding the metaphysics of morals, Kant distinguishes between two classes of moral virtues. *Recht*, which is an abbreviation for *Rechtslehre* (the doctrine of law), and *Tugendlehre* (the doctrine of virtue) Kant contends that the two components must be present in any prescriptive lawmaker.

Recht represents actions that are to be done as objectively necessary, which makes an action a duty, and second, an incentive, which connects ground for determining choice to this action subjectively with the representation of law (Potter, 2009).

Recht involves externally imposed laws, and in this study, they could be school rules, which is the ontic, while *Tugend* involves internally self-imposed ethical laws, the inner moral command, which is the ontology. Therefore, as Kant argues, the two must be essential for proper moral development; he essentially means that the ontic and ontology should be seamless.

Motive or incentive distinguishes the two principal tenets of Kantian moral philosophy— *Recht* and *Tugend*— from one another. *Recht* posits that incentives are exclusively coercive and external in nature, whereas Kant contends that punishment as an institution serves as the primary provider of incentives. He contends that this constitutes a fundamental and indispensable component of account law. Law without incentive is not law at all (Potter, 2009).

As an incentive, punishment causes the subject to endure suffering, deprivation, or loss, which is something that everyone will always seek to avoid. Strong desire to evade punishment serves as the incentive. For instance, during the COVID-19 pandemic, a law requiring the wearing of masks was passed so as to prevent the spread of the disease, and the incentive was imprisonment or a huge fine. The strong wish to avoid the punishment made a good number of people wear masks, not because they were concerned about others but because they avoided the penalties.

Therefore, for any institution to function well, there should be deterrence, which will prevent people from either repeating or making the same mistake. Evident from the lifeworld of the teachers in their being, they argued that with the removal of the CP, there are no longer deterrence mechanisms in schools, and that is why learners act indifferently, knowing that nothing equivalent to corporal punishment will happen to them. In fact, it is parents who are normally punished for the mistake of their children. Kant argues that unless there are a deterrence imposing system present there is no system of law at all.

The assertion put out by Professor George Magoha, the former cabinet secretary for education, highlights the significance of deterrence as a pivotal element in the ethical development of children and adolescents. He made an argument stating that pupils who participated in acts of arson in schools would not only be required to compensate for the damages caused but would also face legal consequences and be subjected to punishment through the judicial system. Additionally, he asserted that individuals who are beyond the age of eighteen will be subject to incarceration as a means

of discouraging others from participating in similar criminal activities. Furthermore, he proposed the implementation of a database to track and limit their future opportunities.

It can be further argued that by putting emphasis on guiding and counselling in schools and abolishing corporal punishment without building or creating alternative deterrence mechanism for learners, the government was strengthening the *Tugend* and weakening the *Recht*. As stated earlier, the *Recht* and *Tugend* should work seamlessly for proper moral formation. This perspective is endorsed by Kant, who argues in his work "Tugendlehre of the Metaphysics of Morals" that inner morality resides within the individual. According to Kant, individuals are motivated to act purely out of a sense of duty, which is facilitated by a metaphysical power. For Kant, the incentive to act morally is reinforced by a system of punishment, making deterrence a fundamental and primary objective of the institution of punishment.

It could be for this reason that despite the ban of CP in most liberal economies, the practice is still legal in some of the same economies, for instance in the US 19 states still use CP. Some districts that had abandoned CP 20 years ago decided to reinstate it claiming the decision was made at the urging of parents. Policies have been put in place stating that CP will be used after other forms of discipline have failed and with permission of head teachers and parents. Corporal punishment allowed is "swatting the buttocks" with a wooden paddle one or more times (Zhou, 2023)

Therefore it can be concluded that deterrence is an effective component in the school environment. The schools as a deterrence institution was so important in moral formation of the learners in that parents could warn their children who misbehaved from home, that is away from school that they will be reported to their teachers, however from the lived experiences, the school environment has become chaotic in the absence of the deterrence and the parents at home are helpless when it comes to learners who misbehave. When called upon in school they are unable to admonish their own children.

4.1.5 Corporal punishment and abuse

From the lived experiences some teachers agree that to some extent corporal punishment was abused

DP6: some teachers abused the cane. It was not controlled. It was to be stipulated as to who should administer it and on what grounds

However others content that as long as it administered in the proper manner CP is still essential component in controlling learners behaviour

DPI: It is the best as long as you do the right way because it instils some fear of repeating the same mistake
DPI What do you mean when you say "as long as it's done right"? Long ago, there were guidelines for the head teacher to follow regarding how many strokes to deliver and where, followed by a complete abolition of these guidelines. For the time being, we call on parents and instruct them to discipline their children at in school. For some parents, this works incredibly well, but for those who don't discipline their children at home, it's difficult to take on such tasks

The lived experiences expressed by teachers agrees with the reviewed literature on corporal punishment might lead to abuse. The study interprets abuse in two aspects. The teachers used the cane for a wrong purpose and two teachers used cane and it caused severe injuries on the learners

As per DP 6, certain educators abused the cane due to its lack of control. This could indicate that these teachers regularly enforced the cane on students including those who had not attended class, failed tests, or even had parents who had not made timely fee payments. Since these are not behavioural problems, corporal punishment was not employed in schools to address moral decay; rather, it was used for various other reasons.

When administered appropriately, closely examining DPI's thoughts the use of the cane used to arouse some apprehension in the students and promote discipline. Therefore, changing behaviour was the primary goal.

V. CONCLUSION & RECOMMENDATIONS

5.1 Conclusions

On the concept of corporal punishment, the issue should not be polarized. It should however engage moral dialogue and embrace Aristotle's concept of *golden mean* an approach to ethics that emphasizes finding the suitable medium, or middle ground, between extremes.

5.2 Recommendations

ATCPs should be anchored communitarian philosophy for them to be effective in handling moral decline. There is need for clear policy guideline from the ministry of education in relation ATCPs that involves and create awareness on regard to corporal punishment so as to address the emic and etic on the side of the teachers. Parental involvement on regard to discipline of the learners should be emphasised

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