

**RECONCEPTUALIZING SCHOOL DISCIPLINE IN KENYA AS  
PEDAGOGICAL CARE IN THE LIGHT OF CARE ETHICS THEORY**

**BY**

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## DECLARATION

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## **DEDICATION**

I dedicate this work to my late lovely mother Agnetta Muhanji.

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## ABSTRACT

Indiscipline among learners is a major and perennial educational problem in schools in the world, Kenya being no exception. The persistence of indiscipline among learners in schools in Kenya calls into question school discipline policies, practices and their theoretical underpinnings. The purpose of this study was to position school discipline in Kenya as pedagogical care, an alternative to traditional punitive approaches. The specific study objectives were: to evaluate the adequacy of different conceptions of school discipline within major philosophical frameworks, analyze the suitability of the philosophical frameworks that underpin school discipline policies and practices in Kenya; and position school discipline in the country as pedagogical care. The study was informed by care ethics theory developed by Carol Gilligan and Nel Noddings. The study was library based; it did not involve a target population and a specific sample. The study adopted a desktop or secondary research design. The specific philosophical methods the study employed in order to satisfy the three objectives were the analytic, critical and evaluative methods. Being a library-based study, data required were collected by evaluating school discipline ethical frameworks and analyzing school discipline policy documents and guideline in Kenya. The five key legal and policy documents analyzed were *The Constitution of Kenya (2010)*, *The Children's Act (2022)*, *The Basic Education Act (2013)*, *The Basic education regulations of 2015* and *The Basic Education Curriculum Framework (2019)*. The data were analyzed and interpreted thematically using philosophical frameworks. The results of these philosophical analyses, evaluations and critiques were presented thematically in prose form as arguments and discussions. The validity and soundness of the arguments were determined on the bases of their logical procedures and inferences. The key findings and conclusions of the study were as follows: The evaluation of school discipline philosophical frameworks revealed that pedagogical care grounded in care ethics is a comprehensive approach that integrates some of the best elements of competing school discipline approaches in different frameworks. The analysis of school discipline policies, guidelines and practices in Kenya revealed that they are largely anchored on deontological and human rights-based ethical frameworks with traces of restorative justice ethics that are not harmoniously blended in both policy and practice. The study also found that the integration of pedagogical care discipline aligns with the broader goals of Competency-Based Education (CBE) in Kenya and concluded that its integration in the curriculum can potentially improve the levels of discipline among learners thereby greatly minimize the perennial problem of unrest and indiscipline among learners in schools. The study recommends that the Government of Kenya through the Ministry of Education should develop a care-centered framework for school discipline that is explicitly grounded in care ethics theory. The study also recommends the adoption and integration of pedagogical care discipline into school discipline policies guidelines and practices in the context of the current CBE in the country.

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## **ABBREVIATIONS**

|             |                                      |
|-------------|--------------------------------------|
| <b>BECF</b> | Basic Education Curriculum Framework |
| <b>CBE</b>  | Competency-Based Education           |
| <b>CBC</b>  | Competency-Based Curriculum          |
| <b>KHRC</b> | Kenya Human Rights Commission        |
| <b>MOE</b>  | Ministry of Education                |

## **CHAPTER ONE**

### **INTRODUCTION TO THE STUDY**

#### **1.0 Introduction**

This is a philosophical study of school discipline in the Kenyan school context. This chapter presents the background to the study on the moral and ethical underpinnings of school discipline policies and practices in Kenya. The chapter indicates the general problem of the study. It also highlights the purpose and the objectives of the study as well as the three key research questions that the study sought to answer. It also provides the significance, scope and limitations of the study, as well as the theoretical and conceptual framework within which the study was undertaken and should be understood. It ends with the operational definition of key concepts and terms, explaining how they should be understood in the context of this work.

#### **1.1 Background to the Study**

Student unrest and indiscipline remain major concerns raised by the public regarding schools and education systems in many countries across the world. This problem is well documented in contexts such as the United States of America, Britain, South Africa, Uganda, and Kenya. Common discipline challenges in schools today include harassment and bullying, physical violence, vandalism, destruction of property, drug and substance abuse, and truancy (U.S. Department of Education, 2024; Department for Education, 2024; Von Vollenhoven, 2022; Padayachee & Gcelu, 2022; Abuya, Maina, & Ogola, 2020; Waiswa, Mutungi, Mugizi, & Ludigo, 2024).

In the Kenyan context, indiscipline remains one of the most pressing challenges facing schools. The most frequently reported cases include bullying in both primary and secondary schools, arson incidents such as students burning dormitories, vandalism and destruction of school property, as well as drug and substance abuse, absenteeism, and

truancy (Abuya, Maina, & Ogola, 2020; Waiswa, Mutungi, Mugizi, & Ludigo, 2024; National Crime Research Centre, 2017; Wanjugu, 2024).

In response to these challenges, the Government of Kenya has periodically constituted task forces and committees to investigate causes of indiscipline and propose policy and practice recommendations. These interventions typically focus on identifying the root causes of student indiscipline and proposing corrective strategies. Key reports that have shaped current discipline policies and practices include *the Report of the Task Force on Student Discipline and Unrest in Secondary Schools (2001)*, *the Special Commission Report (2008)*, *the Report on the Inquiry into the Wave of Students' Unrest in Secondary Schools in Kenya (Term II, 2018)*, and various *National Assembly Education Committee Reports (2018–2022)*.

Despite these interventions, cases of student unrest and indiscipline continue to persist in Kenyan schools (Wanjugu, 2024; Waiswa, Mutungi, Mugizi, & Ludigo, 2024). This persistence suggests that existing strategies have not adequately resolved the underlying problem, thereby pointing to the need for a paradigm shift in how school discipline is conceptualized and addressed. A review of relevant literature indicates that for school discipline to be effective, it must be grounded in appropriate moral and ethical foundations that emphasize care, justice, and the holistic development of learners (Beneke, 2021; Coverdale, 2020; Curren, 2020; Warnick, 2024; Ntshangase, 2025). This perspective is based on the understanding that school discipline is fundamentally a moral construct and is best interpreted within moral and ethical theoretical frameworks.

Moral theories of school discipline therefore provide foundational principles that guide how schools manage learner behaviour, resolve conflicts, and cultivate positive learning

environments. These principles are drawn from contemporary ethical traditions, including care ethics, restorative justice, and trauma-informed approaches, which shape the justification and practice of discipline in educational settings (Coverdale, 2020; Dutil, 2020; O'Donoghue et al., 2020; Beckmann, 2020). This implies that discipline policies and practices should be anchored in a coherent and well-articulated philosophical framework.

However, studies conducted within the Kenyan context suggest that such an explicit philosophical framework for school discipline is largely absent. For instance, Ominde, K'Odhiambo, and Gunga (2021), focusing on primary schools, concluded that value-based discipline practices are undermined by the lack of a clearly articulated philosophy of education. Their findings, derived from an analysis of the primary school curriculum, highlight a significant theoretical gap. Similarly, Werunga and Khisa (2022) found that disciplinary measures in schools, particularly punishment-based approaches, are not firmly grounded in theoretical foundations. They proposed Kantian deontological ethics as a possible framework for school discipline in Kenya. However, the present study critically examines such deontological approaches and seeks to address their limitations as manifested within the Kenyan context by proposing a more relational and care-based ethical grounding for school discipline.

## **1.2 Statement of the Problem**

The focus of this study was to propose how school discipline in Kenya can be reconceptualised as pedagogical care, grounded in the assumption that discipline is inherently a moral construct. For school discipline policies and practices to be effective, they must be anchored in sound moral and ethical foundations, as these provide the guiding principles through which discipline is conceptualised and implemented in educational settings. However, the continued prevalence of learner indiscipline in

Kenyan schools, despite sustained governmental efforts to develop policies and school-level initiatives to enforce them, remains a significant concern.

This situation raises critical questions regarding whether existing school discipline policies and guidelines are grounded in any explicit ethical theory, and whether the moral frameworks underpinning these policies are appropriate within the Kenyan context. If this issue remains unaddressed, there is a risk that policymakers will continue to formulate ineffective discipline policies, while schools persist in applying approaches that fail to meaningfully foster discipline, responsibility, and moral development among learners. This therefore underscores the need for education stakeholders to recognise discipline as a moral concept and to ground disciplinary policies and practices in coherent, contextually relevant ethical frameworks.

School discipline ethical frameworks are derived from broader ethical theories and moral philosophies that shape both the justification and practice of discipline in educational contexts. Consequently, differing ethical frameworks inevitably produce different conceptions of discipline policy and practice. Although recent literature in the Philosophy of Education in Kenya increasingly acknowledges the importance of grounding school discipline in ethical theory, there remains no clear consensus on which frameworks are most appropriate. Existing studies have advanced competing approaches, including deontological ethics and care ethics, resulting in divergent and at times conflicting perspectives on school discipline. This lack of convergence highlights a critical theoretical gap and underscores the need for systematic philosophical evaluation of these frameworks prior to their adoption in policy and practice.

It is against this backdrop that the present study undertook a philosophical inquiry to assess the suitability of key ethical frameworks for school discipline in Kenya. In

addition, the study analysed education policy documents on school discipline in order to examine how policymakers conceptualise discipline and to identify the ethical foundations informing these policies. By addressing these gaps, the study sought to propose a reconceptualisation of school discipline as acts of pedagogical care rather than merely the enforcement of rules. Such a reconceptualisation is intended to strengthen disciplinary practices, foster learners' moral and ethical development, and promote their overall well-being within the Kenyan education system.

### **1.3 Purpose of the Study**

The purpose of this study was to analyze the theoretical philosophical frameworks currently underpinning school discipline policies and practices in Kenya, with the aim of proposing a transformative model that frames discipline as pedagogical care within the context of Competency-Based Education (CBE).

### **1.4 Objectives of the Study**

The research objectives for this study were to:

- i. Evaluate of adequacy of different conceptions of school discipline within major philosophical frameworks;
- ii. Analyse the suitability of the philosophical frameworks that underpin school discipline policies and practices in Kenya; and
- iii. Position school discipline as pedagogical care in the context of Competency-Based Education in Kenya.

### **1.5 Research Questions**

The study sought to answer the following questions:

- i. To what extent are the different conceptions of school discipline within major philosophical frameworks adequate?
- ii. Are the philosophical frameworks that underpin school discipline policies and practices in Kenya suitable? and
- iii. How can school discipline be enacted as pedagogical care in the context of Competency-Based Education in Kenya?

### **1.6 Justification of the Study**

First, the findings of this study would justify the need for a sound and coherent school discipline framework for countries such as Kenya to adopt. This justification is grounded in the recognition that discipline is fundamentally a moral construct and, therefore, can only be properly understood and effectively implemented when anchored in clear and coherent ethical theories. Ethical foundations are thus not optional but essential, as they provide the basis upon which discipline is defined, justified, and operationalised within school contexts. The need to critically examine ethical frameworks is further reinforced by the existence of multiple competing approaches that inform school discipline, including deontological ethics, utilitarianism, virtue ethics, restorative justice, human rights ethics, communitarian ethics, and care ethics. Without systematic evaluation of these frameworks, policymakers and educators risk adopting disciplinary approaches that are fragmented, inconsistent, or poorly suited to the Kenyan educational context.

Second, the study justifies the need to critically examine whether existing school discipline policies and practices in Kenya are grounded in appropriate moral and ethical



foundations. This is important because the effectiveness of any discipline policy or practice depends largely on the strength and coherence of its philosophical underpinnings. The persistent and recurrent cases of student indiscipline in Kenyan schools, despite ongoing governmental efforts to formulate and implement disciplinary policies and guidelines, further strengthen this concern. This situation suggests that the challenge may not lie solely in policy implementation, but also in the adequacy, relevance, and coherence of the ethical frameworks upon which these policies are based, thereby necessitating deeper philosophical interrogation.

Lastly, the study justifies the need to reconceptualise school discipline in Kenya as pedagogical care grounded in care ethics. This justification emerges from a critical review of existing literature, which reveals a limited number of studies that explicitly examine pedagogical care as a foundation for school discipline within the Kenyan context. In addition, there is a notable scarcity of detailed philosophical analyses of policy documents and disciplinary guidelines. This gap in scholarship provides a strong rationale for the present study, as it is necessary to generate contextually grounded and theoretically informed insights that can meaningfully contribute to both policy development and educational practice.

### **1.7 Significance of the Study**

The study revealed that school discipline policies and practices in Kenya are largely grounded in deontological and human rights-based frameworks that are not always harmoniously integrated. These findings are significant in two main ways.

First, the study makes a modest contribution to the advancement of knowledge on school discipline by strengthening theoretical understanding of disciplinary frameworks. It demonstrates that a care-based ethical framework offers a more holistic

and context-responsive approach to school discipline compared to competing models such as deontological ethics, utilitarianism, virtue ethics, restorative justice (relational ethics), human rights ethics, and communitarian ethics. This contribution enriches ongoing scholarly debates on the moral and philosophical foundations of school discipline.

Second, the findings are significant to education policymakers, curriculum specialists, education officers, school leaders, teachers, parents, and other stakeholders concerned with improving school discipline in Kenya. The study provides insights that can inform policy formulation and implementation by encouraging the adoption of a care-based ethical framework. Such a shift has the potential to enhance disciplinary practices and improve the overall school environment. In addition, the findings may assist teachers, parents, and administrators in moving away from predominantly deontological and punitive approaches toward more pedagogical care-oriented disciplinary practices that promote responsibility, empathy, and learner well-being.

### **1.8 Scope of the Study**

The scope of this study is defined in terms of conceptual focus, literature selection, methodology, and analytical approach. Conceptually, the study examined school discipline in the Kenyan context through the lens of pedagogical care derived from care ethics theory. This framework was selected over competing models due to its holistic and relational understanding of discipline.

The literature reviewed included recently published studies on school discipline in Kenya, government policy documents and guidelines on discipline, as well as foundational works by key proponents of care ethics and pedagogical care, such as

Carol Gilligan and Nel Noddings, alongside secondary analyses of their work by other scholars.

Methodologically, the study is philosophical in nature. It therefore employed philosophical methods of inquiry, including conceptual analysis, critical evaluation, and normative prescription. The data analysed were drawn from selected texts and documents, which were systematically examined and interpreted, as presented in Chapter Four.

### **1.9 Limitations of the Study**

This study was library-based and relied exclusively on existing literature, particularly philosophical works on school discipline and official policy documents and guidelines in Kenya. A potential limitation of this approach was the possibility of researcher bias during the interpretation of textual materials. However, this limitation was mitigated through adherence to established philosophical methods, including logical analysis and critical reasoning, which helped to enhance objectivity and strengthen the credibility of the findings.

Another limitation was that the study did not engage in empirical fieldwork to explore practical dimensions of school discipline, such as lived experiences of learners, teachers, and administrators regarding disciplinary challenges and policy implementation. This limitation was addressed by drawing on existing empirical studies from social science research where necessary to complement the philosophical analysis. Moreover, as a conceptual study grounded in philosophical inquiry, it aligns with the position that such studies do not necessarily require primary data collection from the field (Golding, 2013). This methodological choice was therefore appropriate for the objectives of the study while still ensuring analytical depth and conceptual rigor.

### **1.10 Assumptions of the Study**

The study was based on the following assumptions, namely:

- i. That effective school discipline is a function of an adequate conception of discipline within the framework of a sound moral theory.
- ii. That for school discipline policies to be effective, they should be anchored on a sound moral theory that justifies the practice of discipline in educational settings.

### **1.11 Theoretical Framework**

In order to better understand school discipline in Kenya and reconceptualise it as pedagogical care, this study is guided by the ethics of care theory developed by Carol Gilligan and Nel Noddings. At the core of Noddings' theory is the view that caring should form the foundation of educational relationships. The theory emphasizes genuine concern, attentiveness, and empathy toward learners, with the aim of promoting their overall well-being, moral growth, and holistic development. Noddings argues that meaningful learning and moral development are best achieved within caring relationships. Her model of care theory is organised around four interrelated components: modeling, dialogue, practice, and confirmation (Noddings, 2021).

The first component, modeling, refers to teachers acting as moral and relational role models who demonstrate care, empathy, and respect in their interactions with learners. Teachers' behaviours and attitudes significantly shape learners' understanding of care and influence their own conduct. When educators consistently exhibit kindness, fairness, and respect, they contribute to the development of a positive and caring learning environment. However, modeling alone is insufficient; care must be authentic,

consistent, and inclusive in order to meaningfully support learners' development (Noddings, 2021).

The second component, dialogue, is central to moral formation within care ethics. In educational contexts, dialogue refers to open, respectful, and meaningful communication between teachers and learners. It involves active listening, attentiveness to learners' perspectives, and empathetic engagement in problem-solving conversations. Through dialogue, teachers are able to build trust-based relationships, address behavioural concerns constructively, and support learners in making responsible choices. Nevertheless, care must be taken to minimize hierarchical power imbalances so that dialogue remains authentic, equitable, and participatory (Gilligan, 2023; Noddings, 2021).

The third component, practice, emphasizes the enactment of care through everyday teaching and disciplinary interactions. It involves deliberately creating learning experiences that promote cooperation, empathy, responsibility, and ethical reasoning. Through sustained caring practices, schools can foster belonging and support learners' social and emotional development. However, care must go beyond symbolic or superficial gestures and instead be embedded meaningfully in school routines and disciplinary processes (Noddings, 2021).

The fourth component, confirmation, involves recognizing, affirming, and valuing learners' efforts, emotions, and achievements. It entails providing constructive feedback, acknowledging progress, and supporting learners' self-worth and identity formation. Confirmation contributes to learners' confidence, resilience, and moral development. However, it should not be reduced to excessive praise; rather, it should

challenge learners to grow while affirming their capacity for improvement (Noddings, 2021).

The researcher selected Nel Noddings' ethics of care theory because it provides a strong relational framework for rethinking discipline in education. In the context of reconceptualising secondary school discipline in Kenya as pedagogical care, the theory offers valuable insights into how schools can cultivate more supportive, empathetic, and morally grounded learning environments (Noddings, 2021; Gilligan, 2023).

However, while Noddings' theory provides a compelling foundation, several contextual considerations must be taken into account. First, Kenya's cultural, social, and institutional context should inform how care ethics is interpreted and implemented, since cultural norms shape understandings of authority, discipline, and relationships. Second, teacher training and professional development are essential in developing the dispositions and competencies required for effective caring practice. Finally, a systemic and inclusive approach involving learners, teachers, parents, and policymakers is necessary to sustain and institutionalise caring disciplinary practices within the education system (Noddings, 2021; Gilligan, 2023).

In conclusion, Noddings' ethics of care theory offers a valuable lens for reconceptualising school discipline as pedagogical care in Kenya. The application of its four components modeling, dialogue, practice, and confirmation can enable teachers to create nurturing, inclusive, and supportive learning environments that promote learners' holistic development and moral well-being (Noddings, 2021).

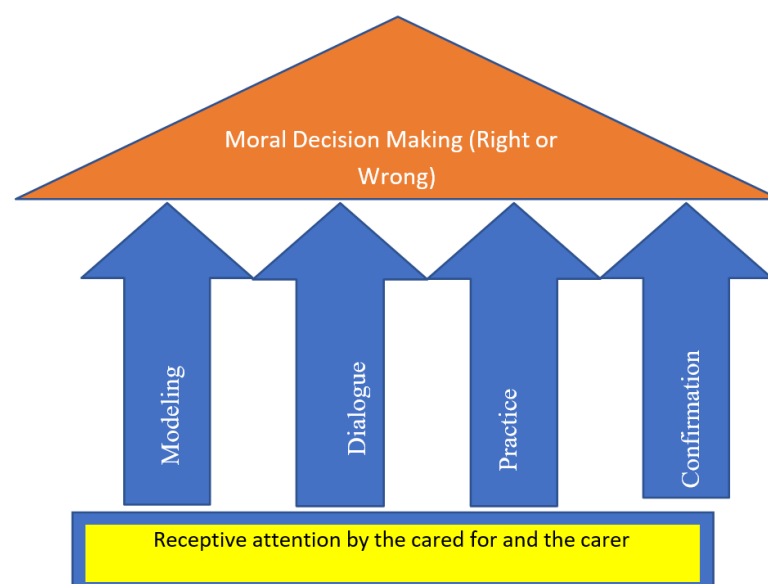
### **1.12 Conceptual Framework**

According to Creswell (2018), a conceptual framework in research serves as a guiding structure that organizes and interprets the key concepts and relationships within a study.

Similarly, in philosophical inquiry, a conceptual framework provides a systematic structure for organizing ideas, theories, and concepts within a specific domain, thereby supporting coherent and critical analysis of complex issues.

This study adopts Noddings' model of care theory as its conceptual framework. Through its four interrelated components modeling, dialogue, practice, and confirmation the framework provides a structured approach for examining school discipline as pedagogical care in the Kenyan context. It guides the evaluation of how care ethics can inform disciplinary practices and reshape understandings of discipline in schools.

By applying each component of the model, the framework seeks to promote a more nurturing and supportive educational environment in which discipline is understood not merely as rule enforcement, but as a moral and relational practice. Ultimately, this reconceptualisation is intended to support learners' academic, personal, and ethical development within Kenyan secondary schools, as illustrated in Figure 1.1 below.



**Figure 1.1: Model of Care Theory**

Source: Newcomer, S. (2018)

The basis of care theory model presented in figure 1.1 above define a relationship by receptive attention between the cared for (learners) and the carer (teachers). The aim is not to “produce people” (Noddings, 2002), but rather to contribute to understanding how decisions are made. The four main components of care theory strengthened by the foundation of receptive care are modeling, dialogue, practice and confirmation (Noddings, 2002). Together these components strengthen the student’s ability to understand how moral decisions are made.

### **1.13 Operational Definitions of Terms**

**Care** - Care is the act of providing attention to someone by way of looking after, protecting, or treating well in accordance with their needs

**Care Ethics** -refers to an approach to life that emphasizes responsibility, concern, and relationship over rules or consequences as a distinctive approach to moral theory.

**Deontological ethics** is a framework where discipline is based on strict adherence to school rules and regulations; actions are considered right or wrong depending on whether they comply with established duties where learners are expected to obey authority and institutional rules regardless of outcomes.

**Pedagogical care discipline** –This is a caring approach that integrates the principles of pedagogical care into approaches to discipline in educational settings

**Pedagogical care**-is defined as engagement in reciprocal, transpersonal caring relationships, sustainment of safe, culturally responsive, and structurally accessible learning spaces

**Pedagogy** - The term pedagogy refers to the method of teaching adopted by teachers, both theoretically and practically



**Reconceptualization** in this study is the shifting of school discipline from a focus on control, punishment, and rule enforcement, to a focus on care, relationships, moral development, and learner well-being.

**Restorative justice** as used in this study refers to helping learners understand the harm caused by their behavior; encouraging accountability and responsibility; facilitating dialogue between offenders and those affected and repairing relationships within the school community

**School discipline** in the context of reconceptualizing school discipline as pedagogical care, it involves a shift in focus from punitive measures to an approach rooted in the theory of care ethics. This theory emphasizes the nurturing and development of learners' well-being, moral growth, and social-emotional needs.

#### **1.14 The Layout and Organization of the Study**

The study is organized into five chapters. Chapter One contextualizes the study. Chapter Two reviews literature on conceptions of school discipline within moral and ethical frameworks as well as school discipline policy documents in Kenya. Chapter Three outlines and discusses the philosophical methodology the study adopted in order to satisfy the three objectives in 1.4. Chapter Four presents the findings of the study based on the three objectives. It is divided into three sections. The first section presents findings of the evaluations of conceptions of school discipline in various moral and ethical frameworks. The second section presents findings and critiques on the philosophical underpinnings of school discipline policies and practices in Kenya. The last section proposes a reimaging of school discipline as pedagogical care in the context of CBE in the country. The final Chapter Five summarises and concludes the study. The chapter also makes recommendations for policy and practice regarding school

discipline in Kenya and suggests aspects of the study that require further research. The next chapter focuses on a review of related literature.

## **CHAPTER TWO**

### **REVIEW OF RELATED LITERATURE**

#### **2.0 Introduction**

School indiscipline is a major and perennial administrative problem in schools in the world and Kenya is no exception. This calls into question school discipline policies, measures and their theoretical underpinnings. Recent global and regional studies continue to highlight that student indiscipline remains a persistent challenge affecting learning outcomes, school safety, and student well-being (UNESCO, 2021; UNICEF, 2022; Wang'ang'a & Ndurumo, 2022). This chapter reviews literature related to the first two objectives of the study: to evaluate the adequacy of different conceptions of school discipline within major philosophical frameworks and to analyse the suitability of the philosophical frameworks that underpin school discipline policies and practices in Kenya. The review sought to identify knowledge gaps thereby justify the undertaking of the study, as emphasized in contemporary research on education policy analysis (OECD, 2021).

#### **2.1 Conceptions of School Discipline within Philosophical Frameworks**

School discipline can be best understood within the framework of a moral theory. The moral and ethical theories of school discipline are foundational principles that guide how schools manage learners' behavior, resolve conflicts, and cultivate a positive learning atmosphere. These principles draw from various ethical theories and moral philosophies that shape the justification and practice of discipline in educational settings. Recent scholarship underscores that effective discipline approaches are increasingly grounded in ethical, relational, and learner-centered paradigms (UNESCO, 2021; OECD, 2021).

Some of the prominent scholars who advocate for school discipline rooted in moral and ethical foundations include John Dewey, Carol Gilligan, Thomas Lickona, and Nel Noddings. Dewey (1909) maintains that school discipline should focus on teaching learners to reflect on the moral implications of their actions and not just enforcing compliance with rules. Lickona (2004) contends that school discipline should be related to ethics. Gilligan (1987) and Noddings (2017) argue that school discipline should be grounded in caring deduced from care ethics theory. Contemporary studies continue to affirm the relevance of these scholars, noting that ethical and care-based approaches enhance character formation, social-emotional learning, and responsible citizenship among learners (Noddings, 2021; Gilligan, 2023; Berkowitz & Bier, 2021). These and other scholars emphasize moral and ethical foundations in school discipline.

Despite the recognized importance of moral and ethical foundations in school discipline, conceptions of discipline vary depending on the ethical frameworks upon which they are grounded. This variation arises because different theories hold divergent philosophical assumptions about human behavior, responsibility, and the role of education in shaping moral development (Coverdale, 2020; Warnick, 2024; Parameswaran et al., 2024). Recent literature further confirms that disciplinary approaches range from punitive and authoritarian to restorative and care-based models, depending on their underlying philosophical assumptions (UNICEF, 2022; Gregory & Evans, 2020). These frameworks have resulted in different conceptions of school discipline ranging from authoritarian to very liberal. This, therefore, called for an interrogation of soundness of the conceptions of school discipline deduced from these theories. The key moral and ethical frameworks that provide the basis for school discipline are deontological ethics (duty-based ethics), utilitarianism, virtue ethics, restorative justice (relational ethics), human rights ethics, communitarian ethics and

care ethics, all of which continue to be widely discussed in contemporary educational discourse (OECD, 2021; UNESCO, 2021).

## **2.2 Moral Bases of School Discipline Policies and Practices in Kenya**

Indiscipline among learners is one of the major problems facing schools in Kenya. Some of the most frequent school discipline issues in Kenya are bullying in both primary and secondary schools, arson cases such as learners burning dormitories, vandalism and destruction of school property, drug and substance abuse, absenteeism and truancy (Departmental Committee on Education and Research, 2019; Wang'ang'a & Ndurumo, 2022; Wanjugu, 2024). Recent national and regional reports further indicate that these forms of indiscipline are linked to broader socio-economic and psychosocial factors affecting learners (UNICEF, 2022; Republic of Kenya, 2022).

Over the years, the Government of Kenya has been making efforts to address school discipline problems in the country. For instance, the Government through the Ministry of Education has been setting up task forces and committees to investigate the causes of discipline problems among learners in schools and recommend ways of solving them. Key of these task forces and committees are summarized below, and their continued relevance is reflected in ongoing education reforms (Republic of Kenya, 2022).

*The Report of the Task Force on Student Discipline and Unrest in Secondary Schools* of 2001. The main objective of the Task Force was to investigate the causes of widespread student indiscipline and unrest in Kenyan secondary schools. The Task Force report identified a number of causes of indiscipline among students including the use of corporal punishment, which was common and legally sanctioned before 2001. This form of punishment was said to lead to student resentment and rebellion. Other causes of unrest identified by the Task Force were poor communication between

students and school administrators, lack of student involvement in school governance, drug and substance abuse, abdication of roles by parents; moral degeneration among the current generation of youths and the general population surrounding the school, increased human rights awareness; and bad role models. These findings remain consistent with more recent studies emphasizing the importance of student voice, parental involvement, and positive discipline approaches (UNESCO, 2021; UNICEF, 2022). The Task Force recommended, among others, the implementation of the prohibition of corporal punishment (by *The Children's Act, 2001*), the introduction of guidance and counseling services in schools, and the establishment of student councils in order to improve communication between students and school administrators. The Task Force also recommended the establishment of a common code of ethics for all students as different codes led to different discipline approaches to similar cases of indiscipline (Ministry of Education, Science and Technology, 2001).

The Special Commission of 2008 to investigate the causes of school unrest and violence. Some of the causes of student unrest identified by the Commission report included: autocratic school administration, drug and substance abuse, poor living conditions in schools, excessive use of corporal punishment, lack of avenues of expressing learners grievances, ineffective school guidance and counseling services, parents abdicating their responsibility; incompetent boards of governors, rampant impunity in the society, ban on caning in schools, autocratic prefect system, and harsh school rules (Ministry of Education, Science and Technology, 2008). These issues continue to be echoed in recent analyses linking school unrest to governance, leadership styles, and institutional culture (OECD, 2021; Republic of Kenya, 2022).

*Report on the Inquiry into the Wave of Students' Unrest in Secondary Schools in Kenya in Term II, 2018.* Some of the key findings of the Committee as causes of student unrest

and indiscipline were drug and substance abuse, degeneration of moral values in the society, limited professional guidance and counselling services in schools, poor communication between parents, teachers and learners, and over-strictness. The Committee recommended, among others, student mentorship programs, and effective guidance and counseling programs in schools (Departmental Committee on Education and Research, 2019). These recommendations align with current global emphasis on mentorship and psychosocial support systems in schools (UNICEF, 2022).

*The National Assembly Education Committee Reports (2018–2022).* The reports of the Committee have over the years addressed issues related to school discipline problems. The Committee recommended involvement of local community and parents in addressing student discipline and the improvement of guidance and counseling services. On the ban on corporal punishment, some members of the Committee called for the reinstatement of corporal punishment, while others root for positive discipline methods (Departmental Committee on Education and Research, 2022). This debate reflects ongoing tensions between punitive and restorative approaches to discipline in contemporary education systems (UNESCO, 2021).

The Government uses the reports from these task forces and committees as a basis for formulating school discipline policies which in turn inform discipline practices in schools. Despite these efforts and the various findings and recommendations of the task forces, cases of students' unrest and indiscipline continue to plague schools in Kenya (Wang'ang'a & Ndurumo, 2022; Wanjugu, 2024). The persistence of school discipline problems despite all these efforts to address them is the concern of the second objective of this study: to find out how discipline is conceived and the suitability of philosophical underpinnings of the conception in the Kenyan context.

As noted in the preceding section, school discipline is best understood within the framework of moral and ethical theory, as contemporary scholarship emphasizes that disciplinary practices are inherently normative and must be justified through coherent ethical reasoning. The adequacy of framing school discipline therefore depends largely on the appropriateness and philosophical soundness of the framework from which it is derived (Coverdale, 2020; Curren, 2020; Warnick, 2024). Similarly, the effectiveness of school discipline policies and practices depend largely on the soundness and suitability of the philosophical frameworks on which they are anchored, a position supported by recent policy research (OECD, 2021; UNESCO, 2021). It is for this reason that the frequency of indiscipline among school learners in Kenya (Wang'ang'a & Ndurumo, 2022) calls into question the theoretical foundations of the country's school discipline policies and practices.

In Kenya school discipline policies and practices are guided by laws, policies and guidelines spelt out in various documents. The documents include *The Constitution of Kenya (2010)*, *The Children's Act (2022)*, *The Basic Education Act (2013)*, Ministry of Education guidelines especially, *The Basic education regulations (2015)*, and individual school codes of conduct. These documents should be interrogated because their provisions provide guidelines for school discipline practices in the country, as emphasized in recent legal and policy analyses (Republic of Kenya, 2022). For instance, the Constitution of Kenya is the foundational legal framework for governance, including education. *The Basic Education Act of 2013* regulates free and compulsory basic education. *The Children's Act of 2022* makes provision for children rights including school going children. The Basic Education Regulations of 2015 operationalizes *The Basic Education Act, 2013*. These are the key documents that provide policies and guidelines on school discipline in the country. How discipline is



conceived and the moral and ethical foundations that underpin the conception determine the effectiveness of the discipline practices envisaged in the policies and guidelines, a view supported by contemporary education governance studies (OECD, 2021).

Studies carried out in this respect indicate that Kenya does not seem to have explicit moral and ethical foundations for school discipline policies and practices. One such study was done by the National Crime Research Centre. It established that one of the challenges of addressing student unrest and indiscipline is ‘poor framework of reintegration of students after punishment’ (National Crime Research Centre, 2017, p. 38). More recent studies continue to highlight gaps in restorative and reintegration practices within Kenyan schools (Wanjugu, 2024; UNICEF, 2022). The study was indirectly referring to poor implementation of restorative practices that are incorporated in a care-based school discipline model. This confirms that the country may be lacking an explicit ethical school discipline framework.

Ominde, K’Odhiambo, and Gunga (2021) carried out a philosophical study on the policy frameworks for value-based education in primary schools in Kenya. The study revealed that the current value-based education approach in the primary school curriculum in the country cannot guarantee the teaching of values concerns due to, among other reasons, the lack of well-articulated philosophy of education. This finding is supported by recent curriculum studies highlighting gaps in value integration within competency-based education (Republic of Kenya, 2022; UNESCO, 2021). This implies that school discipline policies and practices in Kenya may as well not be based on explicit moral and ethical foundations. If the country had a well-formulated philosophy of education, it would have informed, among others, school discipline policies and practices.

Werunga and Khisa (2022) did a study analyzing divergent views on corporal punishment and justice in secondary schools in Kenya towards character formation. Like Ominde, K'Odhiambo, and Gunga (2021), the researchers decried a lack of theoretical framework for the practice of disciplinary measures in schools in the country. Although they were able to recognize that Kantian duty-based deontological ethics is of 'retributive theoretical orientation,' they went ahead to propose it as a suitable theoretical basis for school discipline in the Kenyan context: 'despite the retributive theoretical orientation, Kantian ethics can equally facilitate the character education and training of the young towards moral values and disciplined citizens' (pp. 625). This study evaluated the soundness and suitability of, among others, the deontological ethics as a school discipline theoretical framework, in line with ongoing debates in contemporary ethics and education literature (Berkowitz & Bier, 2021; OECD, 2021).

### **2.3 Chapter Summary and Research Gaps**

The review of literature related to the key moral and ethical theories that provide frameworks for school discipline and the philosophical underpinnings of school discipline policies and practices in Kenya identified several gaps.

First, it came out that whereas it is agreed that discipline is a moral concept and that an adequate conception of school discipline largely depends on the moral and ethical framework(s) in which it is framed, there are different philosophical frameworks which result in varied conceptions of discipline. Hence, there was need to evaluate the different philosophical frameworks for school discipline like deontological, utilitarian, virtue, communitarian, human rights and care ethics models to determine those that are appropriate. This anticipates a better conception of school discipline, as supported by recent comparative studies on discipline models (UNESCO, 2021; OECD, 2021).

Second, a survey of related literature revealed that whereas it is generally agreed that philosophical frameworks are foundational principles that inform the formulation of school discipline policies and guide how schools implement the policies in order to enhance the moral growth and development of learners, it is not clear what school discipline means to policy makers and implementers in school settings. It also emerged that the philosophical framework(s) behind the school discipline conceptions and practices are not explicitly stated in policy documents and guidelines. Hence, there was need to analyse policy documents and guidelines related to school discipline in Kenya to determine the implicit moral and ethical foundations of these policies and practices and to assess the adequacy of the conceptions of discipline and the suitability of their underlying philosophical foundations. The study therefore set forth to fill in the gaps and propose a conception of school discipline within a philosophical framework that is suitable for improving discipline among learners in schools in Kenya, in line with recent calls for contextually grounded and ethically informed education reforms (UNICEF, 2022; UNESCO, 2021).

## CHAPTER THREE

### RESEARCH DESIGN AND METHODOLOGY

#### 3.0 Introduction

This is a study in the discipline of Philosophy of Education; hence, it is philosophical in nature. Like studies in philosophy, studies in Philosophy of Education use a philosophical methodology. Therefore, this chapter explains and justifies the philosophical research design and philosophical methods employed in the study in order to satisfy the research objectives by answering the three key questions set forth in Chapter One in a systematic and coherent manner. The chapter is organized to first clarify the nature of philosophical inquiry, then outline the research design, and finally explain the specific philosophical methods of inquiry applied in the study.

Philosophy of Education is ‘the philosophical study of education and its problems. Its central subject matter is education, and its methods are those of philosophy’ (Noddings, 2016, p. xiii). As noted in Chapter One, the objectives for this study are philosophical in nature in the sense that the study explores the idea of school discipline from a moral perspective and assess whether researchers, policy makers and teachers articulate school discipline from an ethical perspective. This implies that the inquiry is conceptual, normative, and evaluative, focusing on examining the meanings, justifications, and implications of school discipline within ethical frameworks. Contemporary philosophy of education underscores that philosophical research is characterized by conceptual clarification, critical reflection, and normative analysis, which are essential for interrogating educational concepts and practices (Gatley, 2023; McPherson & Plunkett, 2021; Winch, 2026). Since the study treats the subject of school discipline from an ethical perspective, it falls within the axiological branch of philosophy and since the phenomenon under scrutiny (school discipline) is educational,

the inquiry is a work within Philosophy of Education. Hence, the investigation lends itself to a philosophical methodology that integrates analysis, critique, and prescription as key modes of inquiry.

### **3.1 Desktop Research Design**

Research design refers to a comprehensive plan that explains how an investigation will be conducted, including procedures for data collection, analysis, and reporting. Contemporary scholars define research design as a structured framework or blueprint that guides the entire research process and ensures that research questions are systematically addressed (Creswell & Creswell, 2022; Saunders et al., 2023; Bell et al., 2022). It is a general plan to satisfy research objectives by answering a set of research questions. In this study, the research design provides a structured pathway through which philosophical inquiry is conducted, ensuring coherence between the research questions, methods of analysis, and the conclusions drawn.

This study adopted a desktop or secondary research design. Rather than gathering primary data directly from respondents, desktop design is a method of collecting information or data by analyzing existing information from previously conducted studies, reports, and other documented sources. This design is normally used when the questions of a study can be answered adequately with existing information (Blaikie & Priest, 2019; O’Leary, 2017). In line with the philosophical nature of the study, this design facilitates systematic engagement with texts, enabling in-depth conceptual and normative analysis of existing literature and policy documents.

The study adopted a desktop research design for two main reasons. First, the study is philosophical in nature, and philosophical inquiries are often conducted without the collection of primary empirical data, relying instead on conceptual analysis, critical

reasoning, and the interrogation of existing literature. This approach is consistent with contemporary views that philosophy can function as a method in educational research and that conceptual and theoretical analysis can sufficiently ground an investigation without recourse to field data (Tesar, 2020; Leś, 2021; Lourie & McPhail, 2024). In this case, the study relied on the rational methods of analysis, criticism, evaluation and prescription which did not require primary data. These methods were applied systematically to interrogate concepts of school discipline, examine their underlying assumptions, evaluate their coherence within ethical frameworks, and propose a more adequate conception.

Secondly, the study sought to answer the research questions by analyzing and evaluating key legal and policy documents as well as the education ministry guidelines on school discipline in Kenya. The study focused on *The Constitution of Kenya (2010)*, *The Children's Act (2022)*, *The Basic Education Act (2013)*, Ministry of Education guidelines particularly, *The Basic education regulations of 2015* and *The Basic Education Curriculum Framework (2019)*. In this respect, the adoption of this design is in agreement with Blaikie & Priest (2019) recommendation that a desktop research design fits a study that is evaluative in nature. The analysis of these documents was conducted through systematic philosophical methods of inquiry, including conceptual analysis to clarify meanings of discipline, critical analysis to examine underlying assumptions, and normative evaluation to assess the ethical adequacy of the frameworks informing school discipline policies and practices. The philosophical methods the study employed are as explained hereunder.

### **3.2 Philosophical Methods**

The specific philosophical methods the study adopted were analytic, critical, evaluative and prescriptive methods. In addition, the study employed a systematic procedure of

identifying, selecting, and analyzing relevant sources through a clearly defined sampling procedure and sample size determination in order to enhance rigor and coherence in the inquiry.

### **3.2.1 The analytical method**

The method involves the systematic analysis of language, concepts, theories, issues, and documents in order to clarify their meanings and deepen understanding. Contemporary qualitative research emphasizes that document analysis is a valuable source of data, involving the examination and interpretation of texts such as policies, reports, and records to generate meaning and insight. Such analysis is essential for clarifying key concepts, interrogating claims, and examining their underlying justifications and theoretical foundations within a study (Çelik et al., 2020; Xu & Zammit, 2020; Coates, 2021).

The study employed the analytic method to satisfy the second objective by examining the Kenya Government policy documents and guidelines on discipline such as *The Constitution of Kenya (2010)*, *The Children's Act (2022)*, *The Basic Education Act (2013)*, Ministry of Education guidelines especially, *The Basic education regulations (2015)*. This way, the study delved into the content, context, and implications of these documents. Analyzing policy documents involves a comprehensive approach that goes beyond superficial understanding, aiming to extract meaningful insights and identify patterns over time. By employing a structured analytical method, the study gained a deeper understanding of the evolution of Kenya's disciplinary policies and their implications on discipline measures and practices in relation to moral development of learners.

The analytical process begins with an extensive review of the policy documents published by the Kenyan government. This involves gathering all relevant documents, including legislation, guidelines, reports, and official statements, which shed light on disciplinary measures and frameworks implemented in the country. This initial step ensures that the analysis is based on a comprehensive and representative dataset. In this regard, purposive sampling was used to select key policy documents and philosophical texts that are authoritative, relevant, and current to the study objectives. The sample size was ascertained based on saturation and relevance, whereby only documents that directly address school discipline, ethical frameworks, and education policy were included. The primary sources included legal and policy documents, while secondary sources included scholarly books, journal articles, and reports. The main instrument for data collection was a document analysis guide, which was used to systematically extract information on key concepts, themes, assumptions, and ethical positions from each selected source.

### **3.2.2 The critical method**

The approach has roots in the Frankfurt School where philosophers like Adorno used critical theory to analyze and critique social structures and ideologies. The critical method of philosophy examines propositions to see if they are meaningful, meaningless, vague, ambiguous, or false; it examines arguments to see whether they are valid or invalid, sound or unsound. An example of the approach is Socratic questioning which aimed to challenge the beliefs of his discussers, exposing contradictions in their reasoning and prompting deeper reflection. More generally, philosophers test assertions and arguments to see how they really are.

Contemporary philosophy of education maintains that studies in this field necessarily employ the critical method, as philosophical inquiry involves questioning assumptions,



evaluating arguments, and interrogating underlying theoretical foundations. This study therefore adopts the critical method to address objectives one and two: first, to evaluate traditional conceptions of school discipline and their theoretical bases, and second, to critique how Kenyan education policy documents conceptualize school discipline and the philosophical assumptions underpinning these policies and practices (Pettersson, 2020; Sosnowska, 2020; Zamojski, 2024). Among the documents the study subjected to a critical analysis were *The Constitution of Kenya (2010)*, *The Children's Act (2022)*, *The Basic Education Act (2013)*, Ministry of Education guidelines particularly, *The Basic education regulations of 2015* and *The Basic Education Curriculum Framework (2019)*.

The critical analysis was conducted using the document analysis guide as an instrument to interrogate assumptions, identify inconsistencies, and evaluate the logical coherence of arguments presented in the sampled documents. The purposively selected sample ensured that only relevant and authoritative sources were critiqued. The deconstruction anticipated a re-conceptualization of school discipline in Kenyan schools as pedagogical care applying care ethics theory which was the concern of the third study objective.

### **3.2.3 The evaluative method**

Evaluative research is defined as the type of study that uses given standards for evaluative purposes as a specific research methodology (Creswell, 2018). In this study the evaluative method was used to satisfy the first two objectives. It was used to assess the soundness of the moral and ethical frameworks in which school discipline is conceptualized and enacted. The frameworks included deontological, utilitarian, virtue, communitarian, human rights, and care ethical theories. The evaluation sought to propose a framework that provides an effective holistic approach to school discipline.

The method was also used to evaluate educational policy documents on school discipline to find out if they are anchored on an explicit moral theory as well as the suitability of the theoretical foundations, if any. The standard set was whether the conceptualizations of school discipline need reconceptualization or not and whether the policy documents are anchored on a sound moral theory or not. The evaluative process involved comparing findings from both primary sources (policy documents) and secondary sources (philosophical and empirical literature) using predetermined criteria derived from ethical theories. The sample size of sources evaluated was determined by their relevance and adequacy in addressing the research objectives.

#### **3.2.4 The prescriptive method**

The prescriptive approach to philosophical research focuses on providing guidance or recommendations about what ought to be the case. It involves evaluating situations, ideas, or practices and suggesting what individuals, groups or institutions ought to do in order to solve the problems they are facing. It bases its evaluation on ethical theories, logical reasoning, or philosophical ideals before making recommendations for action.

The method is useful in guiding action toward the desired goals. In this case, the study used the approach to make a proposal on how school discipline policies and practices in Kenya could be improved within the framework of care-based ethics. The approach was used mainly in the third objective of the study. The prescriptions were derived from the synthesis of analyzed and evaluated data from both primary and secondary sources, ensuring that recommendations were grounded in systematically generated evidence and logical reasoning.

### 3.3 Data Collection

The sources of the data required to satisfy the three study objectives were philosophical texts and current school discipline policy documents and guidelines. Philosophical texts were mainly those on care-based approaches to school discipline especially the works of Nel Noddings. The policy documents included The Constitution of Kenya (2010), *The Children's Act (2022)*, *The Basic Education Act (2013)*, Ministry of Education guidelines particularly, *The Basic education regulations of 2015* and *The Basic Education Curriculum Framework (2019)*.

A purposive sampling procedure was used to identify and select these sources based on relevance, authority, and alignment with the research objectives. The sample size was determined through saturation, whereby documents were included until no new themes or insights were emerging. Data from both primary sources (policy and legal documents) and secondary sources (books, journal articles, and reports) were collected using a document analysis guide as the main research instrument. The instrument enabled systematic extraction of data related to key concepts, ethical frameworks, assumptions, and policy orientations on school discipline.

The analysis and evaluation of these documents enabled the researcher to understand how school discipline is conceptualized in different ethical frameworks, and how it is currently framed in Kenyan education policy documents and guidelines.

### 3.4 Data Analysis and Philosophical Interpretation

The study used thematic analysis to identify key themes and patterns in reviewed and analyzed documents. For instance, the study identified key ethical frameworks that underpin school discipline policies, guidelines and practices in Kenya. The analysis and

criticisms were done in the context of these ethical frameworks applying logical inferences.

The data analysis process involved several stages: familiarization with the data, coding of relevant concepts and ideas, categorization into themes, and interpretation within philosophical frameworks. Data from primary and secondary sources were triangulated to enhance the depth and validity of findings. The document analysis guide facilitated consistent coding and comparison across sources. The study used philosophical perspectives to analyze the findings by applying analytic, critical, and evaluative lenses to interpret meanings, assess arguments, and draw conclusions. For instance, the study looked at how education policy and guidelines in Kenya frame school discipline from an ethical perspective. The study adopted pedagogical care discipline as the ideal approach to school discipline.

### **3.5 Reliability and Trustworthiness**

Trustworthiness, or rigor, of a study refers to the degree of confidence in the data, interpretations, and methods used to ensure the overall quality and credibility of the research. Contemporary qualitative research emphasizes that rigor entails maintaining transparency, consistency, and methodological integrity throughout the research process so that findings are credible, dependable, and free from bias (Johnson et al., 2020; Adler, 2022; McLeod, 2024).

To ensure trustworthiness of the sources of data, the researcher chose the approach of thinking critically about each of the sources by answering questions such as: who is the author and are they an authority? What is the purpose of the content (accuracy)? Who is the publisher of the content? Why does the source exist? (Is it objective?) Finally,

how does the source compare to others? Data trustworthiness has four key components: credibility, transferability, dependability, and confirmability.

Credibility refers to the confidence that can be placed in the truth, accuracy, and plausibility of research findings, particularly in how well they represent participants' realities and experiences. In qualitative research, credibility is strengthened when findings are shown to be faithful interpretations of participants' views and are supported through systematic and transparent procedures such as peer debriefing, triangulation, reflexivity, and member checking (Johnson et al., 2020; Lincoln & Guba, 2022; McLeod, 2024). In this study, credibility was ensured through an objective and systematic analysis of school discipline policy documents, guidelines, and practices in Kenya. Additionally, the study enhanced credibility through rigorous peer review and faculty debriefing processes, which align with contemporary qualitative standards for ensuring trustworthiness in research (Adler, 2022; Tenny et al., 2023). This is in conformity with the Moi University postgraduate rules which state that the findings, analyses and conclusions of a study should be presented to the departmental graduate faculty after notice of intent to submit the thesis. The researcher also developed an article based on some parts of the study and published in a peer reviewed journal before the oral examination of the thesis.

Transferability refers to the extent to which the findings of qualitative research can be applied or "transferred" to other contexts, settings, or groups beyond the original study. In qualitative inquiry, transferability is not about statistical generalization but about providing sufficiently rich, detailed contextual descriptions that enable readers to determine whether findings are applicable to other situations (Drisko, 2024; McLeod, 2024; Stalmeijer et al., 2024). The researcher facilitates the transferability judgment by a potential user through thick description. Given that the study was conducted through

philosophical inquiry and analysis of school discipline policy documents and guidelines, transferability of the findings was assured by the extent to which the analysis and critiques of the documents reflect the rigor and logical argumentation that are characteristic of a philosophical inquiry.

Dependability refers to the stability of findings over time. Dependability involves researcher's evaluation of the use of Nel Noddings theory of care ethics in secondary schools, interpretation and recommendations of the study such that all are supported by the data as received from the library search.

On the other hand, confirmability is the degree to which the findings of the research study could be confirmed by other researchers. Confirmability is concerned with establishing that data and interpretations of the findings are not figments of the inquirer's imagination, but clearly derived from the data. Confirmability was guaranteed by ensuring that the conclusions and inferences drawn were consistent with the requirements of philosophic inquiry.

### **3.6 Ethical Considerations**

Ethical issues in qualitative research can be described as occurring prior to conducting the study, at the beginning of the study, during data collection, in conducting data analysis, in reporting the data, and in publishing a study (Creswell & Poth, 2018).

Prior to conducting a study, the researcher sought authority to proceed with the work from the faculty in the Department of Educational Foundations and the School of Education at Moi University. This is in line with the University's research guidelines for all postgraduate students.

After being cleared by the Dean, School of Education, to proceed with the study, the researcher obtained a research permit from the National Council of Science,

Technology and Innovation (NACOSTI) - See Appendix 1. This is line with the laws of Kenya which provide that anyone who intends to undertake a research study in the country must obtain a permit from the relevant authority.

Information was obtained from various documents in libraries and internet sites. All sources used for data mining have been duly acknowledged in text and in the reference list that conforms to the 7th edition of APA style recommended by the university. The final draft of the work was subjected to plagiarism check using the university recommended software. The similarity index was 7%, which is within the acceptable range (See Appendix 2).

As part of ethical considerations, the researcher will share the results of this study with the academic community at every possible opportunity in seminars, workshops and refereed journals. For example, the researcher will present the findings of this study in Educational Foundations departmental seminar prior to submission of the work for examination. The researcher will also prepare a paper based on this work and publish it in a peer reviewed journal.

### **3.7 Chapter Summary**

The chapter has outlined and discussed the philosophical methodology employed in the study. The desktop research design was adopted because it aligns well with the study problem as well as the care-based ethical theoretical and conceptual framework. The analytic, critical, evaluative and prescriptive methods selected were used to satisfy the three objectives of the inquiry. The chapter has also explained the reliability, trustworthiness and ethical considerations in the work. The next chapter focuses on the analysis, evaluation, critiques of the school discipline frameworks, policies and practices, and prescription for improving school discipline in the country.

## **CHAPTER FOUR**

### **DATA PRESENTATION AND ANALYSIS**

#### **4.0 Introduction**

The purpose of this philosophical inquiry was to enact school discipline in Kenya as pedagogical care guided by care ethics theory. The chapter presents the findings, analyses, critiques and evaluations in the thematic order of the study objectives. The objectives were to evaluate the adequacy of different conceptions of school discipline within major philosophical frameworks; analyze the suitability of the philosophical frameworks that underpin school discipline policies and practices in Kenya; and position school discipline in the country as pedagogical care. As indicated in Chapter 3, the chapter employs the analytic, critical, evaluative and prescriptive methods as well as logical arguments and inferences that are characteristic of philosophical research. The chapter is divided into three sections that correspond to the three objectives of the study. Section 4.1 evaluates conceptions of school discipline within the various moral and ethical theories. Section 4.2 analyses school discipline policy documents, guidelines and practices in Kenya and critiques them from a care ethics perspective. Finally, section 4.3 prescribes how school discipline in the country can be improved by positioning it as pedagogical care in the context of Competency-Based Education (CBE).

#### **4.1 Conceptions of School Discipline in Ethical Frameworks**

A brief review of literature related to this objective in Chapter Two revealed that whereas it is generally agreed that discipline is a moral concept and that a satisfactory conception of school discipline depends on the ethical theories in which it is conceptualized, there are different ethical theories which result in varied conceptions of discipline. Triangulation of data from philosophical texts, empirical studies, and



policy documents further confirms this diversity, showing that disciplinary practices are shaped by underlying moral assumptions that vary across contexts (UNESCO, 2021; OECD, 2021). Hence, there was need to evaluate the different philosophical frameworks for school discipline to determine those that are suitable for application in the Kenyan context. This is the basis of the first study objective which is to evaluate the adequacy of different conceptions of school discipline within major philosophical frameworks.

School discipline should be framed as a moral construct. As a moral concept, school discipline refers to the idea that disciplinary policies, guidelines and practices in educational settings should be guided by ethical principles and aim to nurture learners' moral growth and development. This viewpoint treats discipline not as a tool for control but as an opportunity to build character and instill values in learners. Evidence from policy analysis and literature reviewed indicates that Kenyan school discipline policies implicitly reflect moral assumptions but often lack explicit articulation of ethical frameworks guiding them (Republic of Kenya, 2022; Wang'ang'a & Ndurumo, 2022). By framing school discipline as a moral and ethical concept, educational institutions aim not only to address immediate behavioural concerns but also to guide learners toward becoming ethically conscious, responsible, and socially responsive individuals. Contemporary scholarship in philosophy of education and restorative approaches emphasizes that discipline grounded in ethical frameworks fosters moral development, relational responsibility, and learner well-being (Curren, 2020; Coverdale, 2020; Warnick, 2024; Parameswaran et al., 2024). This implies that school discipline policies and practices must be understood and enacted within moral and ethical frameworks.

The key frameworks that provide the basis for school discipline are deontological, utilitarian, virtue, communitarian, human rights, care ethical theories. Triangulated

analysis of philosophical literature, policy documents, and empirical studies reveals that these principles emanate from various moral and ethical theories and are reflected, either explicitly or implicitly, in school discipline practices. They are foundational principles that inform the formulation of school discipline policies and guide how schools implement the policies in order to enhance the moral growth and development of learners. This evaluation aims to identify the strengths and weaknesses of each approach and how they can inform a more effective and holistic system of school discipline. This section presents findings in form of evaluative discourse grounded in critical analysis and interpretation guided by care ethics as the theoretical framework.

#### **4.1.1 A deontological ethics framework for school discipline**

A deontological approach to school discipline highlights the significance of observing moral rules and duties. It postulates that certain actions are inherently right or wrong, irrespective of their consequences. This approach is rooted in the philosophy of Immanuel Kant. This model advocates for the establishment of universally applicable rules that promote fairness and respect for individuals. According to the framework, individuals have a duty to adhere to moral principles and rules (Kant, 1785). The essence of Kantian ethics lies in the categorical imperative, which obliges people to act in ways that could be universally acknowledged as moral law.

Triangulated findings from policy documents and literature indicate that Kenyan school discipline practices reflect elements of deontological ethics, particularly in the emphasis on rules, obedience, and institutional authority (Republic of Kenya, 2022; Ministry of Education, 2015). When applied to school discipline, schools that adopt a deontological model of discipline stress the need for learners to abide by established rules and regulations, and respect authority figures. In this model, discipline is regarded as rule following and the upholding of duties and responsibilities. It entails teaching

learners that they have a commitment to follow rules and respect others. Discipline is acceptable when it enforces moral duties and respects the inherent dignity of individuals. In this framework, the goal of school discipline is to inculcate in learners a sense of duty, respect for rules, and moral responsibility.

The strength of this approach lies in its potential to create order and an environment that is conducive to teaching and learning. It enables schools to consistently implement disciplinary policies that respect the dignity of all learners, thereby aligning with the principles of deontological ethical theory. In such an environment, learners are encouraged to act out of a sense of duty rather than mere compliance, encouraging a deeper understanding of ethical behavior. However, triangulated evidence from contemporary empirical studies indicates that over-reliance on rule-based and compliance-oriented discipline frameworks often results in punitive practices, exclusionary outcomes, and insufficient attention to learners' contextual and individual circumstances. Recent scholarship and global education reports further highlight that such approaches can contribute to inequities in schooling and undermine supportive learning environments (UNICEF, 2022; OECD, 2023; Skiba & Losen, 2021).

However, a strict deontological framework can result in authoritarian discipline whereby school discipline focuses on obedience to rules and respect for authority figures like teachers, and administrators. School discipline is often imposed through institutional authority, with a strong emphasis on obedience, respect for authority, and external behavioural control. However, contemporary research indicates that such approaches may overlook the underlying social, emotional, and contextual factors that contribute to student misbehaviour. Over-reliance on rigid, compliance-based discipline systems can therefore result in “one-size-fits-all” interventions that fail to accommodate the diverse cultural, psychological, and socio-economic backgrounds of learners,

potentially exacerbating inequities in schooling (OECD, 2023; UNICEF, 2022; Gregory & Skiba, 2021). Thus, while the deontological framework provides a valuable foundation for fairness and justice, it must be balanced with a more nuanced understanding of the individual's moral landscape, as emphasized in care ethics theory (Noddings, 2021).

#### **4.1.2 A utilitarian ethics approach to school discipline**

Utilitarianism, was developed by Jeremy Bentham and John Stuart Mill. It is based on the idea that actions are morally right if they produce the greatest good for the greatest number of people. The focus is on the outcomes of actions, and ethical decisions are made by evaluating their consequences (Mill, 1863). Discipline is justified if it benefits the greatest number of people by maintaining order and promoting learning.

Triangulated analysis shows that utilitarian reasoning is evident in policies that justify discipline in terms of maintaining school order and protecting the majority (OECD, 2021; Republic of Kenya, 2022). In educational context, school discipline is justified when it promotes the overall well-being and safety of members of the school community. This approach emphasizes the consequences of disciplinary measures, arguing that disciplinary policies and measures should be designed so as to produce the greatest good for the greatest number. Rules are enforced to prevent harm and create a conducive learning environment for all school community members. Similarly, punishment is justified on the basis of its effectiveness in promoting the greater good, such as maintaining order and fostering a conducive learning environment.

Nevertheless, a strict adherence to the utilitarian framework raises ethical issues regarding the rights of individual learners. For instance, utilitarian approaches can sometimes justify harsh disciplinary policies and measures if they are seen as benefiting

the majority. This can lead to the neglect of the individual learner's rights and well-being, a concern supported by human rights-based critiques of school discipline (UNESCO, 2021). Consequently, the utilitarian approach may not easily achieve a fair balance between community welfare and the rights and dignity of each learner. This tension highlights the necessity for a more nuanced framework that safeguards individual rights while recognizing the importance of community dynamics, as proposed in care ethics.

#### **4.1.3 A virtue ethics framework for school discipline**

Virtue ethics is grounded in the philosophical traditions of the ancient Greek philosopher, Aristotle. The approach stresses the development of good character and moral virtues, such as prudence, honesty, courage, respect, and self-discipline. It puts emphasis the importance of cultivating moral character over following specific rules or focusing on consequences (Aristotle, 1906).

Triangulated findings from curriculum frameworks and literature indicate that Kenya's competency-based curriculum emphasizes values and character development, aligning with virtue ethics (Republic of Kenya, 2019; UNESCO, 2021). Schools that adopt a virtue ethics approach focus on helping learners develop positive aspects of character. In this approach, discipline is seen as a means to promote the growth of virtues and moral habits that will guide learners in their future actions. The framework positions teachers as role models, and frames discipline as part of moral character education, helping learners to understand and practice virtues like respect, responsibility, and empathy. Discipline is a means of fostering the moral development of learners by encouraging virtuous behavior and helping them become ethical individuals. The goal of discipline is to help learners develop strong moral character and make ethical decisions throughout their lives.

This framework can help create an environment where positive behavior is emphasized, encouraging learners to internalize good character traits. However, triangulated evidence suggests variability in how values are interpreted and implemented across schools (Ominde, K’Odhiambo, & Gunga, 2021). Different cultures and communities may prioritize different virtues, leading to inconsistencies in disciplinary policies and practices across various educational contexts. Consequently, while virtue ethics enriches the discourse on school discipline, it requires a careful consideration of cultural relativism and diversity in its application.

#### **4.1.4 A communitarian ethics approach to school discipline**

The philosophical basis of this framework is communitarian ethics, which is associated with theorists like Alasdair MacIntyre and Michael Sandel. Communitarian ethics emphasizes the role of shared community values, relationships, and social context in shaping moral behaviour. From this perspective, individuals are understood as being formed within communities, and ethical action involves fulfilling responsibilities that sustain collective well-being and social cohesion. Contemporary scholarship reinforces the view that moral identity and ethical behaviour are deeply embedded in relational and communal structures rather than being purely individualistic (Sandel, 2020; MacIntyre, 2022; Etzioni, 2021).

Triangulated findings from policy reports and empirical studies show that Kenyan discipline policies emphasize collective responsibility, parental involvement, and community participation (Departmental Committee on Education and Research, 2022; UNICEF, 2022). In a communitarian approach, school discipline is perceived as a way to uphold the values and norms of the school community. Learners are taught that their actions have an impact on others, and discipline is seen as a means to promote social cohesion and shared responsibility. Schools may use democratic decision-making

processes to involve learners in creating rules and resolving conflicts, which underlines the idea that discipline is a collective responsibility. The goal of discipline in this framework is to foster a sense of community and shared responsibility, where learners understand that discipline is about contributing to the common good.

The strength of this approach lies in its ability to foster solidarity and mutual respect within the school. However, triangulated analysis indicates tensions between collective norms and individual rights in practice (UNESCO, 2021). Communitarian ethics may present challenges when community values conflict with individual rights, which necessitates a delicate balance between upholding collective norms and respecting individual freedoms.

#### **4.1.5 A human rights ethics approach to school discipline**

Human rights ethics draw from the philosophical works of Immanuel Kant, John Locke, and modern human rights frameworks like the Universal Declaration of Human Rights. The framework emphasizes the inherent dignity and rights of every individual. This ethical perspective holds that all individuals, including learners, have rights that must be respected and guaranteed in all circumstances.

Triangulated findings from legal documents such as The Constitution of Kenya (2010) and The Children's Act (2022) confirm that Kenyan school discipline policies are strongly grounded in human rights principles. In a human rights framework, school discipline must respect the fundamental rights of learners. This includes their right to be treated with dignity, the right to education, and the right to fair treatment. Disciplinary measures should not violate learners' basic rights, such as through the use of excessive punishment or discriminatory practices. The goal of discipline is to ensure

that school discipline aligns with the principles of human dignity, fairness, and respect for the rights of all learners.

The strength of a human rights approach lies in its commitment to justice and equity. However, triangulated evidence shows challenges in implementation, particularly in balancing rights with discipline enforcement (UNICEF, 2022). A human rights framework must also be accompanied by ongoing training and awareness-raising among educators to ensure effective implementation.

#### **4.1.6 A Restorative justice ethics framework for school discipline**

This approach draws from indigenous justice practices, relational ethics, and communitarian ethical traditions, including capabilities-based moral philosophy associated with thinkers such as Martha Nussbaum. It emphasizes the importance of healing relationships, repairing harm, and fostering inclusive and supportive communities in which moral development is socially grounded and relationally sustained (Nussbaum, 2020; Zehr, 2021; Keddie, 2023).

Triangulated findings from policy reports and empirical studies indicate limited but growing adoption of restorative practices in Kenyan schools (National Crime Research Centre, 2017; Wanjugu, 2024). In a restorative justice framework, when a student breaks a rule or harms someone, the focus is not on punishment but on repairing the harm and restoring relationships. Discipline is seen as a process of accountability and reconciliation.

The restorative justice framework offers a transformative approach to discipline. However, its effectiveness is contingent upon the willingness of all parties to participate and the availability of trained facilitators. This aligns with care ethics emphasis on relationships and dialogue.



#### **4.1.7 The case for a care ethics framework for school discipline**

Care ethics was developed by thinkers like Martin Heidegger, Carol Gilligan and Nel Noddings. Heidegger uses the concept of care (*Sorge*) to describe human existence as fundamentally relational, situated, and embedded in the world as caring beings. Contemporary interpretations of relational and care-based ethics extend this idea by emphasizing the importance of interconnectedness in moral life (Heidegger, 1962; Slaby & Gallagher, 2020). Gilligan highlights the relational and emotional dimensions of moral reasoning, particularly how ethical judgement is shaped through care and responsibility in relationships (Gilligan, 2023). Similarly, Noddings' care ethics in education underscores the centrality of caring relationships as the foundation for moral development, teaching, and school discipline practices (Noddings, 2021; Warren, 2022).

Triangulated analysis of philosophical literature, policy gaps, and empirical findings indicates that care ethics provides the most comprehensive framework for addressing school discipline challenges in Kenya. A care ethics approach to discipline emphasizes understanding the emotional and relational aspects of student behavior. Discipline is guided by a concern for the well-being of both the individual student and the larger school community.

The advantage caring approach has over the models evaluated above include the following:

Ethics of care framework is a holistic approach to school discipline. The approach integrates the best elements in other school discipline frameworks. Thus, it addresses the whole child, considering emotional, social, and psychological aspects of behavior.

Ethics of care framework is a relationship-centered approach. It builds stronger, more trusting relationships between learners and educators. This relationship is crucial for the realization of discipline.

The framework reduces harm. A care-based approach minimizes the harm of punitive measures and focuses on healing.

The framework promotes empathy. By emphasizing understanding and dialogue, care-based approach fosters empathy and compassion.

The framework focuses on long-term growth of learners. Instead of temporary punishment, care ethics supports long-term moral and emotional development.

The strength of a care ethics approach lies in its potential to transform the school climate, promoting positive behavioral outcomes and addressing the root causes of misbehavior (Noddings, 2021; UNESCO, 2021). However, care ethics may face criticism for potentially being overly subjective or for lacking clear guidelines, requiring structured implementation frameworks.

#### **4.1.8 Conclusion**

In conclusion, the evaluation of various philosophical frameworks for school discipline reveals the complexities and nuances inherent in designing effective disciplinary practices. Triangulated findings from philosophical analysis, policy review, and empirical literature show that the moral and ethical bases of school discipline are diverse. Each discipline approach offers valuable insights. The challenge is how to balance these different approaches in specific educational contexts in order to have a holistic approach to school discipline. The evaluation has revealed that care ethics is a comprehensive approach that integrates some of the best elements of the other school discipline frameworks. The approach also honors the dignity and unique circumstances

of each student, besides creating a positive school climate conducive to learning and personal moral growth. It is in this light that the study adopts the framework to inform school discipline policies and practices in Kenya.

## **4.2 Philosophical underpinnings of School Discipline Policies and Practices in Kenya**

### **4.2.0 Introduction**

As noted in the preceding section, philosophical frameworks are foundational principles that guide how discipline is conceptualized and enacted in schools in order to enhance the moral growth and development of learners. It was also noted that there are different philosophical frameworks which result in varied conceptions of discipline, and that an adequate conception and effective practice of school discipline largely depend on the moral and ethical framework(s) in which discipline is framed. The key frameworks that provide the moral foundations for school discipline are deontological, utilitarian, virtue, communitarian, human rights, and care ethical theories. It was also noted in Chapter Two that recent studies indicate that Kenya seems to lack an explicit theoretical framework for the practice of disciplinary measures in schools (Ominde, K'Odhiambo, & Gunga, 2021; Werunga & Khisa, 2022; Wanjugu, 2024; Mweru, 2024). This is the basis of the second study objective. Hence, this section presents findings on the second study objective which is to analyze the suitability of the philosophical frameworks that underpin school discipline policies and practices in Kenya.

The current school discipline policies and practices in Kenya are guided by a range of legal, education policy documents and guidelines including *The Constitution of Kenya (2010)*, *The Children's Act (2022)*, *The Basic Education Act (2013)*, Ministry of Education guidelines especially, *The Basic education regulations 2015* and individual school codes of conduct. Since the effectiveness of the discipline policies and practices

outlined in the documents depend largely on the soundness and suitability of the philosophical frameworks on which they are anchored (Lickona, 2004; Gilligan, 1987; Noddings, 2017; UNESCO, 2021; OECD, 2023), the prevalence of indiscipline among learners (Wang'ang'a & Ndurumo, 2022; Wanjugu, 2024) calls into question the suitability of the frameworks. The section employs mainly the analytic method to determine the philosophical frameworks that underpin the discipline policy documents and the critical method to determine suitability of the frameworks through the lens of ethics of care, while triangulating findings from policy analysis, philosophical interpretation, and empirical studies on school discipline in Kenya.

#### **4.2.1 Legal framework for school discipline in Kenya**

The Constitution of Kenya, promulgated in 2010, serves as a foundational legal framework for governance, including education. The legal basis for the provision of education in the country is Chapter Four of The Constitution which states that all Kenyan children have a right to free and compulsory basic education. To operationalize Article 53 of the Constitution, the government enacted two acts: *The Basic Education Act (2013)* which promotes and regulates free and compulsory basic education and *The Children's Act (2022)* which makes provision for children rights. The enactment of *The Children's Act (2022)* is also an attempt to adhere to the United Nations Convention on the Rights of the Child (UNCRC) to which Kenya is a signatory. The Ministry of Education prepared *The Basic Education Regulations (2015)* in order to operationalize *The Basic Education Act, 2013*. These documents provide policies and guidelines on school discipline in the country. They emphasize the importance of maintaining discipline as a means of ensuring a conducive learning environment, encouraging good behavior, preventing misconduct, and guaranteeing the safety and well-being of all students and staff.

A close and careful analysis of the school discipline policies and practices outlined in the documents listed above, triangulated with findings from recent empirical and policy studies (UNICEF, 2020; UNESCO, 2021; Wanjugu, 2024), reveals that they are, to a large extent, anchored on deontological ethical framework and to some extent on human rights ethics. The next two subsections give details of the findings from the discipline policy documents, guidelines and practices. The findings are organized thematically in terms of the two main frameworks: deontological and to some extent on human rights ethical framework in which the policies and practices are grounded.

#### **4.2.2 Deontological foundations of school discipline in Kenya**

A deontological ethical framework for school discipline requires learners to follow established rules and regulations, and to respect authority figures. Learners are told that they have an obligation to act in accordance with the rules and regulations. The framework allows the use of sanctions as a way of ensuring that rules are followed (Goodman, 2006; OECD, 2023). This is the framework that, to a large extent, underpins school discipline policies and practices in Kenya as the analysis of the documents indicates, and as corroborated by recent studies on school discipline practices in Sub-Saharan Africa (UNESCO, 2021; Mweru, 2024). Analysis of the discipline policy documents, regulations and practices reveals that they are grounded in deontological framework in two ways: first, school discipline is conceptualized as acting in accordance with rules, and second, school discipline is understood as punishment and sanctions.

##### *School discipline as acting in accordance with rules and regulations*

The deontological conception of school discipline as rule-following is evident in *The Basic Education Act (2013)*, *The Basic Education Regulations (2015)* as well as The

*Children's Act (2022)* gives weight to this deontological view of discipline by outlining the duties and responsibilities of a child such as to respect their parents, superiors and elders, and not vandalize any property. The conception of school discipline is contemplated in Article 35(3) of the Act which empowers the cabinet secretary for education to make regulations for schools regarding discipline of students. This is actualized in *The Basic Education Regulations (2015)*. The Regulations provide specific guidelines for managing and administering education in Kenya. These regulations stipulate procedures for student discipline and require schools to develop codes of conduct that reflect values of respect and responsibility (Republic of Kenya, 2015).

Part III of the Regulations is titled 'School Rules, Discipline Procedures for Students and Exclusion.' Article 32 in a deontological fashion and for practical purposes within a school context defines an indisciplined student thus: 'A learner shall be deemed to be individually indisciplined if involved in...' acts such as 'physical fights, bullying of other learners, stealing, cheating in examinations and drug trafficking or substance abuse.' Article 33 characterizes acts such as the destruction of school property as 'mass indiscipline.' The acts of 'indiscipline' listed in the two articles are usually included in individual school codes of conduct which implies that 'indiscipline', as contemplated in the Regulations, consists in violation of school rules; it is rule violation. Stated in the positive, a disciplined student is one who acts in accordance with school rules. In other words, the policy formulators conceive school discipline in a deontological manner as rule-following.

It seems the deontological conception of school discipline as rule following informed Article 30 of the regulations which mandates schools to formulate rules to guide students' behavior: 'Every institution of basic education shall develop school rules

which shall be subjected to public participation and which shall not be inconsistent with the Act, or any other relevant written law’(Republic of Kenya, 2015). In compliance with this regulation, schools in Kenya formulate codes of conduct for learners commonly referred to as school rules and regulations.

At the school level, codes of conduct are a means of defining acceptable behaviors and the consequences for misbehavior. Every learner is normally expected to understand and commit to adhere to the rules. Some schools require parents or guardians to also read and countersign the rules their children are expected to abide by during their studentship. The rules usually include those listed in Article 32 and 33 of *The Basic Education Regulations (2015)*. Schools in Kenya thus have more or less different rules for regulating learners’ behavior and promoting discipline. Learners are expected to follow the rules to the letter. The rules can be categorized as academic and non-academic rules. Academic rules and regulations include examination rules, time management rules and classroom rules. Non-academic rules regulate learners’ conduct such as boarding life and good grooming. Generally, the rules cover most aspects of school life such as school attendance and punctuality, respect for teachers and nonteaching staff, prohibition of cheating in examinations, vandalism, or theft, dress code, prohibition of substance abuse and behavior in and outside the school compound. The emphasis in these codes is on compliance with rules which is a deontological approach to discipline.

Overall, the provisions of *The Basic Education Act (2013)*, *The Children’s Act (2022)* and *The Basic Education Regulations (2015)* related to discipline are premised on the conception of school discipline as rule-following as well as the assumption that students have an obligation to act in accordance with a code of conduct. This view of discipline as submission to rules is supported by some scholars and educational researchers such

as R. S. Peters. He contends that: ‘Discipline is thus a very general notion which is connected with conforming to rules (Peters, 1967, pp.173-174). Another scholar who supports the rule-following conception of school discipline is Snook (2003). For Snook, discipline is both the means by which rules can be enforced, and obedience to relevant rules. If a learner knows what they should do but does not do it, then they are deemed to be poorly disciplined.

### *School discipline as punishment and sanctions*

Analysis of the documents also reveals that the policymakers equate ‘punishing’ with ‘disciplining’ a student, which is a deontological orientation. The discipline regulations recommend the use of punishment as a means of making students follow school rules. The Third Schedule of *The Basic Education Act (2013)*, states that one of the functions of Parents Association (PA) is to assist school managers in the ‘disciplining of pupils.’ In this context, ‘disciplining of pupils’ means punishing them when they break school rules. This conception of discipline is also implied in *The Children’s Act (2022)*. The Act defines ‘corporal punishment as ‘the use of physical force applied on a child by the use of any means, including a cane or other object, with the intention of inflicting pain or discomfort for the purpose of corrective discipline or punishment.’ Implicit in the definition is the position that acceptable forms of punishment can be used ‘for the purpose of corrective discipline.’

This deontological conception of discipline as punishment seems to pervert all education policies, guidelines and regulations. For instance, Part XI of *The Teachers Service Commission Code of Regulations for Teachers (2015)* provides for offences for which teachers may be disciplined and the disciplinary procedure and decisions. ‘Disciplining’ a teacher in this context means punishing them when they violate the



provisions of the TSC code of conduct and ‘discipline decisions’ mean the various forms of punishment the commission metes out to teachers depending on the degree of severity of the offences for which they have been found to be guilty.

It is not surprising that the notion of ‘punishing as disciplining’ is also prevalent at school level. Article 35(3) of *The Basic Education Act (2013)* empowers the Cabinet Secretary for education to make regulations to prescribe expulsion or the discipline of a delinquent pupil as a last resort. This was operationalized in *The Basic Education Regulations (2015)* which, as already noted, mandates individual schools to develop rules and regulations to govern students’ behavior. Violations of these rules and regulations may lead to disciplinary action conceived in terms of punishment, such as suspension or expulsion, depending on the severity of the offense. In most cases, schools indicate the form of punishment each rule violation attracts. This explains why recent studies confirm that many schools still use that form of punishment despite the official prohibition in 2001 (Wanyama & Wanyama, 2021; Werunga & Khisa, 2022). Such schools or teachers conceive discipline as punishment.

Among scholars who support punitive approaches to school discipline, the emphasis is placed on enforcement of rules and obedience to institutional authority. From this perspective, discipline is understood not only as a mechanism for maintaining order but also as compliance with established norms, such that failure to act in accordance with known rules is interpreted as indiscipline warranting corrective or retributive sanctions. However, contemporary critiques of such deontological approaches argue that they often overemphasize compliance and punishment while neglecting relational, developmental, and contextual dimensions of learner behaviour (Warnick, 2024; Gregory & Skiba, 2021; OECD, 2023).

This explains why recent studies confirm that many schools still use that form of punishment despite the official prohibition in 2001 (Wanyama & Wanyama, 2021; Werunga & Khisa, 2022; Mweru, 2024; Wanjugu, 2024). Such schools or teachers conceive discipline as punishment.

#### **4.2.3 A human rights-based approach to school discipline in Kenya**

Other than the deontological underpinnings of school discipline policies and practices, a close analysis of school discipline policy documents and guidelines reveals that they are also influenced by human rights advocacy. A human rights-based approach is a conceptual framework that is normatively based on international human rights standards and operationally directed to promoting and protecting human rights.

The legal basis for a human rights-based approach to school discipline is The Constitution of Kenya (2010). The entrenchment of children's rights in the Constitution was informed by among others international protocols. For instance, Kenya is a signatory to the United Nations Convention on the Rights of the Child (UNCRC) which requires member states to respect and protect the rights and freedoms of children within their jurisdictions. The convention has various provisions on the protection of children's rights and freedoms. For example, article 19(1) guarantees the protection of the child from all types of physical or psychological maltreatment, damage, abuse, exploitation, forced labor and neglectful treatment by a family, caretaker, parents or any other person whose responsibility it is to protect the child. Article 28(2) implicitly provides that disciplinary measures and the rules and regulations of schools should conform to the rights of children and that it is the responsibility of education stakeholders to ensure the realization of the rights. Article 37(a) has provisions against degrading and inhuman treatment, cruel punishment and maltreatment of children (UN General Assembly, 1989).

The presence of elements of a human rights ethics approach to school discipline are quite evident in the legal and education policy documents in the country. These documents position education as a realm where human rights and responsibilities coexist in a delicate balance. Chapter Four of the Constitution is appropriately titled ‘The Bill of Rights.’ The chapter enumerates the rights and fundamental freedoms of Kenyans as human beings. Article 53 dwells on the rights of children. For instance, Article 53(1) (d) of The Constitution states that a child has a right ‘to be protected from abuse, neglect, harmful cultural practices, all forms of violence, inhuman treatment and punishment, and hazardous or exploitative labor.’ Article 53(2) makes it clear that ‘A child’s best interests are of paramount importance in every matter concerning the child.’ However, this provision has a limitation in Article 25(2) which on deontological basis, allows the infliction of punishment for an offence committed by a child under any law provided such punishment is humane and preserve the child’s dignity, and is commensurate with the evolving capacity of the child. As shall be seen later, balancing the deontological and rights-based approach in disciplinary situations can be quite a challenge to schools.

In alignment with international standards set forth in the United Nations Convention on the Rights of the Child (UNCRC), *The Children’s Act (2022)* amplifies the rights of children in a home, a children’s day care center, nursery, school, rehabilitation school, charitable children’s institution, borstal institution, children’s court, healthcare institution or other establishment. The Act emphasizes that all disciplinary actions must prioritize the child's welfare, highlighting rehabilitation over punishment. Part II of the Act is titled ‘Safeguards for the rights and best interests of the child. Article 25(1) states: ‘Every child has the right to freedom from torture and cruel, inhuman or degrading treatment or punishment as provided under Article 25 (a) of the Constitution. ‘This

provision has a limitation in Article 25(2) which allows the infliction of punishment for an offence committed by a child under any law provided such punishment is humane and preserve the child's dignity, and is commensurate with the evolving capacity of the child. Again, this provision is deontological and as we have noted balancing deontological and rights-based approach to discipline is not easy for schools in disciplinary situations.

*The Basic Education Act, 2013*, elaborates on children's rights within the Kenyan educational context. It provides for the establishment of school management committees responsible for formulating disciplinary policies that respect students' rights. This Act emphasizes non-discriminatory practices and outlines guidelines for addressing disciplinary issues, thus attempting to harmonize educational discipline with broader human rights principles. It provides that students adhere to school rules and outlines procedures for dealing with infractions, including suspension and expulsion (Republic of Kenya, 2013). For instance, the Act prohibits against corporeal punishment and mental harassment to the child. This aligns with the global move toward protecting children from physical harm and promoting positive disciplinary measures. The use of corporeal punishment in schools was initially banned in 2001 following the enactment of *The Children's Act (2001)* which has since been replaced by that of 2022. The ban has been upheld in Article 36(1) of *The Basic Education Act (2013)*: 'No pupil shall be subjected to torture and cruel, inhuman or degrading treatment or punishment, in any manner, whether physical or psychological.' It should be noted that though the policies prohibit the use of physical forms of punishment in schools, other forms of punishment are allowed provided they are administered humanely.

Considerations of children rights have also informed the emphasis on corrective measures like guidance and counseling, mentorship, peer mediation, spiritual nourishment and parental involvement. Article 65(1) of *The Basic Education Regulations (2015)* requires all basic education institutions to provide ‘guidance services to all learners, distinct from counseling services; counselling services as an essential corrective measure; and spiritual development services focusing on moral values and character formation of the learners.’

Generally, there is an increasing effort in contemporary education systems to discourage punitive forms of school discipline that do not promote learner rehabilitation or positive behavioural change. Schools are therefore expected to adopt disciplinary approaches that respect learners’ rights while also supporting their moral and educational development. However, navigating the tension between deontological (rule-based) and rights-based approaches remains complex in real disciplinary contexts, as schools often struggle to balance compliance with care, justice, and contextual responsiveness. Recent scholarship confirms that disciplinary frameworks frequently lack coherence, with policies sometimes weakly aligned to the broader moral and educational purposes of schooling, resulting in inconsistencies in implementation (Gregory & Skiba, 2021; OECD, 2023; Warnick, 2024). There are also other challenges associated with the integration of these frameworks, which the next section examines critically.

This is further supported by global education policy analyses which emphasize rights-based approaches to discipline as central to inclusive and equitable education systems (UNESCO, 2021; UNICEF, 2020; OECD, 2023).

#### **4.2.4 Critique of Kenyan school discipline frameworks from care ethics perspective**

A critical reading of these guidelines reveals a reliance on deontological ethics, where discipline is framed in terms of rule-following and obedience to authority. At the school level, codes of conduct reinforce the punitive approach to discipline, with many schools adopting zero-tolerance policies for certain behaviors (Wanyama & Wanyama, 2021; Werunga & Khisa, 2022). These codes often outline a hierarchy of infractions and corresponding retributive punishments, ranging from minor penalties such as detention to more severe measures such as suspension or expulsion. The emphasis in these codes is on compliance with rules, and learners are often excluded from the decision-making process regarding disciplinary actions. These measures are rooted in a deontological framework that emphasizes rule-following and punishment for violations. When viewed through the lens of care ethics, the current approach to school discipline in Kenya presents some challenges.

When triangulated with empirical evidence from recent studies (Wanyama & Wanyama, 2021; Werunga & Khisa, 2022; Mweru, 2024; Wanjugu, 2024) and interpreted through the lens of care ethics (Noddings, 2017; Noddings, 2021), the current approach to school discipline in Kenya presents some challenges.

First, school discipline that is entrenched in a deontological framework that emphasizes rule-following and punishment for infractions may be effective in maintaining order but fail to promote long-term self-regulating behavior that is vital for students' moral development. Indeed by design, punitive discipline tends to focus on controlling behavior rather than engaging with students to understand their needs and support their moral growth. The goal of discipline is to create an environment that is conducive to learning by preventing immediate discipline issues.

This is evident in the school discipline policy documents and guidelines that seldom frame discipline as an opportunity for moral growth that emphasizes rule-following and punishment for infractions may be effective in maintaining order but fail to promote long-term self-regulating behavior that is vital for students' moral development. Indeed by design, punitive discipline tends to focus on controlling behavior rather than engaging with students to understand their needs and support their moral growth. The goal of discipline is to create an environment that is conducive to learning by preventing immediate discipline issues.

This is evident the school discipline policy documents and guidelines that seldom frame discipline as an opportunity for moral growth. Instead, misbehavior is preserved as a violation of school rules that attracts punishment. The policies and guidelines do not provide explicit guidance on how teachers can use discipline as a pedagogical tool for moral growth and development. This is evident in language used which portrays discipline more of a control mechanism than as a pedagogical practice to foster moral development of learners.

Overall, the discipline policies and guidelines do not provide a clear moral justification for disciplinary practices that goes beyond the need to create order or to maintain a conducive learning environment in schools. Care ethics views discipline as an opportunity for moral learning, where students can reflect on their actions and understand the impact of their behavior on others. This process of moral reflection requires a supportive and caring environment, where students feel valued and heard. There is no explicit reference to care, empathy, or relational dynamics in the provisions on discipline. This aligns with contemporary critiques that argue that rule-based discipline systems often neglect relational and developmental dimensions of education (UNESCO, 2021; OECD, 2023).

Second, available evidence from social science studies reveal that punitive discipline approaches are not effective in addressing students discipline issues. In most cases, punitive disciplinary measures aggravate the behavioral issues they intended to solve. According to Zhang & Jerald (2014), the main reason why these punitive policies and practices are ineffective is that they do not seek to address the root causes of learners' misbehavior, but to simply punish them for their actions which violate school rules and regulations. Punishment teaches the individual what not to do but does not guide the individual on what to do. The person who orchestrates punishment is often associated with it and viewed with negativity. Fear of punishment often leads to avoidance behaviour. Despite the banning of corporal punishment in Kenya by the Children's Act (2001), the use of caning or corporal punishment persists in our Kenyan schools (Zhang & Jerald, 2014; Mweru, 2024; Wanjugu, 2024).

Third, too much emphasis on rule following and punishment undermines the relational aspects of education which are characteristic of a caring approach to discipline. An ethic of care seeks to develop caring relationships between teachers and learners and views these relationships as essential to moral growth. In contrast, Kenyan school discipline policies and guidelines still emphasize maintaining authority and compliance with school rules and regulations, with little emphasis on relational practice. They position teachers as enforcers of school rules, rather than as caring mentors who guide learners in their moral and emotional development.

At the school level, recent studies indicate that student–teacher relationships remain weak or strained in many schools, which negatively affects discipline, learner engagement, and overall school climate. Contemporary research and policy reports highlight that such relational breakdowns are often linked to authoritarian discipline



practices, lack of trust, and limited use of restorative or supportive approaches in managing student behaviour (UNESCO, 2021; OECD, 2023; Gregory & Skiba, 2021).

For instance, a survey by the National Crime Research Centre (2017) found that poor student-teacher relations in schools is a major challenge in addressing unrests and arsons in secondary schools in the country.

The inadequacy of relational considerations in the school discipline policies and guidelines limits the potential for discipline to be used as a tool for fostering empathy and care. Instead of promoting mutual understanding and respect, punitive measures often distance learners from their teachers and school administrators leading to resentment. This creates a school environment where learners feel oppressed and alienated.

Fourth, though the discipline policy documents have provisions for restorative practices, such as, mentorship, peer mediation and spiritual development services (Ministry of Education, 2015), the focus is usually on managing learners' behavior through punishment and sanctions, rather than on understanding the root causes of indiscipline. Studies on this aspect indicate a poor implementation of restorative practices in many schools across the country (Departmental Committee on Education and Research, 2019; National Crime Research Centre, 2017; Nandeke, Chumba, & Kiprop, 2017; Wanjugu, 2024).

Furthermore, the inconsistent implementation of restorative practices, often hampered by a lack of educator training, can lead to ineffective conflict resolution. Care ethics calls for a profound understanding of each student's unique circumstances and needs, advocating for practices that nurture relationships and support students' overall development (Noddings, 1992; Noddings, 2021).

In a care-centered framework of school discipline, teachers would engage with learners in restorative conversations, helping them understand the consequences of their actions and guiding them toward more empathetic behavior. Kenyan policies and guidelines, by contrast, focus on exclusionary practices such as suspension, which remove learners from the learning environment and deny them the opportunity to learn from their mistakes. The focus is predominantly on managing behavior through the application of sanctions, rather than on understanding the underlying causes of misbehavior or engaging students in restorative practices.

Last, while legal frameworks, Kenyan discipline policy documents and guidelines have some provisions on respecting and protecting rights of learners, a critical examination of the documents from a caring ethics perspective reveals major shortcomings. Kenyan school discipline policies and practices still have a place for punitive, control oriented measures, some of which are specified in the Basic Education Regulations, 2015. The persistence of punitive disciplinary approaches, despite the existence of rights-based policy provisions, suggests a lack of coherence in the moral and philosophical foundations of school discipline policies. Recent studies and global education reports indicate that corporal punishment and other punitive practices still persist in some schools, highlighting a significant gap between policy frameworks and actual classroom practice. This disconnect reflects broader challenges in policy implementation, where reforms grounded in learner rights and restorative principles are not fully translated into everyday school discipline practices (UNESCO, 2021; UNICEF, 2022; OECD, 2023). These findings resonate with Goodman's earlier observation that the moral dimension of discipline policies is often conceptually unclear and inconsistently applied, leading to weak alignment between disciplinary practices and the educational purposes of schooling (Goodman, 2006).

Studies reveal that many schools still rely on forms of punishment that are not in conformity with a rights-based approach. For instance, studies done in recent years confirm that many schools still cane learners despite the official prohibition of corporal punishment in 2001 vide the Children's Act, 2001 (Wang'ang'a & Ndurumo, 2022; Wanyama & Wanyama, 2021; Werunga & Khisa, 2022; Mweru, 2024; Abuya, Maina, & Ogola, 2020; Wanjugu, 2024). Many schools also still use other forms of punishment which violate the rights of learners such as kicking, pinching, slapping, and kneeling down for long (Mweru, 2024; Abuya, Maina, & and Ogola, 2020).

#### **4.2.5 Summary**

A critique of the deontological and human rights frameworks that underpin school discipline policies and practices in Kenya can be summarized as follows: School discipline in Kenya is grounded in both deontological and human rights ethical frameworks which, when triangulated across policy analysis, empirical findings, and philosophical interpretation within a care ethics theoretical framework, present some major challenges. The reliance on punitive measures does not provide opportunities for the moral growth of learners and undermines the relational and restorative aspects of caring discipline. The punitive and control-oriented measures also undermine the provisions on human rights approach in the discipline policies and guidelines. Hence, the blending of deontological and human rights approaches in the policies and practices is not harmonious. This confirms Ominde, K'Odhiambo, & Gunga (2021) finding that Kenya lacks a clearly articulated philosophy of education, a concern further echoed in recent scholarship on African education systems (UNESCO, 2021; Wanjugu, 2024).

Therefore, there is need for a more holistic approach to school discipline that harmoniously blends the various frameworks that offer valuable insights into how

discipline can be used to promote not only order and safety but also moral development. This can be achieved by framing school discipline in the country as pedagogical care.

### **4.3 Framing School Discipline in Kenya as Pedagogical Care**

#### **4.3.0 Introduction**

The selection of a care-based ethical framework over competing approaches was underscored in Section 4.1. When triangulated with contemporary empirical studies and policy analyses, care ethics provides a more comprehensive interpretive lens for understanding school discipline, particularly in relation to relationality, moral development, and learner well-being (Noddings, 2021; Gilligan, 2023; Warren, 2022). Section 4.2, through documentary analysis of legal and policy texts, further reveals that school discipline policies and practices in Kenya are largely grounded in deontological and human rights frameworks. However, critical synthesis of findings and recent literature suggests that these frameworks are often inconsistently integrated, leading to conceptual and practical tensions in policy implementation (OECD, 2023; UNESCO, 2021; Warnick, 2024). This inconsistency is further evidenced in practice-oriented studies (Wanyama & Wanyama, 2021; Werunga & Khisa, 2022), which show persistent reliance on punitive discipline despite rights-based provisions.

This situation points toward pedagogical care grounded in care ethics, which, when triangulated with contemporary theoretical and empirical literature, emerges as a holistic approach that integrates key elements of other school discipline ethical frameworks while addressing their limitations. Recent scholarship highlights that care ethics, restorative justice, and relational pedagogies collectively offer a more responsive and context-sensitive foundation for school discipline, particularly in fostering moral growth, repairing harm, and strengthening relationships within school communities (Noddings, 2021; Zehr, 2021; Parameswaran et al., 2024). This section

deals with the last study objective which sought to propose how school discipline in Kenya could be enacted as pedagogical care, informed by the triangulation of documentary evidence, philosophical analysis, and educational literature. The first two subsections give conceptual clarifications of pedagogical care in the context of school discipline, while the third provides specific proposals on how to frame school discipline as pedagogical care in the context of CBE in Kenya leading to growth, well-being, and moral development of learners, as supported by curriculum policy analysis (KICD, 2019).

#### **4.3.1 The Concept of pedagogical care**

Pedagogy of care derives from the tenets of care ethics, and when triangulated with philosophical, pedagogical, and curriculum literature, it becomes evident that care ethics is not only a normative theory but also a practical pedagogical orientation. As Kolarić and Taczyńska (2022) notes, care ethics is not only a theory but also a pedagogy, a position supported by Freire (2005), Noddings (2013), Gay (2018) and Motta & Bennett (2018), whose works collectively emphasize relational and emancipatory education.

Pedagogical care refers to the intentional and ethical practices educators adopt to support the holistic development of learners, as confirmed through synthesis of care ethics theory and learner-centered pedagogical literature. As articulated by Nel Noddings, a key figure in care ethics, this approach underscores the importance of caring relationships in the educational process (Noddings, 1984), a finding consistent with empirical studies on relational pedagogy in schools. In this approach, teaching and discipline involve empathy, mutual respect, authentic dialogue, affirmation, and transformative action and a deep concern for the holistic development of the child (Noddings, 2017), which aligns with competency-based education expectations (KICD,

2019). In this framework, discipline is not merely a tool for enforcing rules but rather a holistic practice aimed at fostering learner's well-being and overall development, as supported by restorative justice literature (Zehr, 2015). The approach creates an educational environment where learners feel valued, respected, and supported, as corroborated by relational pedagogy studies.

Pedagogy of care aligns well with educational models that emphasize inclusive and learner-centered approaches, such as competency-based education, as evidenced in policy document analysis and curriculum review. Part 4.3.3 illustrates how the approach can be applied to school discipline in the context of CBE in Kenya. Before that, it is important to clarify what is meant by pedagogical care discipline as it is a key concept in this section and study as whole.

#### **4.3.2 The concept of pedagogical care discipline**

Pedagogical care discipline is a relational and caring approach to school discipline that integrates principles of care ethics into educational practice. When triangulated with contemporary literature on restorative justice, policy analysis, and relational ethics, it provides a comprehensive framework for fostering respectful, supportive, and morally grounded school environments. Recent scholarship emphasizes that such an approach prioritizes relationship-building, harm repair, and learner well-being while addressing disciplinary issues in a constructive and ethically responsive manner (Noddings, 2021; Zehr, 2021; Parameswaran et al., 2024). Such disciplinary approaches prioritize the well-being of the learner, emotional support, and a holistic approach to learning, as also reflected in competency-based education policy (KICD, 2019).

In this approach, the purpose of discipline in educational contexts is understood as an opportunity for learning and moral development rather than mere control or

punishment. Contemporary comparative literature on restorative practices in schools reinforces the view that discipline should focus on helping learners understand the consequences of their actions and develop better future choices through reflection, dialogue, and relationship repair. Recent scholarship in care ethics and restorative justice supports this educational and rehabilitative orientation to discipline, emphasizing guidance, empathy, and responsibility as central to learner development (Noddings, 2021; Zehr, 2021; Parameswaran et al., 2024). Discipline is also seen as a way to help learners to develop important life skills such as self-regulation, empathy, negotiation and conflict resolution, consistent with empirical findings on social-emotional learning. By positioning discipline as part of the process of education, schools can help learners to grow morally.

Some of the leading foundations of pedagogical care discipline are drawn from care ethics, critical pedagogy, and restorative justice traditions, which collectively emphasize relational, restorative, and learner-centred approaches to school discipline. When triangulated, contemporary scholarship in these traditions underscores that effective discipline systems should prioritise nurturing school climates where discipline is not primarily about control, but about fostering self-regulation, responsibility, moral reflection, and active learner engagement (Noddings, 2021; Freire, 2021; Zehr, 2021; Gay, 2022). Recent research further supports restorative approaches as evidence-informed alternatives to punitive discipline, demonstrating their effectiveness in improving school climate, reducing exclusionary practices, and strengthening relationships within school communities (OECD, 2023; Parameswaran et al., 2024).

The key aspects of pedagogical care discipline include:

Pedagogical care discipline emphasizes strong teacher-learner relationships as a foundation for positive behavior, a finding strongly supported by relational pedagogy studies and Noddings' (2013) care ethics. Focuses on mutual respect, trust, and understanding to guide learners in making better choices.

Pedagogical care discipline operates on the principle of prevention is better than cure, which is consistent with social-emotional learning literature and school climate studies. Thus, it encourages proactive strategies to forestalling discipline issues.

Pedagogical care discipline also emphasizes addressing root causes of indiscipline in learners rather than only reacting to particular cases, as supported by behavioral psychology and education sociology studies.

The approach prioritizes restorative practices over punitive disciplinary measures. Contemporary research in restorative justice and school discipline consistently demonstrates that practices such as restorative circles, mediation, and structured dialogue enable learners to acknowledge responsibility, repair harm, and rebuild relationships within the school community (Zehr, 2021; OECD, 2023; Parameswaran et al., 2024).

Pedagogical care discipline further emphasizes empathy, relational understanding, and moral development, aligning with care ethics perspectives that position relationships at the centre of ethical education and learner formation (Noddings, 2021; Gilligan, 2023; Warren, 2022).

The approach encourages the development of self-discipline in learners, aligning with constructivist learning theories that emphasize internalization of values.



Pedagogical care discipline also recognizes the cultural, social, and economic factors that influence learner behavior, consistent with ecological systems theory (Bronfenbrenner) and care ethics perspectives. Central to pedagogical care is the idea that discipline should be grounded in an understanding of learners' backgrounds, emotions, and experiences. It is an individualized and contextualized approach to school discipline as opposed to a deontological model which is a uniform way of looking at discipline.

Understanding school discipline as pedagogical care transforms the school from a place of control to one of nurturing holistic growth and development of learners. This positions the teacher as a guide and mentor who helps learners in this developmental journey. Studies indicate that where this approach has been adopted, it has proved to be a more effective than the traditional reliance of punishment. For example, Illinois State middle schools adopted a restorative justice model of school discipline in place of the zero-tolerance policy had been in place for years. The implementation of punitive zero-tolerance policy had failed as it resulted in a high number of discipline cases among students (Camilleri, 2016). The next part makes specific proposals on how pedagogical care discipline can be integrated into Kenya's competency-based education at basic education level.

#### **4.3.3 Integrating pedagogical care discipline into CBE in Kenya**

This part gives a proposal for enacting school discipline as an essential part of pedagogical care in the context of CBE in Kenya. When triangulated with policy review findings and curriculum analysis (KICD, 2019), this section constitutes the most important contribution of the thesis as it proposes how the adoption of pedagogical care school discipline framework in the country can help improve school discipline by

promoting learners' holistic growth, moral development and creating educational environments that are conducive to teaching and learning.

We have seen how school discipline in Kenya is grounded in both deontological and human rights ethical frameworks and noted the pitfalls associated with the frameworks including the failure to balance the two, a finding consistent with Goodman (2006) and Ominde, K'Odhiambo, & Gunga (2021). There is the challenge of reliance on traditional approaches to discipline, such as corporal punishment which was officially banned in 2001 (Wang'ang'a & Ndurumo, 2022), yet persists according to empirical studies (Mweru, 2024). However, by embracing a pedagogical care framework, schools in the country can overcome these challenges while aligning with Kenyan policies that advocate for the protection of children's rights and the promotion learners' discipline and caring learning environments.

Pedagogical care discipline can align well with the broader goals Competency-Based Education (CBE) as articulated in the Basic Education Curriculum Framework (BECF) of 2019. Curriculum analysis shows that the framework roots for a child-centered education that guarantees the 'holistic growth and development 'of every learner (KICD, 2019, p. 11). It envisions school graduates who are responsible ethical citizens who 'do the right thing because it is the right thing to do' (p. 15), a value consistent with virtue ethics and care ethics integration. The BECF anticipates a care-based approach by stating that 'teachers are role models for learners, caring for and inspiring every child to achieve his or her potential' (Ibid.), which supports findings from relational pedagogy literature.

So in what ways can pedagogical care can be used to improve learners' discipline in schools in Kenya? This can achieved not by ethical principles alone but by the ideal of

caring itself, as emphasized in Noddings' care ethics. Pedagogical care discipline requires schools to maintain conditions under which caring can flourish. Pedagogical care discipline can be integrated into the Kenyan CBE as follows:

Regarding school discipline policies and guidelines, triangulation of legal documents and literature shows that they are grounded in deontological and human rights ethical frameworks but the blending of the two approaches in the policies and practices is not harmonious, confirming Ominde, K'Odhiambo, & Gunga (2021). The Departmental Committee on Education and Research (2019) also noted the inadequacy of the policy provisions on school discipline and recommended reform. Further, policy discourse analysis reveals continued ideological tension between punitive and rights-based approaches, including advocacy for corporal punishment reintroduction by some policymakers (Departmental Committee on Education and Research, 2022). It also emerged that an effective approach to school discipline ought to be a holistic one. The study ascertained that ethics of care framework is a holistic approach to school discipline, consistent with Noddings (2017), as it addresses the whole learner's personality, including moral, emotional, social, and psychological aspects of behavior.

Therefore, this study proposes that the Government of Kenya through the Ministry of education should adopt a care-based philosophical framework for school discipline, consistent with international literature on relational education reform. Accordingly, the provisions on school discipline in policy documents such as the Basic Education Act of 2013 and the Ministry of Education's guidelines, such as the Basic Education Regulations of 2015 should be reviewed within a care-based theoretical framework. This recommendation is supported by policy reform literature advocating coherence in educational philosophy. The framework should guide school discipline policy formulation and practice in the country. The adoption of a care-based discipline

framework aligns well with the vision of the basic education curriculum to help every learner to become ‘an engaged, empowered and ethical citizen’ (KICD, 2019. p. 11). It is also in line with one of the BECF’s pillars which is to ground the curriculum in theoretical foundations.

Regarding school discipline practices, triangulated findings suggest integrating pedagogical care through Noddings’ four components of character formation: modeling, dialogue, practice, and confirmation.

First, involving learners in school disciplinary processes is a key principle of pedagogical care discipline. Contemporary care ethics and restorative justice scholarship emphasize that learner participation in disciplinary decision-making fosters ownership, accountability, and moral development, while also contributing to a more caring and inclusive school environment. However, recent empirical and policy studies indicate that learner participation in discipline processes remains limited in many school contexts, often due to hierarchical school structures and authoritarian disciplinary cultures (UNICEF, 2022; OECD, 2023; Gregory & Skiba, 2021). Therefore, this study proposes that schools should create structured opportunities for learners to participate meaningfully in discussions on discipline, including the formulation of rules of conduct and the development of restorative practices that promote dialogue, responsibility, and relationship repair.

One way of involving learners in disciplinary process is by engaging them in problem-solving. Learners should not be seen as just passive receivers of disciplinary measures from their teachers. In pedagogical care disciplinary approach, teachers should involve learners in resolving conflicts and finding solutions to discipline issues. Schools can achieve this by having peer mediation programs. Through these programs, some learners

can be inducted to help resolve conflicts among fellow learners. Also, engaging them in reflective dialogue about their conduct enables them to understand their behavior and the consequences of their actions better. This approach makes learners to be responsible agents and prepares them on how to handle similar challenging situations in the future.

Second, schools should emphasize the centrality of relational care. An ethic of care is relational. That is why Noddings (1992) defines caring in terms of relational practices. Decisions and judgements regarding what is good to do are based on the situation and circumstances surrounding those involved in a caring relation. Similarly, pedagogical care discipline emphasizes the importance of relational care. Schools in Kenya can apply this aspect of pedagogical care discipline by building strong relationships between learners, teachers, parents, guardians and the community.

In school contexts, learners are the cared-for while teachers are the carers. As carers, teachers should exhibit the three characteristics of a caring person. The first is engrossment in the cared-for learners. Engrossment, occurs when the teacher establishes a caring relationship by accepting learners' feelings and acknowledging the relevance of their experiences. Teachers become engrossed in their learners when they focus on their needs and emotions. The willingness of teachers to attend to learners and the engrossment on their needs maintains and enhances the caring relationship. Second, is teachers' commitment to their learners. Commitment means that the teachers' responsibility to care for learners takes precedence over everything else. According to Noddings (1992), a committed teacher practices inclusion of all learners' ideas and seeks to understand and accept their feelings. The caring relationship is enhanced when learners realize that the teacher is committed to meet their needs and to understand and accept each learner. Third is motivational shift from a focus on the teacher self to a focus on the learner other. The motivational shift of caring occurs when the teacher

views the world through the eyes of the learners. This enables teachers to connect to learners' lives.

The Centrality of the relationship between teachers and learners to education in general and discipline in particular has been underscored both in theory and social science studies (Kolarić & Taczyńska, 2022). Despite the centrality of relational care in disciplinary practices, recent studies reveal that there is poor student-teacher relations in many schools across the country (Departmental Committee on Education and Research, 2019; National Crime Research Centre. 2017; Nandeke, Chumba, & Kiprop; 2017). Hence, this study proposes that teachers should abandon their traditional authority roles and engage in genuine dialogues with learners in ways that foster an atmosphere of mutual respect and collaboration. For example, teachers can hold regular conversations with learners in order to understand their personal problems and challenges. These conversations can help teachers to identify the underlying causes of learners' discipline problems issues in school and at home and address them in a caring way.

This relational approach allows for the establishment of school-level codes of conduct that reflect the values of empathy and understanding, thereby promoting a positive school climate. The implementation of this relational approach to school rules is important because studies indicate that very few schools in the country attempt to involve learners in the formulation of school rules (Akech, Ngwacho & Nyatuka, 2022). The implication is that most learners view school rules as externally imposed by teachers which is not in conformity with a care-based relational approach.

Third, schools should prioritize restorative practices over punitive ones when dealing with learners' discipline issues. As noted by Zehr (2015), restorative practices, which

focus on repairing harm and restoring relationships, are a critical component of pedagogical care discipline. A pedagogical care approach to discipline encourages schools to deal with learners' discipline issues through restorative practices rather than punishing them for violating rules. This is a positive discipline approach that seeks to heal relationships and restore harmony among members of the school community.

Despite the potential benefits of restorative practices, studies have established that one of the challenges of addressing student unrest and indiscipline in the country is poor framework of reintegration of learners after punishment (National Crime Research Centre. 2017). Hence, this study proposes that schools should hold mediation sessions to address conflicts between learners, teachers, and between learners and the school administrators. For instance, instead of suspending or expelling a learner for destroying school property, the school might make them take responsibility, apologize to those affected, and help repair the damage. These sessions can provide learners who have misbehaved a chance to express their true feelings, understand the harm their actions caused to others, and work with them to make amends. By focusing on how the learners' actions may have affected others and how they can make amends, the approach enables teachers to address indiscipline in a way that is not confrontational. This aligns with the restorative aspect of a care-based approach to discipline.

Fourth, the focus of disciplinary measures should shift from reliance on punishment to understanding the underlying causes of discipline issues and helping them learn from their mistakes. A pedagogical care disciplinary approach will encourage school administrators and teachers to go beyond the surface manifestation of misbehavior in order to identify and address its root causes. In other words, instead of just addressing the symptoms of indiscipline observed in learners, pedagogical care discipline demands that teachers should seek to understand the root causes behind a learner's actions. Such

factors could include family issues, stress, traumatic experience, or learning difficulties that could be influencing the learner's behavior. Addressing the root causes of learners' indiscipline is implied in the BECF which encourages teachers to cater to the needs of every learner, constantly diagnosing their needs (KICD, 2019).

Adopting this pedagogical approach is crucial because many learners in Kenya have behavior problems in schools as a result of the economic and social challenges they face like family instability and poverty.

In such disciplinary situations, schools can practice care through guidance and counseling services as well as mentorship programs. This approach requires teachers and school counselors to provide emotional support to learners who have discipline issues arising from their challenging life situations. This approach is potentially effective because it addresses the root causes of indiscipline and emphasizes long-term growth; hence, learners are less likely to repeat the same acts of indiscipline in the future.

Fifth, schools should endeavor to create of a caring school environment that is conducive to learners' growth and moral development. A school committed to promoting good discipline strives to become a microcosm of a caring and just society. In a caring school, the daily life of learners and teachers in classrooms and other parts of the school environment such as playground, sports fields, buses, dormitories, offices and staffroom should be infused with atmosphere of concern and respect for others. This can also significantly reduce discipline issues. Schools should promote a culture which puts emphasis on care and respect. Such a caring environment make learners feel emotionally safe and valued. Learners are less likely to engage in indiscipline if they have a sense of belonging and community. Those who misbehave inspire of the caring



school climate should be subjected to disciplinary measures that encourage positive change.

School administrators, teachers and nonteaching staff should be role models of the care they expect from learners. Through modelling, teachers demonstrate how to care through their own relations with learners. Modeling does not entail just telling learners to care or just giving them texts to read on caring; rather teachers should demonstrate caring in their own behavior and relations with them.

Sixth, teachers should adopt flexible individualized approach to school discipline. A care-based approach favors flexible individualized over a one-size-fits-all approaches to school discipline. This is based on the assumption that each learner is unique and with their own individual differences and behavioral challenges. This demands that the recognition of each learners' uniqueness and tailoring discipline to the needs and circumstances of the individual. Disciplinary measures that work for one learner may not necessarily work for another. Hence, pedagogical care discipline emphasizes the need to understand each learner's unique situation and circumstance and responding to their disciplinary issues accordingly.

It should be noted that the current discipline approaches in Kenya do not put much emphasis on individualized approach to school discipline both in policy and practice. For example, one of the recommendations of the discipline task force of 2001 was the establishment of a common code of ethics for all students arguing that different codes led to different discipline approaches to similar cases of indiscipline (Ministry of Education, Science and Technology, 2001). Implicit in this recommendation is that schools should devise similar disciplinary measures for all cases that appear to be similar which is not in line with the principle of an individualized disciplinary approach.

In school contexts, teachers and school administrators can employ individualized discipline approach especially to learners with persistent discipline issues. Such learners require individualized discipline plans with personalized goals and care suitable to the specific needs of each learner. This is in line with the BECF which requires teachers to be flexible in their approaches in order to cater to the needs of every child (KICD, 2019).

Seventh, for effective school discipline, it must be inclusive which means that there must be collaboration between the school and the home. Stakeholder involvement in learners' discipline processes is implied in the BECF which encourages teachers and schools to collaborate with other stakeholders who influence the child such as parents, other professionals, local and wider community (KICD, 2019). The involvement of key education stakeholders in learners' discipline was also one of the recommendations of the parliamentary education committee (Departmental Committee on Education and Research, 2022).

Parental and guardian involvement cannot be ignored because they also play a role in shaping their children's behavior and promoting moral values in them. Therefore, it is important for the school to regularly communicate with parents and guardians in order to provide them with suggestions and activities that can help them to reinforce the core values, the school should also inform them about the school's discipline policies and efforts. The school should have strategies to orient new parents and guardians to the school's disciplinary policies and measures. This inclusive disciplinary approach that involves learners, teachers, and families helps create a sense of community and shared responsibility for behavior. The approach also ensures that there are no lapses in discipline when learners are in school and at home.

Therefore, there is need to sensitize parents and guardians on care-based disciplinary approaches. Schools should regularly organize parent-teacher workshops that focus on pedagogical care disciplinary practices. The focus of these workshops should be on the importance of relational and emotional aspects of care, and positive discipline practices in school and at home. Parents and guardians should also be encouraged to participate and support the efforts of the school to address their children's discipline issues through care.

Last, there is need for initial and continuous teacher professional development focusing on care-based approaches to school discipline. In order to overcome the challenge posed by deontological view of school discipline as authoritative and punitive measures, there is need to include pedagogical care discipline component in teacher education and continuous teacher professional development programs in the country. This proposal is based on the assumption that pedagogical care discipline requires a shift in mindset for teachers from deontological to care-based. The purpose of such training would be to enable teachers acquire care-based pedagogical knowledge and skills and most importantly embrace pedagogical care discipline. The professional development programs can focus on restorative practices, emotional regulation, empathic listening, conflict mediation, and how to foster caring relationships.

Mounting of teacher professional development programs on care-based pedagogy is in line with the expectations of the BECF which requires teachers to be 'highly knowledgeable, reflective professionals that have additional enhanced skills and confidence in a range of modern pedagogical tools' (KICD, 2019, p. 11).

The integration of pedagogical care discipline in Kenyan schools can potentially improve the levels of discipline among learners thereby greatly minimize the perennial

problem of unrest and indiscipline in schools. By emphasizing relationships, understanding the root causes of misbehavior, and using restorative justice practices, schools can create environments that are not only safe for learning but also promote the holistic development. This approach aligns with the broader goals of CBE in Kenya. However, a successful implementation of the approach requires a shift in the mindset of teachers, school administrators, parents and guardians from the traditional deontological-based authoritative and punitive discipline attitudes to a care-based approach.

Each proposed intervention learner participation, relational care, restorative practices, root-cause analysis, caring school environments, individualized disciplinary approaches, stakeholder inclusion, and teacher professional development is supported by convergence between policy gaps, empirical evidence, and contemporary care ethics and restorative justice theory. Recent scholarship consistently emphasizes that effective school discipline systems must be relational, context-sensitive, and oriented toward repairing harm rather than merely enforcing compliance (Noddings, 2021; Zehr, 2021; Parameswaran et al., 2024). Across all interventions, triangulated evidence from policy analyses and empirical studies indicates that school discipline in many contexts, including Kenya, remains overly punitive, insufficiently relational, and weakly aligned with restorative principles (OECD, 2023; UNICEF, 2022; Gregory & Skiba, 2021).

#### **4.4 Chapter Summary**

This Chapter has framed school discipline as a moral construct, and triangulated analysis has underscored the importance of understanding and enacting discipline within moral and ethical frameworks, consistent with care ethics literature (Noddings, 2017; Gilligan, 1987). An evaluation of key moral theories has revealed that a care ethics provides an effective holistic approach to school discipline; hence, recommended

for application to the Kenyan context, as supported by convergence between philosophical analysis and curriculum policy (KICD, 2019).

However, a critical analysis of Kenyan school discipline policies, guidelines and practices through the lens of care-based framework has revealed significant shortcomings, as confirmed by both documentary evidence and empirical studies (Wanyama & Wanyama, 2021; Werunga & Khisa, 2022; Mweru, 2024). The policies and practices are anchored on deontological ethics with emphasis on rule following and punitive approaches as well as human rights-based ethics, but triangulated evidence shows these are inconsistently implemented and often conflict in practice. Hence, there is disharmony in the blending of deontological and human rights approaches in the policies and practices, consistent with Goodman (2006) and Ominde, K'Odhiambo, & Gunga (2021).

Finally, the last section of the chapter has presented a proposal on how pedagogical care discipline may be integrated into school discipline policies guidelines and practices in the context of Kenya's CBE. The section has demonstrated, through synthesis of literature, policy, and philosophical analysis, how the adoption of this care-based approach can transform school disciplinary approaches resulting in improved discipline levels in learners in the country. The next chapter, provides conclusions and recommendations of the study.

## CHAPTER FIVE

### SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

#### 5.1 Introduction

This chapter provides a synthesis of the inquiry findings, logically derived conclusions, and the proposal for improving school discipline within the context of Kenya's Competency-Based Education (CBE). It also presents policy recommendations for strengthening school discipline in the country. In addition, the chapter offers suggestions for further research on aspects related to this study.

#### 5.2 Summary

The title of the thesis is 'Reconceptualizing School Discipline in Kenya as Pedagogical Care in the Light of Care Ethics Theory.' The purpose of this philosophical inquiry was to explore how school discipline is conceptualized in contemporary Kenyan school policy documents, guidelines, and practices, with a view to reconceptualizing it as pedagogical care. The study focused on *The Constitution of Kenya (2010)*, *The Children's Act (2022)*, *The Basic Education Act (2013)*, Ministry of Education guidelines particularly *The Basic Education Regulations of 2015*, and *The Basic Education Curriculum Framework (2019)*. These documents were selected because they provide the legal basis, policy direction, and operational guidelines for school discipline in Kenya.

The study adopted a desktop or secondary research design and employed philosophical methods of analysis, criticism, evaluation, and prescription to examine policy documents and disciplinary practices in relation to the three research objectives. The findings are summarized thematically according to the study objectives.

The first objective was to evaluate the adequacy of different conceptions of school discipline within major philosophical frameworks. The evaluation of deontological, utilitarian, virtue ethics, communitarian, restorative justice, and human rights frameworks revealed that although each offers valuable insights into school discipline, none of them is individually sufficient to constitute a comprehensive or holistic approach. Each framework contains significant conceptual and practical limitations when applied independently. The analysis therefore established a theoretical gap requiring a more integrated and holistic framework. The study found that pedagogical care grounded in care ethics provides a more comprehensive approach because it integrates key strengths of other frameworks while emphasizing learner dignity, relational engagement, and moral development within a supportive school climate.

The second objective was to analyse the suitability of philosophical frameworks underpinning school discipline policies and practices in Kenya. The documents analysed revealed that school discipline in Kenya is largely anchored on a deontological ethical framework, with partial incorporation of human rights-based and restorative justice principles. However, the study established that the integration of these frameworks is not coherent or harmoniously blended in both policy and practice. This lack of integration contributes to inconsistencies in disciplinary approaches across schools and levels of education.

The third objective was to propose how school discipline could be enacted as pedagogical care within the context of *Competency-Based Education in Kenya*. The study developed proposals for integrating care-based disciplinary practices that align with CBE principles. It emerged that pedagogical care discipline has the potential to improve learner behavior, reduce school unrest, and enhance moral development by emphasizing relationships, understanding root causes of misconduct, and applying

restorative practices. This approach aligns with the broader goals of CBE, which emphasize holistic learner development. However, the study also established that many teachers, school administrators, parents, and guardians continue to hold deontological, authority-based, and punitive disciplinary attitudes, which may hinder effective implementation of care-based discipline.

### **5.3 Conclusions**

The study draws the following conclusions based on its objectives and findings.

First, the study concludes that conceptions of school discipline within deontological, utilitarian, virtue ethics, communitarian, human rights, and restorative justice frameworks are individually inadequate. None of these frameworks, when applied in isolation, provides a comprehensive or holistic account of school discipline. This creates a theoretical gap that necessitates a more integrative and relational approach. The study therefore concludes that pedagogical care grounded in care ethics is the most suitable framework for addressing this gap, as it provides a holistic, relational, and learner-centered approach to discipline that can be adopted in the Kenyan context.

Second, the study concludes that the dominant deontological foundation of school discipline policies and practices in Kenya is not fully suitable for contemporary educational needs. Its emphasis on rule compliance and punitive sanctions does not adequately support learners' moral development. Furthermore, there is a lack of coherence in how deontological and human rights principles are blended within policy frameworks, resulting in inconsistencies and tensions in implementation. The study therefore concludes that a more coherent and holistic framework is required, with care ethics offering the most appropriate philosophical foundation for school discipline in Kenya.



Third, the study concludes that school discipline within the context of Competency-Based Education in Kenya can be significantly improved by reconceptualizing it as pedagogical care. This approach aligns discipline with moral learning, relational engagement, and holistic development. However, successful implementation requires a fundamental shift in mindset among teachers, school administrators, parents, and guardians from punitive, authority-based disciplinary approaches to care-centered, relational practices.

## **5.4 Recommendations**

Based on the findings and conclusions of the study, the following recommendations are made for policy, practice, and further research. These recommendations are aligned with the study objectives.

### **5.4.1 Recommendations for Policy and Practice**

First, in relation to the appropriate philosophical framework for school discipline, the study recommends that the Government of Kenya, through the Ministry of Education, develop a national care-centered framework for school discipline grounded explicitly in care ethics. This framework should prioritize relational engagement between teachers and learners and emphasize empathy, understanding, and moral development as central components of disciplinary practice.

Second, regarding the conceptualization of school discipline in Kenya, the study recommends the formal adoption and integration of pedagogical care discipline into existing school discipline policies, guidelines, and practices within the Competency-Based Education framework. This approach offers a holistic and effective alternative capable of improving learner discipline and school climate.

Third, for effective implementation of pedagogical care discipline, the study makes the following specific recommendations:

1. The Ministry of Education should integrate pedagogical care discipline into initial teacher education programs. In addition, in collaboration with universities and teacher training institutions, the Ministry should implement continuous professional development programs for practicing teachers focused on care-based disciplinary approaches. These programs should equip teachers with competencies in restorative practices, emotional regulation, empathetic listening, conflict mediation, and relationship-building skills.
2. Schools should institutionalize regular parent-teacher engagement programs that focus on pedagogical care discipline. These programs should emphasize the importance of relational and emotional dimensions of discipline and encourage parents and guardians to reinforce positive discipline practices both at school and at home.
3. Schools should actively involve learners in disciplinary processes, including participation in the formulation of school rules and engagement in restorative practices. Such involvement promotes ownership, responsibility, and shared accountability, thereby strengthening a caring and democratic school environment.

#### **5.4.2 Recommendations for Further Research**

This study focused on proposing a general care-based framework for school discipline rather than developing detailed policy instruments. Therefore, further research is necessary to deepen and operationalize the proposed framework. The following areas are recommended for future study:

1. Studies focusing on how specific school discipline policies and guidelines in Kenya can be redesigned and grounded within a care-based framework.
2. Studies exploring the development of concrete, context-specific disciplinary measures across different areas of school life, all framed within pedagogical care.
3. Studies examining the development of a clearly articulated national philosophy of education in Kenya. Such research is necessary because existing literature and findings, including those from this study, suggest that the absence of a coherent national philosophy contributes to inconsistencies in the conceptualization and implementation of school discipline policies.

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## APPENDICES

## Appendix 1: A Scanned Copy of NACOSTI Research Permit

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| <p><b>This is to Certify that Mr. Francis Omulando Muhanji of Moi University, has been licensed to conduct research in Transzoia on the topic: RECONCEPTUALIZING SECONDARY SCHOOL DISCIPLINE AS PEDAGOGICAL CARE: EVALUATION OF NEL NODDINGS THEORY OF CARE ETHICS IN TRANSZOIA COUNTY, KENYA for the period ending : 21/July/2023.</b></p> |                                                                                                                                                                                                          |
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ASPEDAGOGICAL CARE IN THE LIGHT OF CARE ETHICS THEORY** with similarity index of  
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Word count:22000

Awarded by

Prof. Anne Syomwene Kisilu

CERM-ESA Project Leader Date: 10/03//2025