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RESEARCH ARTICLE

IMPLEMENTATION OF THE BAN OF PHYSICAL PUNISHMENT IN PUBLIC PRIMARY SCHOOLS IN KENYA: A STUDY ACROSS PUBLIC PRIMARY SCHOOLS IN VIHIGA COUNTY.

Maurice A. Ndolo and *Enose M.W. Simatwa

Faculty of Education, Tom Mboya University College, Kenya, (A constituent College of Maseno University)

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*Corresponding author:

Enose M.W. Simatwa

ABSTRACT

Physical punishment and mental harassment as methods of managing pupil discipline in primary schools are currently unlawful in line with the Basic Education Act, 2013. However, despite the ban, by the year 2015 the status in Vihiga county was such that Emuhaya Sub-County had a higher rate of indiscipline cases where there were 833(53%) cases compared to 644(43%) in Vihiga Sub-County and 543(37%) in Hamisi Sub county. The objective of the study was to determine the extent of implementation of ban of physical punishment in Vihiga county. A conceptual framework consisting of implementation of ban of physical punishment as the independent variable and pupil discipline as the dependent variable were used. The results showed that the overall mean rating on extent of implementation of ban of physical punishment was rated 2.89, which translated to moderate ban in terms of implementation. The study concluded that the ban of physical punishment in Vihiga County and by extension in Kenya was only partially being implemented. The study recommended that ban of physical punishment be fully implemented in primary schools. The study findings are significant in informing the stakeholders in education, for example the Ministry of Education, Teachers Service Commission, learners, teachers, policy makers and members of school management boards that the ban on physical punishment and mental harassment is indeed being implemented and improving pupil discipline in public primary schools, and should be implemented fully.

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INTRODUCTION

Physical punishment and mental harassment are unlawful in schools under the Kenyan Constitution (2010). Article 29 of the constitution states that every person has the right to freedom and security of the person, which includes the right not to be subjected to any form of violence from either public or private sources; subjected to torture in any manner, whether physical or psychological subjected to physical punishment or if treated or punished in a cruel, inhumane or degrading manner. The Basic Education Act 2013 states expressly in section 36 (1) that no pupil shall be subjected to torture, cruel, inhuman or degrading treatment or punishment, in any manner, whether physical or psychological and section 36 (2) a person who contravenes the provisions of section 36(1) commits an offence and shall be liable on conviction to a fine not exceeding one hundred thousand shillings or to imprisonment not exceeding six months or both. Physical punishment is the use of physical force intended to cause pain, but not injury, for the purpose of correcting or controlling a child's behavior (Straus & Donnelly, 2005).

The concept is further elaborated by Gershoff (2002) that physical punishment are; behaviors, which do not result in significant physical injury (such as; spanking, slapping) are considered physical punishment, whereas behaviors that risk injury (such as; punching, kicking, burning) are considered physical abuse (Gershoff, 2002). Mental harassment on the other hand may take the form of threats, neglect, verbal abuse or denial of necessities. These forms of punishment cause some degree of pain and discomfort with the aim of correcting, controlling or changing behavior or educating or bringing the child up (Save the Children, 2003). Discipline and organization among students in schools is vital in creating a conducive environment for learning. Discipline is a big concern for the teacher because the success or failure of a teacher or a principal of a school depends on it. Therefore, students discipline is a critical factor in judging the performance of a teacher (Onyango, Simatwa & Gogo, 2016). Sound discipline is an essential ingredient in the creation of a happy and industrious school community properly performing its function of training the young citizens. For the school to realize the stated objectives of education, discipline has to be inculcated in each student.

Discipline ensures order and forestalls chaos in a school environment (Griffin, 1994). The chain of command in schools as far as discipline is concerned begins with class leaders, who report to class teachers, who ensure the same information reaches the deputy headteacher who is answerable to the head teacher. The head teacher bears the ultimate responsibility for overall school discipline (Mulford, 2003). Thus, the head teacher and the school in general have the duty of enhancing discipline among students. Indeed, the head teacher's public and professional reputation depends more on the level of discipline in his or her school than on any other factor (Griffin, 1994). This is because good discipline produces good results in every front of school endeavors. The issue of indiscipline has plagued the school system in Kenya for many years. Numerous researches have described and defined the phenomena of indiscipline in various ways as they have studied the causes and suggested possible panacea to reduce indiscipline in schools. Indeed, a wide range of articles on the factors which contribute to indiscipline and strategies which have attained certain degree of success in tackling indiscipline are readily available. Many of these ideas give into details as to how the measures to tackle indiscipline are to be implemented (Lochan, 2010). Majority of children have experienced physical punishment by the time they reach adolescence (Ritchie, 1981). Physical punishment has for long been considered a necessary means of socializing children, (Smith, Gallop, Taylor & Marshall, 2005) and has been widely used in schools as a method of managing discipline. However, it has been revealed that physical punishment has a prediction of a wide range of negative developmental outcomes on children. Physical punishment and mental harassment is associated with increased child aggression, anti-social behavior, lower intellectual achievement, poorer quality of parent-child relationships, mental health problems such as depression and diminished moral internalization (Human Rights Watch, Spare the Child Corporal Punishment in Kenya, 2004).

In 1979, Sweden became the first country to prohibit all physical punishment and cruel treatment of children. Only six countries had prohibited physical punishment for children by 1996 but by 2006, this number had risen to 26 countries. Other countries have legislation in progress while others put up restrictions for physical punishment that fall short of a total ban. As of August 2010, at least 31 countries had explicitly forbidden the use of physical punishment both at home and in schools (Save the Children, Sweden, 2010). According to Onyango, Simatwa and Gogo (2016), carried out a study on the Influence of the Ban of Physical Punishment on Students Discipline in Siaya, Gem and Ugenya Sub counties found that the condition of students' discipline in Kenya's secondary schools has been disheartening. Ogetange (2012), in his study on Teachers and Pupils Views on Persistent use of Corporal Punishment in Managing Discipline in Primary Schools in Starehe Division, also noted that no school term went without incidence of violent behavior in schools being reported in the mass media. Onyango *et al* (2016) and Ogetange (2012) did not show how the implementation of the ban influenced the discipline of children in primary schools. This study made an attempt to fill this gap. In Goa, physical punishment is prohibited in schools in the Right to Free and Compulsory Education Act (2009). Article 17 states: (1) No child shall be subjected to physical punishment or mental harassment. (2) Whoever contravenes the provisions of sub-section (1) shall be liable to disciplinary action under the service rules applicable to such person. (Goa Children's Act 2003, article 41).

The Right of Children to Free and Compulsory Education Rules 2010 provide for implementation of the Act, including raising awareness about the rights in the Act, procedures for monitoring implementation and complaints mechanisms when the rights are violated. However, after the ban, most schools in Goa experienced an upsurge of indiscipline cases. In some states, children in secondary schools went on rampage destroying school and public property (Nadu, 2003). Onyango (2016) noted that deputy principals, guidance and counseling teachers and class representatives rated the extent of mental harassment ban implementation to be low, with respect to disobedience. This indicates that mental harassment is highly used to control disobedience in secondary schools. The above studies dwelt on the ban of physical punishment but did not establish if the ban was implemented in primary schools. This study therefore attempted to fill this gap.

SYNTHESIS OF LITERATURE ON BAN OF PHYSICAL PUNISHMENT IN PUBLIC PRIMARY SCHOOLS

According to The United Nations Committee on the Rights of the Child (2009), "Corporal" or "physical" punishment is any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light. Examples of physical punishment include but are not restricted to the causing of physical harm to children by hitting, kicking, scratching, pinching, biting, pulling the hair, boxing ears, smacking, slapping, spanking with or without any implement (cane, stick, shoe, chalk, dusters, belt, whip, giving electric shock etc). Secondly, there is the making of children assume an uncomfortable position (standing on bench, standing against the wall in a chair-like position, standing with schoolbag on head, holding ears through legs, kneeling etc.). To add on that there is use of forced ingestion of anything (for example; washing soap, mud, chalk, hot spices etc.). Another method is detention in the classroom, library, toilet or any closed space in the school. Discipline and organization among students in schools is vital in creating a conducive environment for learning. Discipline is a big concern for the teacher because the success or failure of a teacher or a principal of a school depends on it. Therefore, students discipline is a critical factor in judging the performance of teacher (Onyango, 2016). Many countries such Norway and Denmark have banned use of physical punishment in schools considering it as a source of violence and general indiscipline among learners (Larzelere, 1999). Most of the child welfare organizations have policies opposing the use of physical punishment. Many educationists in developed countries are against physical punishment because it lowers the dignity of the child (Graziano, 1990). The South Africa Constitution of 1996 (Republic of South Africa, 1996b) explicitly enshrines, guarantees and protects human rights in general and children's rights in particular. The second chapter of the constitution focuses on the Bill of Rights and states in unequivocal terms the need to protect such rights. For example, Section 12 (1) of the constitution which states that: Everyone has the right to freedom and security of the person, which includes the right not to be tortured in any way; and not to be treated or punished in a cruel, inhuman or degrading way (Republic of South Africa, 1996b7). This section has direct implications to what happens in schools and classrooms. Learner misbehavior can be gross at times and negatively affect the smooth running of the schools and the safety of educators and learners. Morrell (2001), however, states that even after the banning of the use of corporal punishment in schools, educators still used it as a strategy to

discipline learners. Wittingly or unwittingly, educators may be unaware that they are committing crimes under the guise of disciplining learners. Mtsweni (2008) observes that after the banning of corporal punishment in schools, most educators feel incapacitated and helpless in dealing with learner indiscipline in schools. Learners are believed to have now become ill disciplined to the extent that they even openly challenge the teacher's authority because they know that nothing would be done to them (Masitsa, 2008). According to Professor Asmal (2000), the void left by the outlawing of physical punishment can be filled by proactive and constructive alternatives that ultimately contribute to the growth of well-balanced children who are able to interact with each other and the world in a respectful, tolerant and responsible manner. Educators should also uphold the values of justice, equality, freedom and tolerance. A counselor at Makerere University Hospital described beating as a primitive way of communicating to children. He recommended talking and listening as the best way of guiding them and helping them to learn (Kemigish, 1999). According to him, physical punishment teaches children nothing positive, nothing about the way we as adults want them to behave, on the contrary, it is a potent lesson in bad behavior. Teachers are in *loco parentis* while a child is in school; they serve as surrogate parents. Physical punishment was banned in Uganda in 1997. Kilubya (2010) in a study on perceptions of primary and secondary school headteachers towards corporal punishment in Kampala' Uganda found out that even after the ban of corporal punishment, teachers continued using it to instill discipline on learners. The main reason for using it was that it was quick and produced the required results.

In Kenyan school was evident in the early 70s. Teachers were faced with a difficult task of maintaining the discipline of learners. It is on this basis that teachers in Kenya were legally permitted to use physical punishment in 1972 through Legal Notice No. 40 of 1972. However, in 2001, the same Legal Notice was overturned by Legal Notice No. 56 of 2001, Children Act of 2001, Constitution of Kenya of 2010 and The Basic Education Act of 2013 and Kenya's penal code since the disadvantages of use of physical punishment outweighed its advantage.

In a recent study carried out in Muthambi division, TharakaNithi County, Kenya on the extent of use of physical punishment, it was clear from the findings that physical punishment was widespread in schools (Mutuma, 2013). In this study majority of the deputy principals agreed that physical punishment specifically canning was the most effective form of punishment. The above study clearly shows that with ban of physical punishment, there were no clear alternatives that seemed to work and therefore teachers went back to using physical punishment. The findings concurred with those of Ouma and Simatwa (2013) in a study carried out in Kisumu Municipality, Kenya on management of pupil discipline. In this study, it was found out that most head teachers went against the law by meting physical forms of punishment on pupils in spite of the ban. Morrel (2001), Mutuma (2013), Masitsa (2008) and Ouma, *et al* (2013) revealed that the ban of physical punishment in schools had not been fully implemented. There was therefore need to carry out a study that investigated this the scenario in Vihcounty as far as the implementation of ban of physical punishment was concerned.

CONCEPTUAL FRAMEWORK

The conceptual framework (Figure 1) postulates that physical punishment (independent variable) affects the level of pupil discipline (dependent variable). The conceptual framework was based on the concept that when physical punishment harassment is withdrawn, a conducive environment is attained and pupils are disciplined. Punishment is not needed for pupils to operate orderly and productively. It was informed by the Grounded Theory that stipulates that; where there is no appropriate theory, data in literature review can be used to develop the conceptual frame work.

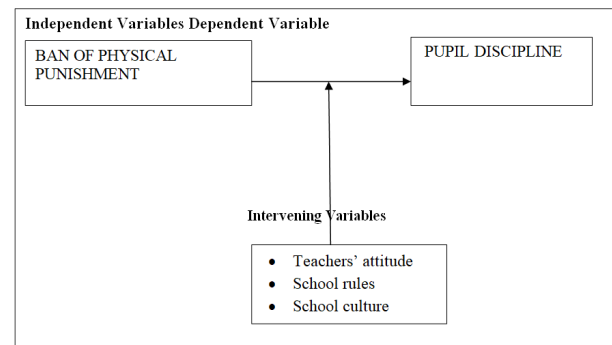


Figure 1. A Conceptual framework showing the Implementation of Ban of Physical Punishment on Pupil Discipline

From the reviewed literature, the ban of physical punishment has either increased or reduced the discipline of pupils. In some literature, the ban saw an increase in pupil discipline and in others, discipline went down. This is the reason there is use of the term discipline in the conceptual framework. The study investigated the implementation of ban of physical punishment in public primary schools. The conceptual framework envisages that the independent variable determines the level of pupil discipline in schools. From the conceptual framework, prohibiting the use of physical punishment in schools is supposed to have an influence on pupil discipline. It will either escalate indiscipline cases since those who feared the use of forms of physical punishment such as caning will start misbehaving. On the other hand discipline could improve where pupils will behave well since they are not being punished. From the literature reviewed, physical punishment is more effective in student discipline management compared to alternative methods like guidance and counseling. On the other hand, Pupils prefer physical punishment and mental harassment ban resulting in high level of discipline, the use of alternative methods of discipline management such as guidance and counseling, withdrawal and suspension are less effective and more likely, results in high levels of offences such underage pregnancy, drug abuse, truancy, theft among others (Busienei, 2012). The government emphasized on guidance and counseling, as an alternative to mental harassment. According to Kaburu (2006), the use of guidance and counseling to manage student discipline is not effective because teachers lack guidance and counseling skills. This method is also time consuming and schools lack resources for effective guidance and counseling programs. Although, the government has done a lot in order to curb violence and indiscipline in schools, there are still some cases of violence/strikes in schools. Furthermore, many cases of other forms of indiscipline have been reported in the mass media (Murithi, 2010).

The intervening variable moderates the independent variables (Kenya Institute of Management, 2009). This means the variables increase or reduce the effect of the ban on pupil discipline. If teachers' attitude towards the ban is negative, they will continue using physical punishment. The conceptual framework postulates that intervening variables include school rules and school culture. For teachers to manage discipline using any discipline management method, there must be school rules in place. The school rules will guide the teachers as they manage student discipline. School culture determines which discipline management methods are acceptable in a school. Teachers' attitudes towards methods of discipline management determine whether these methods will be effective or not. Teachers are the implementers of policies at the school level (Ouma *et al.* 2013).

Research Objective: The research objective was to determine the extent of implementation of ban of physical punishment in Vihiga county

RESEARCH METHODOLOGY

The study adopted cross-sectional and correlation research designs. The study population was 501 and comprised of 100 head teachers, 100 deputy head teachers, 100 class teachers, 200 pupil leaders and 1 sub county quality assurance officer. Simple random sampling was used to select 71 head teachers, 71 deputy head teachers, 71 class teachers and 142 pupil leaders. Data was collected using questionnaires and interview schedules. The validity of the research instruments were ascertained by experts in education administration whose input was incorporated in the final draft. Test-re-test was conducted to determine reliability of the questionnaires that had a coefficient of 0.78 for Pupil Leaders' Questionnaire, 0.82 for Class Teachers' Questionnaire and 0.81 for Deputy Head Teachers' Questionnaire at a set of p-value of 0.05. Quantitative data was analyzed using percentages, means and regression analysis. Qualitative data was transcribed and analyzed into emergent themes and sub-themes to establish the influence of implementation of ban of physical punishment and mental harassment on pupils' discipline.

RESULTS

Data on Table 1 shows that all the deputy head teachers were aged above 30 years and 62% of the deputy head teachers were aged above 40 years. This means that they were adults who were expected to make sound decisions on matters concerning pupil discipline. In terms of gender balance, females accounted for 40.8% of the respondents while the rest were male. On experience, 52.1% of the deputy head teachers had an administrative experience of between 5-9 years and therefore had a vast wealth of knowledge and experience as far as policy is concerned which was beneficial to the study. They also had reliable experience in handling discipline issues in the schools. Data on Table 2 shows that the class teachers were in the age bracket of 20 – 60 years unlike the deputy head teachers who were in the age bracket of 31 – 60 years and 29.6% of the class teachers had a teaching experience of 0 – 4 years (29.6%) Only 9 (12.7%) had a teaching experience of more than 20 years. Overall 70.4% had a teaching experience of between 5 and 20 years and this meant that they were well versed with the policy on discipline and could handle discipline matters adequately.

There was gender balance in this category of respondents where 54.9% were male and 45.5% were female. Table 3 shows that 72.5% of pupil leaders were aged between 11 and 12 years. A few (27.5%) were aged more than 12 years and 83.1% of the respondent pupil leaders had been in the respective schools for more than six years. The information given would therefore be credible. The pupil leaders also are in charge of discipline in schools in the absence of teachers and are charged with the responsibility of reporting discipline issues to the teachers. They could therefore be relied upon to give useful information for this study.

Research Objective: The research objective was to determine the extent of implementation of ban of physical punishment in Vihiga county. Table 4 indicates that ban of physical punishment had not been fully implemented in primary schools in Vihiga county. Caning, manual labour, kneeling and pinching of ears was still being used in most of the schools. The overall rating on extent of implementation of ban of physical punishment was 2.89. This translates as moderate according to the rating scale used. Physical punishment is therefore used once in a month by class teachers and deputy head teachers in primary schools in Vihiga county, which means ban has not been fully implemented. The overall mean rating for frequency of use of blow, kicking, spanking and standing as methods of disciplining pupils was 1.45-2.41 which translates to once in 4 months. This shows that the level of implementation of ban of physical punishment is high. This is indeed a pointer to the fact that teachers have adhered to the Ministry of Education ban of the use of physical punishment to maintain discipline in schools. Pulling ears, smacking and manual work as methods of maintaining pupil discipline were rated at 2.45 – 3.44. This means that they were used once in a month and therefore the level of implementation of ban of physical punishment was moderate. Kneeling, caning and pinching were the most popular methods used in maintaining pupil discipline. The three methods were rated at 3.45-4.44 and were used on average once in a week. This means that the implementation of ban of physical punishment was low according to the rating scale. The popularity of the use of these three methods and more so the cane though outlawed was that it was fast and bore immediate results. According to one deputy head teacher, "this was the language that the learners understood best and it was also biblical." Pupils rated the use of the cane at 4.45 – 5.00, meaning that according to them, the cane was used daily and therefore the level of implementation of ban of physical punishment was very low. This response by the pupils highlights the attitude that they have towards caning. It may have been that some of the pupil leaders exaggerated to seek attention. The use of the cane has continued even after the ban and some parents advocate for the same.

DISCUSSION

Interview findings revealed that teachers may have found them too extreme to use on the pupils. One head teacher pointed out that kicking a ten year old would be too extreme and this could be even dangerous to the life of the child. Media reports may also have impacted on the use of this method where the media reported the death of a class six pupil in Kibwezi after being kicked by a teacher (citizen T.V February 28, 2019 15.41 (EAT) With the kind of reports in the media teachers shy off from using these extreme measures to maintain pupil discipline.

Table 1. Demographic Information of the Deputy Head Teachers

Demographic Characteristics	Categories	Frequency	Percentage
Age	30 – 34 years	15	21.1
	35 – 39 years	12	16.9
Total	40 years and above	44	62.0
Gender	Male	42	59.2
	Female	29	40.8
	Total	71	100
Teaching experience	5 – 9 years	5	7.0
	10 – 14 years	27	38.0
	15 – 19 years	14	19.7
	Total	71	100
Administrative experience	0 – 4 years	21	29.6
	5 – 9 years	37	52.1
	10 – 14 years	7	9.9
	15 – 19 years	6	8.5
	Total	71	100

Table 2. Demographic Information of the Class Teachers

Demographic characteristics	Categories	Frequency	Percentage (%)
Age	24 years and below	3	4.2
	25 – 29 years	11	15.5
	30 – 34 years	16	22.5
	35 – 39 years	12	16.9
	40 years and above	29	40.8
	Total	71	100
Gender	Male	39	54.9
	Female	32	45.1
	Total	71	100
Teaching experience	0 – 4 years	21	29.6
	5 – 9 years	15	21.1
	10 – 14 years	13	18.3
	15 – 19 years	13	18.3
	20 and above	9	12.7
	Total	71	100

Table 3. Demographic Information of the Pupil Leaders

Demographic Characteristics	Categories	Frequency	Percentage (%)
Age	11 – 12 years	103	72.5
	Above 12 years	39	27.5
	Total	142	100
Gender	Male	71	50.0
	Female	71	50.0
	Total	142	100
Years in the School	2 – 5 years	24	16.9
	6 and above	118	83.1
	Total	142	100

This scenario shows that the three form of punishment were popular in maintaining pupil discipline. These methods are seen to be milder however, some teachers felt that use of manual work was time consuming and hence the method was not popular. The use of smacking and pulling of ears was done mostly when the pupils aroused the teacher's emotions by being involved in an act of indiscipline that was provoking. A deputy head teacher for example pointed out that he once smacked a pupil who ignored him, and continued misbehaving in his presence even after being given a verbal warning. One teacher pointed out that a parent requested him to cane his child if he misbehaved in school. According to him, some parents also go to an extent of taking their children to the police station where they would be flogged to discipline them. This heightens the dilemma that teachers find themselves in as they attempt to implement the ban of physical punishment. Several head teachers in their interview indicated that ban of physical punishment and mental harassment was not easy to implement since the learners became undisciplined once it became obvious they were not going to be punished. The head teacher thus said:

There is no time allocated to guide and counsel these children by already overworked teachers. Punishing the pupils is instant and takes very little time, which makes it effective. Every little child needs a spank to be put in the right track and even the Holy Books says it 'spare the rod and spoil the child'. Our way of punishing them is reasonable enough." The Sub-County Quality Assurance and Standard Officer indicated that some teachers use various methods to punish learners secretly. His office had received complaints from parents although no teacher had been caught. He explained by saying: "The TSC policy is clear to head teachers that no teacher is supposed to use either physical punishment or mental harassment on learners. This has made some pupils to misbehave since teachers ignore bad behavior to prioritize on academic achievement ahead of all other things in their schools." The sub-county Quality Assurance and Standards Officer indicated that maintaining discipline had become difficult since caning was banned in schools and many teachers had not undergone any training in guiding and counseling. Several head teachers in their interview indicated that ban of physical punishment was not easy to implement since the learners became

Table 4. Rating of extent of implementation of Ban of Physical Punishment in Vihiga county (Deputy headteachers n=71, Class teachers n=71 and Pupil leaders n=142)

Type of Physical Punishment	Resp	Ratings of Level of Use					Total	Mean	OMR	
		1	2	3	4	5				
Blow	DHT	F	42	29	0	0	0	71		
		S	42	58	0	0	0	100	1.41	2.27
	CT	F	48	23	0	0	0	71		
		S	48	46	0	0	0	94	1.32	
Caning	PL	F	16	21	51	30	24	142		
		S	16	42	153	120	120	451	3.18	
	DHT	F	38	18	6	6	3	71		
		S	38	36	18	24	15	131	1.85	3.62
Kicking	CT	F	21	6	18	14	12	71		
		S	21	12	54	56	60	203	2.86	
	PL	F	0	0	5	6	131	142		
		S	0	0	15	24	655	694	4.89	
Kneeling	DHT	F	32	24	9	3	3	71		
		S	32	48	27	12	15	134	1.89	2.38
	CT	F	38	19	14	0	0	71		
		S	38	38	42	0	0	118	1.66	
Manual labour	PL	F	21	27	45	30	19	142		
		S	21	54	135	120	95	425	2.99	
	DHT	F	0	0	8	26	37	71		
		S	0	0	24	104	185	313	4.41	4.25
Pinching	CT	F	6	11	12	42	0	71		
		S	6	22	36	168	0	232	3.27	
	PL	F	0	0	0	49	93	142		
		S	0	0	0	196	480	661	4.65	
Pulling ears	DHT	F	0	0	0	21	50	71		
		S	0	0	0	42	250	334	4.70	3.34
	CT	F	3	6	22	40	0	71		
		S	3	12	66	160	0	241	3.39	
Slapping	PL	F	6	40	96	0	0	142		
		S	6	80	288	0	0	374	2.63	
	DHT	F	19	27	19	6	0	71		
		S	19	54	57	24	0	154	2.17	3.50
Smacking	CT	F	6	12	15	19	19	71		
		S	6	24	45	76	95	246	3.46	
	PL	F	0	9	14	61	58	142		
		S	0	18	42	244	290	594	4.18	
Spanking	DHT	F	13	13	17	17	11	71		
		S	13	26	51	68	55	213	3.00	3.25
	CT	F	3	6	23	23	16	71		
		S	3	12	69	92	80	256	3.61	
Standing	PL	F	0	38	59	25	20	142		
		S	0	76	177	100	100	453	3.19	
	DHT	F	31	26	8	6	0	71		
		S	31	52	24	24	0	131	1.85	2.33
Smacking	CT	F	40	25	3	3	0	71		
		S	40	50	9	12	0	111	1.56	
	PL	F	21	28	47	27	19	142		
		S	21	56	141	108	95	421	2.96	
Spanking	DHT	F	40	22	6	3	0	71		
		S	40	44	18	12	0	114	1.61	2.81
	CT	F	38	27	3	3	0	71		
		S	38	54	9	12	0	113	1.59	
Spanking	PL	F	0	9	29	54	50	142		
		S	0	18	87	216	250	571	4.02	
	DHT	F	38	25	5	3	0	71		
		S	38	50	15	12	0	115	1.62	2.36
Spanking	CT	F	43	22	6	0	0	71		
		S	43	44	6	0	0	105	1.48	
	PL	F	12	25	51	35	19	142		
		S	12	50	153	140	95	450	3.17	
Standing	DHT	F	43	28	0	0	0	71		
		S	43	56	0	0	0	99	1.39	1.71
	CT	F	35	18	18	0	0	71		
		S	35	36	54	0	0	125	1.76	
PL	F	64	46	21	11	0	242			
	S	64	82	61	44	0	251	1.85	2.89	

KEY: DHT - Deputy head teachers CL- Class teachers PL- Pupil Leaders F- Frequency S- Score RESP- Respondents
MR- Mean Rating OMR – Overall Mean Rating Interpretation of Mean Rating Mean Rating Frequency
of Use Level of Implementation
1.00 – 1.44 Once a year Very high implementation of ban of physical
1.45 – 2.44 Once in four months High implementation of ban of physical punishment
2.45 – 3.44 Once in one month Moderate implementation of ban of physical punishment
3.45– 4.44 Once in a week Low Implementation of ban of physical punishment
4.45 -5.00 Daily Very low implementation of ban of physical punishment

widespread in schools (Mutuma, 2013). In this study majority of the deputy principals agreed that physical punishment specifically canning was the most effective form of punishment. The above study clearly shows that with ban of physical punishment, there were no clear alternatives that seemed to work and therefore teachers went back to using physical punishment. The findings concurred with those of Ouma *et al* (2013) in a study carried out in Kisumu Municipality, Kenya on management of pupil discipline. In this study, it was found out that most head teachers went against the law by meting physical forms of punishment on pupils in spite of the ban. The above findings concur with those of the current study where the implementation of ban of physical punishment is rated as moderate. This means that in primary schools in Emuhaya Sub county physical punishment is used at least once in a month.

CONCLUSION

Physical punishment was still being used in primary schools. The findings from pupil leaders showed that physical punishment was also used daily. The overall mean rating of the ban of physical punishment was rated as moderate.

RECOMMENDATION

Considering the study findings and conclusions, the study recommended that: Ban of physical punishment should be implemented fully in schools to the benefit of pupils and the society at large.

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