THE CHALLENGES OF ETHICAL LEADERSHIP: A CASE
STUDY OF SECONDARY SCHOOL LEADER'S
EXPERIENCES IN KENYA

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ABSTRACT

Research has shown that school leaders today face more numerous ethical challenges than before, however little is known about the ethical challenges school leaders in Africa, and more specifically Kenya, encounter. This single case study investigated the nature of the ethical challenges that secondary school leaders face in conforming to the demands for ethical leadership and professionalism. It explores the perspectives of school leaders using semi-structured individual interviews: five school principals, 16 heads of department, five school boards of governors, and five school bursars, in five categories of secondary schools. The views and perspectives of nine parents on the leaders' ethical decision-making were also sought through interviews, because as stakeholders they are recipients of decisions made by the leaders. Drawing on a social constructivist theoretical framework and Eurocentric and Afrocentric paradigms for analysis and interpretation, the study revealed that the school leaders' ethical problems emanated from dealing with the realities of the context which creates conflicting demands for ethical conduct. A critical analysis of these themes using Foucauldian concepts of subjectification, power and governmentality illustrated that school leaders' ethical challenges were intensified because of their forced accommodation to Euro-western global policies. These policies, in particular the Structural Adjustment Programmes policy, the Education For All policy and the Good Governance Agenda are geared towards attaining the utopian dream of development. In view of this goal, the Kenyan state and school leaders are exposed to global interventions propagated on terms of discourses of improvement. The thesis argues that ethical challenges are intensified and persist because school leaders and the State have failed to critically reflect on these external influences, and allowed international global bodies to define the nation's needs, values and destiny. This study recommends that the State and education policy makers need to take a lead in developing their own value systems and policies, taking into account local Kenyan contextual needs and giving greater valence to Afrocentric values.

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DEDICATION

This thesis is dedicated to my children, Daisy, Aileen and Wendy and to my dear parents and family for believing in me. For my country, Kenya I have done this for you.

TABLE OF CONTENTS

ABSTRACT	II
LIST OF ABBREVIATIONS AND ACRONYMS	XIV
CHAPTER 1	1
ETHICS IN SECONDARY SCHOOLS IN KENYA	1
INTRODUCTION	1
1.1 PERSONAL POSITION	2
1.2 THE RESEARCH	7
1.3 THE RESEARCH CONTEXT.....	7
1.3.1 Kenya government	7
1.3.2 Economy.....	8
1.3.3 Social conditions.	9
1.3.4 Education in Kenya	9
1.3.5 Education leadership and management structure	13
1.4 OVERVIEW OF THESIS	15
CHAPTER 2	16
ETHICAL LEADERSHIP.....	16
INTRODUCTION	16
2.1 DEFINING VALUES, MORALS, ETHICS AND ETHICAL LEADERSHIP,.....	16
2.1.1 Values	17
2.1.2 Morals.....	17
2.1.3 Ethics	18
2.1.4 Ethical leadership	18
2.2 THE GLOBAL EMPHASIS AND DEMAND FOR ETHICAL LEADERSHIP IN EDUCATION ..	19
2.2.1 The work of ethical leaders in education	23
2.3 ETHICAL LEADERSHIP IN AFRICA	27
2.4 EMPIRICAL STUDIES ON ETHICAL LEADERSHIP IN WESTERN CONTEXTS	31
2.5 EMPIRICAL STUDIES ON ETHICAL LEADERSHIP IN AFRICA	37
2.6 PROFESSIONALISM AND PROFESSIONAL ETHICS	39
2.6.1 Professional codes and ethics.....	42
2.6.2 The Professional conduct of teachers in Kenya.	46
2.7 EMPIRICAL LITERATURE ON PROFESSIONAL ETHICS	51
2.8 SUMMARY	55

CHAPTER 3	57
BEING ETHICAL	57
INTRODUCTION.....	57
3.1 THEORETICAL FOUNDATIONS OF ETHICS AND ETHICAL DECISION-MAKING	59
3.2 ETHICAL DECISION-MAKING IN WESTERN CONTEXTS	59
3.2.1 Virtue theory.....	59
3.2.2 Deontology.	60
3.2.3 Utilitarianism.	61
3.3 POSTMODERN ETHICS.....	62
3.3.1 Ethic of care.....	63
3.3.2 Communitarianism.	64
3.3.3 Ethics of the self.....	65
3.3.5 Narrative ethics.	68
3.4 AFRICAN ETHICS	69
3.5 SUMMARY	71
CHAPTER 4	73
METHODOLOGY	73
INTRODUCTION	73
4.1 RESEARCH QUESTIONS AND OBJECTIVES	73
4.2 SOCIAL CONSTRUCTIVIST/INTERPRETIVE PARADIGMS.....	75
4.3 QUALITATIVE APPROACH	76
4.3.1 Case study research design.	77
4.3.2 The research site.....	80
4.4 GAINING ENTRY INTO THE FIELD	80
4.4.1 Recruitment of participants.....	83
4.4.2 The study sample.	85
4.5 DATA COLLECTION METHODS	86
4.5.1 Semi-structured Interviews.	86
4.5.2 Focus group discussions.	89
4.5.3 Document reviews.....	90
4.6 DATA ANALYSIS.....	92
4.6.1 First phase.....	93
4.6.2 Second phase.....	93
4.7.3 Third phase.	97
4.8 ETHICAL CONSIDERATIONS: POTENTIAL ETHICAL ISSUES AND PROBLEMS AND HOW THEY WERE ADDRESSED	98

4.8.1 Ethical dilemmas of the researcher.	101
4.9 RESEARCH QUALITY	102
4.10 SUMMARY	104
CHAPTER 5	105
ETHICAL ISSUES IDENTIFIED BY SECONDARY SCHOOL LEADERS.....	105
INTRODUCTION	105
5.1 SOCIAL CHALLENGES	106
5.1.1 HIV/AIDS health issues.	107
5.1.2 Poverty.....	108
5.1.3 Divorce/separation, family and violence.	109
5.1.4 Breakdown of societal morals.....	111
5.1.5 Political issues.....	111
5.2 DEALING WITH FLAWED POLICY	112
5.2.1 Policy on school fee payment.	112
5.2.2 Policy on the Management of Support staff.	114
5.2.3 Policy on Admission of Students into Secondary School.....	117
5.2.4 Policy on school programmes.	118
5.2.5 Free Day Secondary Education Policy (FDSE).	119
5.2.6 Policy on re-admission of girls following pregnancy.....	120
5.2.7 Policy on Procurement (The Procurement Act).	121
5.2.8 Policies on teachers.	121
5.3 UNCLEAR LEADERSHIP ROLES	124
5.4 INADEQUATE RESOURCES.....	126
5.5 DEALING WITH OTHERS WHO HAVE DIFFERENT VALUES	128
5.6 PERSISTENT THREATS	134
5.6.1 Demands of the community.	134
5.6.2 Demands and influence of politicians.	135
5.6.3 Lack of support of the leaders function	136
5.7 DEMAND FOR ACCOUNTABILITY	137
5.7.1 Demand for high student grades.	137
5.7.2 Rigorous learning programmes.....	138
5.7.3 Denial of students' rights.....	139
5.7.4 Promotion of leaders tied to student performance.....	140
5.7.5 Limited supervision of education service quality.....	141
5.8 CONCLUSION	141

CHAPTER 6	143
ETHICAL DILEMMAS EXPERIENCED BY SCHOOL LEADERS	143
INTRODUCTION	143
6.1 ETHICAL DILEMMAS.....	145
6.1.1 Clash of cultural values.	148
6.1.2 Conflicting interests.	151
6.1.3 Justice versus care.	152
6.1.4 Truth versus loyalty and/or self-interest.	155
6.1.5 Clash of professional values.	156
6.1.6 Conflict between adherence to policies versus laws.	157
6.2 CONCLUSION	158
CHAPTER 7	159
DECISION-MAKING ABOUT ETHICAL DILEMMAS	159
INTRODUCTION	159
7.1 ETHICAL DECISION MAKING.....	160
7.2 AFRICAN CULTURAL APPROACH.....	162
7.2.1 African care.	162
7.2.2 Afrocentric value of goodwill.	165
7.3 CONSIDERATION OF NON-COMMUNAL APPROACHES FROM A WESTERN PERSPECTIVE	169
7.3.1 Consequences as an approach.	169
7.3.2 Complying with laws and regulations.	172
7.4 CONSIDERATION OF THE PARTICULAR SITUATION OR CONTEXT	175
7.5 FOLLOWING PERSONAL VALUES	177
7.5.1 Care.	177
7.5.2 A mix of values.	179
7.5.3 Drawing on experience.	180
7.6 CONCLUSION	181

CHAPTER 8	182
DISCUSSION OF THE ETHICAL ISSUES AND CHALLENGES OF SCHOOL LEADERS	182
INTRODUCTION	182
8.1 DEALING WITH REALITIES OF CONTEXTUAL FACTORS.....	184
8.1.1 Poverty.....	184
8.1.2 The effects of the HIV/AIDS pandemic.	185
8.1.3 Low financial resource base.	187
8.1.4 Staff shortages.....	188
8.1.5 The influence of political issues.....	188
8.1.6 Flawed policies.	189
8.2 CONFLICTING DEMANDS FOR ETHICAL LEADERSHIP.....	191
8.3 CONCLUSION	198
CHAPTER 9	200
A FOUCAULDIAN ANALYSIS AND INTERPRETATION.....	200
INTRODUCTION	200
9.1 A REFLECTION ON MY RESEARCH JOURNEY	201
9.2 A FOUCAULDIAN ANALYSIS	203
9.2.1 Subjectivity.....	204
9.2.2 Discourse.	205
9.2.3 Power and power/knowledge.	208
9.2.4 Governmentality.....	212
9.3 INFLUENTIAL DISCOURSES	215
9.3.1 Discourse of development	217
9.3.2 The discourse of neoliberalism.	220
9.3.3 The discourse of poverty.	222
9.3.4 The discourse of Education For All (EFA).	224
9.3.5 The discourse of ‘good’ governance, ethics and professionalism.	227
9.3.6 Discourse on performativity.	229
9.4 RESISTANCE.....	236
9.5 THE AFROCENTRIC ETHICS DISCOURSE.....	239
9.6 CONCLUSION	241

CHAPTER 10	243
THE END.....	243
INTRODUCTION	243
10.1 RESEARCH OBJECTIVES	243
10.2 THE STUDY FINDINGS	243
10.3 CONTRIBUTION OF THE RESEARCH	247
10.4 LIMITATIONS OF THE STUDY.....	249
10.5 IMPLICATIONS FOR FUTURE RESEARCH.....	250
10.6 IMPLICATIONS FOR PRACTICE: ADDRESSING ETHICAL DILEMMAS	251
10.7 A LAST WORD	256
REFERENCES.....	258
APPENDICES.....	289
APPENDIX: A ETHICS APPROVAL- VICTORIA UNIVERSITY	290
APPENDIX: B ETHICS APPROVAL ADDENDUM.....	291
APPENDIX C: RESEARCH PERMIT: MINISTRY OF HIGHER EDUCATION KENYA.....	292
APPENDIX D: SAMPLE INVITATION LETTER TO SCHOOL HEADS ASSOCIATION	293
APPENDIX E: INVITATION LETTER- ADVISORY GROUP	294
APPENDIX F SAMPLE OF DERIVED CODES	295

LIST OF TABLES

Table 2.1	Summary of part II section of the Teachers Code of Conduct and Ethics, Kenya.....	52
Table 4.1	Characteristics of participating schools and principals.....	83
Table 4.2	Summary of participants by category.....	86
Table 4.3	Documents referred to in the study.....	91
Table 4.4	Linking research questions, methodology and data collected.....	95
Table 4.5	Participants pseudonyms.....	100

LIST OF FIGURES

Figure 2.1	A summary of Key Part III section (key areas of TSC code of conduct and Ethics, Kenya.....	50
Figure 4.1	Single case study.....	79
Figure 4.2	Overview of the research process.....	82
Figure 5.1	Summary of contextual challenges – leaders’ ethical issues and challenges.....	110
Figure 6.1	Common ethical dilemmas of secondary school leaders in Kenya.....	145
Figure 7.1	Kenya secondary school leaders’ approaches to ethical decision making.....	161
Figure 8.1	Summary of two cross- cutting themes: the issues and challenges of ethical decision making.....	187

LIST OF ABBREVIATIONS AND ACRONYMS

BOG	Boards of Governors
CATs	Continuous Assessment Tests
CDF	Constituency Development funds
COR	Code of Regulations
DC	District Commissioner
DO	District Officer
DEB	District Education Board
EACC	Ethics and Anti-Corruption Commission
EFA	Education For All
FDSE	Free Day Secondary Education
GOK	Government of Kenya
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
HOD	Heads of Department
IPAR	Institute of Policy Analysis and Research
KESSP	Kenya Education Sector Support Programme
MDG	Millennium Development Goals
MOE	Ministry of Education
MOEST	Ministry Of Education Science and Technology
MP	Member of Parliament
NACC	National Aids Control Council
PEC	Poverty Eradication/Reduction Commission
POEA	Public Officer Ethics Act
PTA	Parents Teachers Association
SWAP	Sector Wide Approach
TI	Transparency International
TSC	Teachers Service Commission
UN	United Nations
UPE	Universal Primary Education

CHAPTER 1

ETHICS IN SECONDARY SCHOOLS IN KENYA

Ondiek ok nyier nono- Luo Proverb

Introduction

The Luo proverb is translated as “the hyena does not laugh for nothing.” This is interpreted to mean that things happen for a reason. This view motivates me to investigate why ethical challenges persist in secondary school contexts in Kenya. I do this against the background that, more recently; there is a global concern for good governance in all sectors. This has led to an interest in moral and ethical leadership in many organisations. Schools have not been left out in this quest as there is a new focus on the ethics of school management. In view of this, secondary school leaders are expected to conduct their tasks in an ethical manner. For many years, media reports in Kenya have highlighted issues and events that indicate secondary school leaders are contravening expectations for ethical practice and conduct, a role entrusted to them by the public and their employer. Some of the common issues raised include frequent student riots which sometimes result in violent deaths, the open defiance by the leaders of ministerial policies and statutes, fraudulent deals, the demand for unauthorised levies, breaches of the code of discipline by teachers, misconduct of school heads, and examination fraud.

What is most puzzling is that forms of ethical malpractice have persisted in many schools and within the education sector in spite of various government initiatives including the establishment of systems to regulate and define professional practice. A regulatory system is evident in the provisions of the Teachers Service Commission (TSC) Code of Regulations and “the Public Officers Ethics Act (2003), supported by ancillary statutes such as the “Anti-Corruption and Economic Crimes Act (2003), and the Public Procurement and Disposal Act (2003) (Transparency International, 2010, pp. 13-14) They add that the Children Act (2001) and the Education Act also

direct the leaders' conduct. All these stipulate the school leaders' duty to the public, and define the professional responsibilities, conduct, and practices that are acceptable for the delivery of the education service. School leaders are also required to adhere to an array of policy documents as well as circulars developed from time to time by the Ministry of Education (MOE) and the TSC. The school leaders are equally expected to recognise and conform to other statutory provisions that govern education and the laws that govern civilian conduct.

The Ethics and Anti-Corruption Commission (EACC), a watchdog institution recently established under the Ethics and Anti-Corruption Act in 2011 oversees the ethical conduct of school leaders. This body recently took over this responsibility from the Anti-Corruption Commission established earlier. The EACC is supposed to ensure compliance with the provisions on integrity outlined in the new constitution (Mathura, 2011). These statutes are part of the anti-corruption strategy reform of the governance system in Kenya instituted to ensure good governance and to improve public service delivery and enhance economic growth. They were initiated at the behest of international organisations, namely the World Bank and other donors, following the poor economic performance of Kenya in the 1980s (Government of Kenya, 2006).

1.1 Personal position

My inspiration for this research stems from my strong passion and personally held value of good moral conduct drawn from my experiences and perspectives as a woman, mother, teacher, school leader, and educationist. As a woman and mother I have enjoyed the innate responsibility of nurturing children to become people who can fit into society. This experience has taught me that people can only fit into the world if they live well with others, and choose to conform to the values of the community. I also live in a world where there are expectations about the conduct of women and men. I have been lucky to experience two perspectives – as an African woman living in Africa, and as a woman living in a Western context. My experience tells me that both perspectives share a common belief about the nurturing and caring role associated with women. I believe this perspective drives my passion for acceptable conduct within the education sector and more so for education leadership and practice in order to provide a caring and nurturing environment for student. I am

convinced that the basic values of honesty, care, and justice, underpinned by love and commitment for one's nation and one's job, should be the propelling drivers for the conduct of educational leadership. As an educationist, I am passionate about an education founded and conducted on acceptable values and moral beliefs, because this enhances the confidence of the public in the provision and purpose of education.

Given that every secondary school leader in Kenya is entrusted with a responsibility to prepare youth for their future engagement with society, these leaders have a moral obligation and responsibility for the decisions they make and for the moral state of their schools. This means that, as leaders, their perspective, beliefs, and values form the cornerstone and foundation on which moral conduct of education in schools can be gauged. Thus leaders' conduct should exhibit the fundamental values cherished by the community so that they gain the trust of the public. The continued presence of ethical problems in schools must, therefore, be investigated and measures for managing them identified in order for the purpose of education to be met.

My interest in the subject of ethical leadership also stems from my experience as a secondary school teacher and administrator, and in my role as an education official at the Ministry of Education (MOE) in Kenya. These engagements brought me face to face with the realities of secondary school leadership. For instance, in my eight years of service as a class teacher, subject head, deputy school principal, and acting school principal in two rural schools – a boys' school and a girls' school – I encountered many instances that were ethically challenging. As a deputy school principal, my work entailed managing student and staff discipline. I worked closely with staff to ensure that all the work undertaken was in line with the expectations of the school policy, ministerial policy, code of regulations, the law, and professional ethics. Working to ensure that professionalism was upheld by the staff was a challenging task as I encountered ethical issues from time to time that were not easy to resolve. Some of these were staff absenteeism, poor working relationships between staff and students, and issues with support staff and the community as well as parents. Working to protect students from newly graduated teachers who tried to lure students to engage in love relationships was not easy either. Some of the teachers chose to treat the students as their equals and openly showed disregard for the expectations of the school policy, code of conduct and the general expectations of the profession.

While I considered it my duty to protect students from teachers who had no regard for professional ethics, at the back of my mind I wondered why trained professionals with an awareness of the expectations of the school policy and the law failed to conform to professional expectations. These experiences shaped my ethical conduct and professionalism in the workplace. They also made me aware of the difficulties school leaders face in trying to be ethical, and led me to wonder how other school leaders coped.

My appreciation of African communal beliefs and values was developed while working in both schools which were located in rural areas. I participated in many communal engagements at the school with the staff, parents, and students and this extended to the community outside the school. The community members in the school locality took a great interest in all staff members, something that I found intrusive at first given that I had for most of my life lived in an urban setting. When I lost my father, the community members travelled to me as a form of support. Before long I became part of the communal life. This experience taught me that context shapes one's thinking and that one has to be part of it to understand what goes on.

My MOE responsibilities gave me a totally different experience. In this role I was responsible at the national level for handling matters related to secondary school leaders. I dealt with school management issues, government grants, guidance and counselling, and special education provision in schools. I dealt with complaints from stakeholders that focused on the conduct of school leaders in their dealings with parents, students, and the school boards of governors. Among the most challenging were complaints about school principals' decisions to deny weak students the chance to pursue their national examinations using flimsy disciplinary reasons as an excuse, while others involved principals' high handedness in disciplining students. Others appeared to have no regard for parents and failed to allow them adequate voice; some demanded extra charges or, contrary to the requirements of policy, denied needy students the chance to pursue education. There were also issues about the poor management of teachers and the support staff, students, and the management of funds. In many cases these situations depicted the leaders' failure to adhere to demands of policies, circulars, or even the law. Each time I wondered what had happened to the professional values that every teacher was expected to have. I

vividly recalled my university lecturer's discussions about teaching being a calling, with a professional ethos.

My participation in ministerial committees that deliberated on school discipline and education governance matters brought me face to face with the realities of school leadership, including the challenges school leaders experienced when implementing public sector reforms, new policies, and the demands of their stakeholders. Some of the deliberations were about cases involving the policy decisions of school leaders to suspend and expel students, the withdrawal of corporal punishment, and school strikes. These discussions indicated that the MOE expectation that school leaders fully adhere to policies was sometimes impracticable. Drawing from my own experience as a leader, I was able to see the challenges the school leaders faced when we, as a committee, rescinded and overturned some of the leaders' decisions.

The climax of this was at a nationwide data gathering process in which I participated in garnering views of education stakeholders on the intended implementation of the Affordable Secondary School Education Policy. This meeting brought to light the challenges that school leaders faced, what the public blamed them for, and generally what was not working for the secondary education sector and for the education system in general. Each participant recalled the past education management with nostalgia. There was a public outcry about school leadership and the poor state of secondary schools; most of their concerns touched on matters of morality and ethics. The schools' Boards of Governors (BOGs) were blamed for poor management of schools and the school principals were accused of financial misconduct and irregularly seeking more funds contrary to the education policy. The government was accused of having no regard for the needs of students, schools, and even teachers.

My perusal of the literature confirmed that there were related moral challenges faced by school leaders in Africa. Haber and Davies' (1998) study revealed that some school leaders in Africa dealt with teacher absenteeism, laziness, teacher indiscipline, drunkenness, and the poor relationships of teachers with colleagues and with students, teacher incitement of students against authority, and misuse of school property (Ozigi, as cited in Harber and Davies, 1998, p. 54). Other issues reported in the literature were staff having affairs with female students (Musaazi, as cited in

Harber and Davies, 1998, p. 55). The authors reported that the leaders had challenges in dealing with student discipline and with parents who failed to pay school dues. There were reports of head teacher arrogance (Sunday Nation, as cited in Harber & Davies, 1998, p. 62) and withholding of student certificates for non-payment of school fees. Leaders had to make do with scarce resources and delays in remission of funds from the government and had challenges in meeting the demands of dignitaries and political leadership.

The Institute of Policy Analysis and Research (IPAR) 2008 report of a review of the education sector revealed that there were cases of examination fraud, conflict of interest by school managers, mismanagement of school funds, threats of teacher strikes, poor school-community relations, poor school management practices, and autocracy. Otieno and Gikandi (2009) cited poor management of student behaviour as evident from the massive school strikes and student violence. Andiwo (2008) reported that there was an increase in the misuse of school resources. These examples suggest that leaders and their followers are not meeting the ethical standards expected by their profession and required by law.

All of the above concerns led me to think about professional ethics. It was clear that something was amiss and I wondered about when, where, and how the education system had gone wrong. The question that came to mind was why the secondary education sector faced these numerous ethical problematic situations.

During the period of my research, a report of the Transparency International (TI) 2010 study on governance risks and challenges of integrity in Kenya's education sector revealed that uncoordinated policy development, haphazard implementation of projects, the dual role of the Teachers Service Commission as employer and regulator, and the inability of the MOE to discharge its policy making and implementation role posed a risk to the education sector. Even though this report revealed the weakness or integrity issues at the level of management of the education sector, it did not address the issues at the school level and therefore this study aims to fill this gap.

1.2 The research

All the concerns raised in the previous section motivated my investigation into the ethical decision-making by secondary school leaders in Kenya. I wanted to understand why school leaders with an awareness of ethics and their obligations as professionals failed to conduct their practice in a professional or ethical manner. I wanted to know why they acted contrary to the expectations of the ethical frameworks instituted by the government to govern education service delivery. I needed clarity about the persistent ethical issues, ethical malpractices or problems in public secondary schools in Kenya despite the regulatory systems in place. My study chose to focus on decision-making since it remains the key responsibility of leadership.

To delve into this issue, I planned to gather views and perspectives about ethical decision-making from school principals, school bursars, BOGs, and Heads of Department (HODs). I also planned to gather the views of parents because as stakeholders they were affected by school leaders' decisions. My interest was in their personal experiences of ethical situations and dilemmas and how they managed them. I hoped that the outcome of my study would be able to inform policy on how to improve ethical governance in secondary schools in Kenya so that the quality of education service delivery was enhanced. I will now describe the context in which this study was undertaken. This serves as background information for understanding the problem better.

1.3 The research context

1.3.1 Kenya government

Kenya is one of the countries in East Africa, bordered to the east by the Indian Ocean and Somalia, to the north by Ethiopia and Sudan, the south by Tanzania, and the west by Uganda and Lake Victoria. It is a former colony of the British East Africa Company which gained rights over Kenya in 1894 and ruled Kenya for 70 years. Kenya attained independence in 1963 after a violent struggle between the British and the local population. At independence the country was centrally governed from Nairobi the capital city, regionally through provinces, and locally at district level. The Constitution inherited from the British at independence was reviewed and

enacted in 2010 and this led to a shift in the legal systems, including the establishment of a devolved government. Following this review, today government in Kenya is undertaken through 47 counties in eight provinces by constitutionally elected governors who are answerable to the President.

The national population has grown rapidly over the years. The current population stands at 38 million and comprises 42 ethnic communities. Mortality rates have remained high due to the prevalence of HIV/AIDS, widespread poverty, and poor health provision (National Council for Population and Development, 2000). Kiswahili remains the national language and English the official language.

After a domineering rule by a single party for decades, Kenya has embraced multiparty democracy since 1992. This came as part of a governance reform following sustained pressure from donors. The country has enjoyed peace since independence except for political skirmishes experienced in 2007 following a contested election. The election in 2013 was equally contested but no serious confrontations were reported even though there is evidence of discontent from the citizens (M. Wrong, personal communication, March, 25, 2013).

1.3.2 Economy.

Kenya's economic performance has been unstable over the past decade. In the 1960s and 70s economic growth was high at 6-7% but this slowed down from the 1980s to 2003 (Government of Kenya, 2006). The slow growth has been attributed to a number of factors: drought; poor relations with donors; ethnic conflict associated with multiparty democracy; the advent of HIV/AIDs; and weak institutions and governance. Due to the political crisis following a contested presidential election in 2007 as well as the global financial crisis and the oil crisis, the economy slowed to 1.7% growth in 2008, down from 7.1% in 2007, then grew steadily to 5.8% in 2010, but later declined to 4.4% in 2011 and then rose slightly to 4.6% in 2012 (Kenya National Bureau of Statistics, 2012).

1.3.3 Social conditions.

Today poverty remains a major issue in Kenya. According to the Poverty Reduction Commission (PEC) (2009), poverty levels rose from 44.8% in 1992 to 46% in 2009; this translates to 17 million Kenyans living in poverty (p. 3). The presence of HIV/Aids has impacted greatly on poverty, it has increased the number of orphaned children and child headed households. According to the National Aids Control Council (NACC) (2009), the total population of orphans was 2.4 million, of whom 149,000 were HIV/AIDS related (p. 14).

The country comprises a mix of cultures both local and international. At the local level the 42 ethnic groups embrace different cultures but share some commonalities in beliefs and some practices. The commonalities are most evident among the Bantu groups who form a large group and share some similarities in language both within Kenya and in other African Countries. Traditional ties with past African cultural practices and beliefs are still evident but this varies from one group to another. Religions such as Christianity and Islam as well as Western education greatly influenced the dissipation of traditional beliefs and culture.

1.3.4 Education in Kenya

Formal Western education was established and administered in the nineteenth century by church missionaries who arrived in Kenya's coastal region prior to colonial establishment in 1895. A serious evaluation of the education system began after the First World War and led to the joint administration of schools with the colonial government; but this also led to the establishment of a segregated education system for the white, Asian, and African populations. Commissions that influenced education practice at that time were the Fraser Report of 1909 and The Phelps Stokes Commission of 1924 (Bogonko, 1992). At independence in 1963, this segregated system was reorganised and schooling was restructured into government, private, and harambee schools. Harambee schools were community established while private schools were individually owned but ran according to defined guidelines from the MOE. Most of the government and private schools were better endowed with learning facilities than the harambee schools. A decade later, further restructuring

saw the emergence of three categories of schools: national, provincial, and district schools most of which are boarding. Boarding schools are preferred by parents and are more expensive than day schools. Students in secondary schools spend approximately nine months in school per year with about a month holiday in between each semester. The national schools are the previous white settler schools and are still better endowed than the provincial and district schools but are very few in number. They absorb the best performing students' countrywide based on performance at the national primary school examination. Provincial and district schools recruit at a provincial and district level respectively. Most of the district schools are day schools often newly established and attract students who perform poorly at the national primary certificate examinations. Because of their lower cost, day schools attract students from low income families.

At independence, the new government embarked on a review of the system of education and expansion of schools to make education more meaningful for Kenyans. A number of commissions and taskforces were set up to address educational issues and to initiate reforms in the education sector. The Ominde Commission (Government of Kenya (GOK), 1964) was first instituted to review and reform education following independence. It emphasised the need for the Africanization of the education system, the need to establish education as a foundation for economic development with more focus on higher education to supply skilled labour needed for running the government. Its recommendations led to the establishment of statutory frameworks such as the Education Act and the Teachers Service Commission Act to govern the conduct of education. This report had good intentions but it was not fully implemented and thus has not been a significant influence on education practice to date.

Other reports have been influential. The Gachathi Report of 1976 recommended the incorporation of the cultural aspirations of the Kenyan people into the education system. Subsequent commissioned reports such as the Mackay Report (GOK, 1981) and the Kamunge Report (GOK, 1988) authored by commissions led to significant transformations in the Kenyan education system and practice. For instance, the Mackay report led to the establishment of a second university and recommended a complete overhaul of the education system from the 7-4-2-3 system, which

comprised of seven years of primary school, four years of secondary, two years of high school and three for university, to the current 8-4-4 system which comprises eight years of primary, four years of secondary, and four years for university education. The Mackay Commission was initiated in 1981 to satisfy the needs of the political leadership rather than to address education challenges. Its recommendations were hurriedly implemented without preparing teachers and without adequate consultation with stakeholders, and also with little consideration of the costs of implementation. Its implementation thus led to a myriad of challenges for school leaders. The recommended curriculum was overloaded and became burdensome to students and teachers and it also attracted a huge cost to schooling which was transferred to parents and this led to an increased number of school drop outs. A number of reviews have been undertaken over the years to minimise the subjects and to ease the burden on students and teachers.

One of the significant recommendations of the Kamunge Report (GOK, 1988) was the introduction of cost sharing in education. This report coincided with the report of the World Bank study, "Education in sub Saharan Africa: Policies of adjustment, revitalisation and expansion" (World Bank, 1988), which recommended some of the measures that African governments could use to reduce costs and expenditure on education. Following the insistence of the World Bank and International Monetary Fund (IMF), Kenya instituted reforms through a conditionality tied to international donor funds to mitigate the financial economic crisis of the 1980s that was instigated by the global world oil crisis of the 1970s. The incorporation of this programme, also known as the Structural Adjustment Programmes (SAPs), was made with the hope that efficiency would be restored in all sectors of the economy (Rono, 2002). Kenya suffered repercussions from this reform. The cuts in employment of teachers and withdrawal of government grants to schools led to increased poverty. The policy also led to increased numbers of school drop outs and poor infrastructural development in schools because many communities were unable to meet the cost of construction of school facilities and parents could not afford the costs of textbooks and tuition as required.

Apart from influencing economic reforms, international organisations and donors have a great influence on the conduct and direction of education in Kenya. The

technical support offered by UN agencies and international organisations such as the World Bank has led to the incorporation of education policies such as Education For All (EFA) and the Millennium Development Goals (MDGs). Kenya's education sector is still funded by development partners and the World Bank is a main player in this partnership.

The Sessional Paper No. 1 of 2005 on Education and Training is the framework for education practice in Kenya. This policy framework was developed at a national stakeholders' conference held in Kenya in 2003 to review the education sector. It outlines the government's commitment and strategies for the realisation of global commitments of Universal Primary Education (UPE) and EFA by 2015. It thus seeks to ensure that the education system is aligned with the commitment to economic development and globalisation. Both the UPE and EFA policies resonate with the previous government agenda evident in the major National Education Commission Reports at independence.

The implementation of the policy paper, Sessional Paper No. 1 of 2005 for Education Training and Research is coordinated and implemented through The Kenya Education Sector Support Programme (KESSP), a programme that relies on a sector wide approach (SWAP) as a framework for education service delivery (Government of Kenya (GOK), 2005). Instituted by the government and development partners in 2005, KESSP serves to ensure that government takes leadership to ensure appropriate policies are pursued, and expenditure and financing of the programmes are well managed (MOE, 2005). The first phase of the programme was completed from 2005 to 2010 and the second phase is expected to end in 2015. KESSP's goal is to ensure that the targets of two global policies, EFA and the MDGs are met and that Kenya's vision for education "to have a globally competitive quality education and training for Kenya's sustainable development" (MOE, 2012, p. 9) is achieved.

KESSP also coordinates the implementation of Kenya's new development blueprint, The Vision 2030 in Education, which seeks to propel Kenya to become a middle income country by the year 2030 (MOE, 2012). Education is one of the social pillars of this policy. Within the secondary education sub-sector, the key policy priorities for meeting The Vision 2030 include improving quality, relevance, and equity, and

reducing gender disparities in education provision at all levels; improving efficiency in resource utilization; and expanding access to secondary education. This policy seeks to lay a firm base for skills development at higher levels of education, including technological adaptation and innovation (MOE, 2007).

As can be seen, education in Kenya exists within a dynamic and ever-changing context. There have been many structural changes within the sector as well as in the education leadership and management structure, as will be seen below. I have wondered how educational leaders are able to cope with these changes and in understanding the requirements of, and enacting, changing policies and how this relates to their own beliefs about how education should be practices.

1.3.5 Education leadership and management structure

The MOE provides the regulatory framework for governing schools in Kenya. It initiates policies and guidelines, mobilises resources for the education sector, and coordinates human capital development through education and training (Ministry of Education, Science and Technology (MOEST) 2005). Currently, education is managed by County Directors of Education along with County Education Officials who include TSC staff, quality assurance officials who supervise education provision in their localities on behalf of the central MOE (MOE, 2012). Counties have replaced the former provincial structures and the County Directors coordinate and supervise education provision, and initiate and monitor the implementation of policy at the county level.

At the school level, three important organs exist: the school BOGs, the Parent Teacher Associations (PTAs), and the school administration, who work under the direction and guidance of the county government and the MOE. Although separate, these organs are expected to work harmoniously towards a common objective. Every secondary school in Kenya is governed by a 13 member BOG appointed by the MOE (Republic of Kenya, 1986). The BOG is made up of representatives of the school sponsor, community interests, and any other person representing interests deemed by the Minister of Education as important for the school. The school principal serves as the secretary to the board. The school sponsors are the owners of the school, often religious bodies, and serve on the board to represent the sponsor's interest. The

community representative champions the interests of the area served by the school. The BOG is charged with the following responsibilities: a) ensuring sound financial management, b) the development of school policy, c) human resource management, d) maintenance of school facilities, (e) promoting school-community relations, f) student and staff discipline. The BOG is the custodian and trustee of the movable and immovable property of a school and has an obligation to carry out its function in the best interest of the school. In consultation with the school principals it also ensures that education policies are implemented. The PTA consists of parent and teacher representatives and they work alongside the BOG to raise funds to supplement school income and to monitor education quality.

The school administration consists of the principal, the deputy, HODs, and the bursar. They are charged with the responsibility of implementing the decisions of the board as well as national education policies. The school principals make decisions on a broad range of issues that are administrative, financial, and behavioural – mostly concerning student and staff discipline, community-school relations, and, in recent times, recruitment of teachers and support staff. They also coordinate all school activities, curriculum implementation, and supervision of all the teaching and non-teaching staff and students. The HODs supervise functions in their respective areas and identify and make recommendations for departmental financial and material needs. The school bursar prepares the school budget, maintains school financial accounts, and supervises the non-teaching staff including the support staff.

From the foregoing discussion it is evident that Kenya has made an investment aimed at instating good governance practices in the public sector through legal reforms and institutional preparation programmes for teacher professionals. These programmes ensure that professionals are made aware of the expectations for professional practice and that they can be entrusted with this role. The poor state of governance alluded to from my own experiences, the media, reports and studies suggest the existence of ethical malpractice. This is a threat to all these efforts and warrants an investigation into some of the challenges school leaders face in meeting the demands for good ethical conduct and how they cope.

1.4 Overview of thesis

In Chapter 2, I review the literature to see what other writers and researchers have to say about the challenges of ethical leadership. Chapter 3, covers the literature on ethical decision-making in both Western and African contexts. Chapter 4 describes the social constructivist and interpretive paradigms underpinning the study, the case study design, methods of data collection, and the ethical considerations on which the study is based. I also provide justification for a second analysis using Foucault's concepts of discourse, subject, power/knowledge and governmentality. Chapters 5, 6, and 7 present the findings in the following order; the contextual issues and challenges faced by participants; the ethical dilemmas they confront; and how the leaders arrive at ethical decisions. In Chapter 8, I discuss the emerging themes based on my analysis from a social constructivist and interpretive stance and the themes emanating from the study. This provides a picture of participants' individual meaning making. In Chapter 9, I further subject my findings to an additional analysis using Foucauldian concepts of discourse, subject power/knowledge and governmentality. This analysis became necessary in order to outline and account for the limited number of possible subject positions available to secondary school leaders evident from the study. This allows a different interpretation of how leaders at times resist and subvert this positioning. This later analysis was not part of my initial conceptualisation of the research but has been included to enrich the participants' findings and to provide an alternative reading of the previous analysis. The Foucauldian analysis locates the interviews and policy documents previously analysed within a wider context. Chapter 10 concludes my study. It identifies the research limitations, discusses implications of the research for policy practice, and presents recommendations for further research.

CHAPTER 2

ETHICAL LEADERSHIP

Migosi malayo e dag ndawa- Luo proverb

Introduction

The Luo proverb above is directly translated as “a respected person /leader passing urine on a cigarette holder.” Such an act is unacceptable and unimaginable too. The proverb is used to caution people especially respectable persons such as leaders against unacceptable conduct because it is against the norms of the community. Thus unacceptable conduct is likened to this proverb. It does suggest that trust is accorded to leaders to influence and direct people’s activity in the right direction. The aim of this chapter is to review literature on acceptable conduct and specifically ethical leadership and to explore what other researchers have said about ethical leadership and professional ethics. I have structured it as follows: first, I will establish the meaning of the terms ethics, values and morals and ethical leadership. Second, I will reflect on the growing interest in ethical leadership and how it is practiced within education. I will then consider the leadership phenomenon in relation to the African context. Next I explore the literature on professional codes of ethics and their value for promoting ethical conduct. I will also look at issues and challenges in relation to ethical leadership and how they have been managed. Lastly I discuss the codes of ethics that school leaders in Kenya are required to conform to. Finally, I reflect on this literature and make a case for the need for my study.

2.1 Defining values, morals, ethics and ethical leadership,

Before I begin to explore the call for ethical leadership, I wish to clarify the meaning of the following concepts: values, morals and ethics and how they are understood in my thesis. This is because these terms are used frequently in discussions about ethical conduct.

2.1.1 Values

The values that influence school leaders' decisions are important in this study. I have used the term values to refer to leaders' motivations, or factors that influence their attitudes and action (Begley & Stefkovitch, 2007). A value is "an enduring belief that a specific mode of conduct ... is personally or socially preferable" (Rokeach, as cited in Koehler, 2003, p. 100). They are what one conceives as desirable and these consciously or unconsciously influence attitudes and actions (Begley, 2006).

Values are subjective and not objectively derived and are dependent upon an individual's experiences of the world (Hodgkinson, 1996). One derives values from interacting with the society or organization and thus we have personal values or preferences, consensus values, professional values and organisational values and all influence the work of school leaders in determining what is ethical (Hodgkinson, 1996). Therefore values cannot be represented as facts because they are not absolute but relative, because people's perceptions of things differ due to their culture and because values are constantly shifting (Hodgkinson, 1991). My assumption in this thesis is that values form the foundation for the moral principles and standards exemplified in ethics codes. Since they form the basis for decision making they are of interest in this study.

2.1.2 Morals

The term moral is derived from the Latin word 'mores' meaning customs and conventions of a social group or community (Bennaars, 1993). It refers to values and principles consensually agreed upon by a group of people or community and considered obligatory. These principles and values embody what in Hugman's (2005) view are "a set of [communally held] beliefs and values about what constitutes good action" (p. 9).

Unlike values which motivate action, morals constrain action and are more than personal preference (Chipendale, 2001). Chipendale explains that morals are concerned with how we live our values and thus a moral or immoral judgement made based on one's response to standards identified by the community. A moral person is one who conforms to customs, beliefs, or the standards (values). Morals are therefore a "special category of values where good, evil, right and wrong, praiseworthiness and

blameworthiness are made” and are “highly prized and cherished values” and are what people need for living with others in a community (Frick, 2009, pp. 51-52). Nieuwenhuis, (2009) contends that morals are reinvented and redefined as the community wills. If this is true then the assumption of an existing universal moral framework can be a likely source of ethical problems. The term moral is used in this thesis to refer to consensually drawn beliefs, standards, and principles about good conduct identified by professionals, the community or society as obligatory for all its members.

2.1.3 Ethics

Ethics differs from values and morality because it refers to a process of inquiry and reflection. Gyekye (2010) agrees that ethics and morality are somewhat similar, but ethics is the study of morality, and morality is the subject matter of ethics. As Haydon (2007) notes, the term ethics is used with reference to “professional codes or responsibilities” (p. 13). The term ethics is used here to refer to how the leaders think about, reflect on and articulate their moral position as well as their personal values. It also refers to the professional standard or expectations of school leaders defined in various ways including professional codes of ethics.

2.1.4 Ethical leadership

Brown, Trevino and Harrison, (2005) define ethical leadership as “the demonstration of normatively appropriate conduct through personal actions and interpersonal relationships and the promotion of such conduct to followers through two-way communication, reinforcement and decision-making” (p. 120). Leaders’ ethical conduct is reflected in their actions, relationships with their followers and in their efforts to promote and inspire their followers to uphold acceptable conduct as defined by norms in the workplace.

A number of interrelated leadership theories refer to the ethical aspect of leadership: transformational leadership, spiritual leadership, and authentic leadership (Brown & Trevino, 2006). Servant leadership, spiritual leadership, moral leadership, and value-added leadership are also considered to be forms of ethical leadership (Davis, 2008). This is because they place emphasis on the importance of the beliefs and values and

ethical thinking of the leader in influencing organization activity and ethical practice. The terms moral and ethical leadership are often used interchangeably in the literature (Kanungo & Mendonca, 1996; Langlois & Lapointe, 2007; Starrat, 2004), and thus the concern for ethical conduct in education is coined in different ways. Some call for moral leadership (Greenfield, 2004; Sergiovanni, 2001) and others for value-based leadership (Begley & Johansson, 2003; Hodgkinson, 1996). But they all emphasize that leaders should encourage and adhere to acceptable moral conduct and should be able to articulate their ethical position when performing their school leadership task. These definitions draw heavily from experiences in Western contexts but it is not clear how far this concept has been applied to secondary school contexts in Kenya or Africa.

2.2 The global emphasis and demand for ethical leadership in Education

There is a growing global emphasis and concern for ethical conduct and for ethical leadership. Even though the concern for ethical conduct has existed since time immemorial, today's global emphasis can be attributed to the increasing reports of ethical lapses in large corporate organisations such as "Enron, World Com., Tyco, and Xerox" (Argyriades, 2006, p. 161) which occurred in the US. In Africa, and Kenya specifically, increasing reports of corruption and its effects on the economy have led to an emphasis on good ethical governance. Some of the responses to this concern include The UN General Assembly's (1998) resolution against Corruption and Bribery in International Commercial Transactions. This subsequently led to the development of an International Code of Conduct for Public Officials for adoption by member states (United Nations, 2002). The Declaration on Professional Ethics by Education International (EI), a federation of unions across the world was established to serve the interests of education employees. This took place at a world congress held in Jomtien, Thailand and at a later forum held in Brazil in 2004 (Education International, 2004). This adds weight to growing emphasis and concern for ethical conduct within education.

There is extensive literature in support for ethical leadership in the literature. Burns (1978) argued that ethical practice was required of leaders because they handled "the

fundamental wants, needs, aspirations and values of their followers” (p. 40). Northhouse (2007) has similarly argued that ethical leadership was necessary because leaders’ actions impact on people’s lives. Historically, ethical practice has been an expectation for education leadership practice. Dewey (1922), a renowned philosopher of education, proposed that education was a moral affair. Many years later, there was a growing fear that the new emphasis on managing schools using a technical, rationalist and bureaucratic approach that came with the scientific movement stifled the moral purpose of education (Bottery, 1992; Foster, 1986; Fullan, 2003; Starrat, 1994). The response to this was a remarkable shift and a new interest in the ethical dimension of education and the imperative to be ethical was borne.

Scholars such as Bottery argued that education could not be managed through principles of efficiency, whose fundamental goals were not essentially linked to the humanistic goals of nurturing and caring. An emphasis on scientific management and rationality for managing schools was seen to obscure the importance of values and context that were inherently an important influence for leading schools.

While drawing from the popular critical humanistic perspective, Foster (1986) argued that a rationalistic approach, or scientific models represented in bureaucracy, gave prominence to procedural tasks, rather than the human aspects and were thus unsuitable for education. Foster explained that the rationalist approach had neglected important human values, emotions and obligations that were considered an important aspect of leadership. He emphasized that school leaders had a responsibility for moral leadership; this is because they were involved in changing people’s lives. He stated this “each administrative decision carries with it a restructuring of human life: that is why administration at its heart is the resolution of moral dilemmas” (Foster, 1986, p. 33). For this reason he argued that their task was value laden. This meant that school leaders played a fundamental role.

Power, Higgins and Kohlberg (1989) called for the establishment of just schools, and Hodgkinson (1991) argued that education had a humanistic value because it sought to fulfil the concerns of man and was therefore a moral venture. He explained that an education leader’s task was therefore a moral affair and value laden because

leadership and education administration dealt with “values, morals and ethics” (p. 11). He concluded that leaders of education should acknowledge that they have a moral obligation to meet this goal.

Greenfield (1995) pointed out that moral leadership was necessary because the task of school leadership had a moral character. He stated “the work of the school administrator...occurs in a setting of immediacy, the pace is rapid, there are frequent interruptions, work episodes themselves tend to be very brief, responses often cannot be put off until later, and resolution of problems involves multiple actors” (p. 63). School leadership thus necessitated a response outside the procedural requirements of bureaucracy.

In view of these developments, Sergiovanni (1992) called on leaders to develop virtuous schools where the fundamental rights of everyone in the school community are honoured and respected. He described moral or ethical educational leaders as responsive to the norms of school, committed to the professional ideals and receptive to the task of leadership. Sergiovanni (2009) advised that leaders should exhibit a concern for “what is effective and what is good, what works and what makes sense; doing things right and doing right things” (p. 8). Ethical leaders honour professional ideals drawn from their values and reflected in their decisions to identify what is good and not merely what is right.

Lashway (1996) emphasised that ethical leadership must be rooted in human integrity, and not technical expertise that relies on adherence to rules. In view of this, Lashway insisted that educational leaders must exercise their authority in an ethical manner. Fullan (2003) also urged school leaders not to lose their moral compass or inner resources or the values, morals and ideals that influenced their decision-making. This is because they had a social responsibility to others and recognizing the effects of their leadership on relationships was very important.

Sergiovanni (2009) further explained that ethical or moral leadership is needed because the context of school leadership practice has shifted and become “loose, chaotic and ambiguous” (p. 5), and thus the leadership task is no longer clearly defined. This means that educational leaders have more discretionary power than

before, have more access to public and exclusive information and this has moral consequences. In view of this, he was emphatic that school leaders need a “strong heartbeat” (p. 8), founded in their values and beliefs. A moral imperative would assist leaders to identify useful practices, techniques, to discern the rules, to arrive at appropriate decisions, to interpret the meaning of events around them and to defend them from the difficult challenges they encountered (Sergiovanni, 2001). Ethical leadership is required because leaders’ administrative tasks are more directed by their own beliefs and values and not necessarily rules and regulations alone. The author adds that school leaders also must uphold a moral image because they embodied community values and beliefs, and had a responsibility to socialize and prepare students for citizenship.

Similarly, scholars such as Hoy and Miskel, (2005) indicated that leadership does not merely entail adhering to existing rules and regulations. Lashway (1996) also informs us that a leader’s task more often involves determining the hidden ethical implications of policies and structures they work with. Leaders also engage in conflict resolution, budgeting and other dilemma situations (Covrig, 2000) which are value laden. All of these require their consideration of values and ethics so that the needs of the organisation and the people are met (Begley & Johansson, 2003).

The call for ethical leadership is important because school leaders are recipients of public trust (Begley & Wong, 2001). Moreover the outcomes of a leader’s practice are of great interest to many, and are frequently subjected to high-level public scrutiny (Pratt, 1996) and leaders must be ready to respond and be accountable to the public. Leaders also serve as role models for the expectations of the community in the professional context (West-Burnham, 2008). According to Wilson, the increasing demands for accountability in performance as well as the democratization within school contexts have led school leaders to encounter more value conflicts in their leadership task which calls for ethical leadership.

To conclude, the education literature increasingly lays emphasis on the importance of ethical leadership not just because of the moral nature of the task (Begley & Wong, 2001; Burns, 1978; Pratt, 1996; Sergiovanni, 2001; Sergiovanni, 2009; Starrat, 2005; West-Burnham, 2008; Wilson, 2008) but because it serves to ensure that the rights of

others are respected. Moral leadership is set against the rule-based demands of technical rationality, and seen as increasingly important as schools become more complex. Ethical leadership is required to ensure leaders take responsibility for the effects of their decisions. Reports of the moral crisis in schools (Hermond, 2006; Pardini, 2004) have led to an increasing concern for the ethical leadership. Alongside this, as Pardini noted, the work of educational leaders is rife with varied ethical and moral dilemmas and the presence of ethical lapses in a climate of accountability has led to new challenges for school leaders calling for a consideration of ethics in their work.

2.2.1 The work of ethical leaders in education

Several scholars (Fullan, 2003; Greenfield, 2004; Hodgkinson, 1991; Maxcy, 2002; Normore, 2004; Sergiovanni, 1992; Shapiro & Stefkovitch, 2005; Starrat, 2004) provide an understanding of ethical leadership in education. There is a dominant humanistic theme in the Western literature emphasizing that leaders must be good people with their own values and qualities (Brown & Trevino, 2006; Hester, 2003; Kanungo & Mendonca, 1996; Sergiovanni, 2001, Shapiro & Stefkovitch, 2005; Starrat, 2005; Trevino, Hartmann, & Brown, 2000). Trevino et al. explain that ethical leaders demonstrate that they are both ethical persons and moral managers. As ethical persons, leaders are expected to reflect upon their own personal values and moral imperatives before taking action. Leaders should be moral managers who uphold and conform to the shared values of the school, community and workplace. Some of the cherished values include, honesty, trustworthiness, justice, virtuous, caring, ethically principled, altruistic, respectful, and integrity (Trevino, et al., 2000). Hester (2003) adds that leaders should also be open to dialogue, be morally conscientious and have self-respect.

There is also emphasis in the literature that ethical leaders influence the ethical conduct of others (Begley, 2006; Brown & Trevino, 2006; Covrig, 2000; Greenfield, 2004; Segon & Booth, 2007). Brown and Trevino contend that as moral managers, leaders influence their followers' ethical and unethical behaviour by encouraging and enforcing ethical standards in the organisation. Ethical leadership is thus assessed from the personality of the leader and how they demonstrate regard for others. Covrig explains that in performing their administrative task, leaders ought to be

morally sensitive, but also motivate their followers to do good, and encourage behaviours that promote moral actions, so that the organization remains faithful to its central identity. Greenfield proposed that leaders can do this by uniting their followers around the organisations' moral values. Segon and Booth also agreed that leaders' ethics and values were most important in influencing ethical behaviour and practice.

School leaders are also expected to uphold the moral standards of the school or profession. Sergiovanni (2001) pointed out that as moral persons, school leaders' focus on values, ideals, goals and purposes of schooling; by building meaningful relationships with teachers, parents and students in order to understand their values. They also reflect on their own values and strive to foster leadership that is founded on trust, credibility and honesty as this enables them to perform their tasks in ways that foster moral sensitivity.

Starrat (2005) argued that ethical leaders demonstrate their moral commitments through three core foundational and interrelated values: responsibility, authenticity and presence. He explains that ethical leaders must be committed to fulfil their responsibilities as human beings, citizens, educators, as educational leaders for teachers, students and others. This entails working to prevent harm, influencing authentic practices for teaching and learning, establishing and maintaining good work practices and generally influencing their followers to meet all the above ideals of ethical practice in the school. Ethical leaders are also authentic and committed to their own beliefs, values and relationships with others. They demonstrate presence by being available for and have regard for others, and share their concerns.

Ethical leaders need an ethical system or framework to assist them to become ethical leaders. Starrat (1994) postulated that school leaders needed special qualities of ethical persons: "autonomy, connectedness and transcendence" (p. 25) to build ethical schools. He explained that as autonomous persons, ethical leaders need clearly defined values, beliefs and should be responsible for their choices and actions. Starrat explains that leaders must have value connectedness because as ethical leaders they should value relationships and working with others. Starrat laid emphasis on transcendence because ethical leaders should strive to go beyond self-

interest, and have courage to take risks to achieve their ethical goals. Ethical leaders thus have defined ethical goals, value people and consider the interest of others first.

Furthermore, Starrat (1994) explained that in order to define their ethical goals leaders need ethical systems of thought namely: an ethic of care, critique, and justice because these represent the basic needs of man and society to build ethical schools. He emphasized that these enabled leaders to consider the ethical perspectives of their work, and to make good choices that met the moral purpose of education. He explained that an ethic of care indicates their concern, care, and sensitivity to others and enhances their relationships, while an ethic of justice ensures that just environments are created where all stakeholders are treated equally and with dignity. The ethic of critique is important for challenging the status quo and for critically analysing laws and policies and for confronting wrong practices which they consider unethical. Ethical leaders draw from these humanely derived perspectives to build ethical environments. Starrat's emphasis was similarly shared by Northouse (2007) who considered the ethical framework of the leader important for fulfilling the goals of the organisation.

Shapiro and Stefkovitch (2005) considered Starrat's framework of three identified ethics of care, justice and critique insufficient as a basis for ethical decision-making and added a fourth, the ethic of profession as important for ethical school leadership. They recognised that tensions were likely to arise in making decisions due to the varied ethical perspectives within education. Shapiro and Stefkovitch argued that if all leaders shared a common view that meeting the best interests was the guiding factor by adhering to the ethics of profession founded on the moral value 'the best interest of the child', and used this to reflect upon their personal and professional values, while drawing from the three ethics, they would be able to make good decisions that met the interests of the child.

Furman (2004) added a fifth ethic, the ethic of community, and explained that ethical leaders consider the context in which the ethics of care, critique, justice and profession are applied because it ensures that communal processes essential for achieving the moral purpose of schooling such as meeting crucial community responsibilities are met. The leader uses the ethic to reflect on the effects of their

decisions on the communal role of schooling because the community serves as a guide to moral leadership practice. Begley (2004) concurred and explained that ethical leaders collaborate with stakeholders to meet the school community goals. Begley also emphasized that the values of the community were an important administrative arena of influence for educational leaders because ethics was constructed within groups which influenced the action taken by leaders.

There is a strong emphasis in the literature (Begley, 2006; Branson, 2010; Sergiovanni, 2001; Shapiro & Stefkovitch, 2005; Starrat, 2004) that ethical leaders should reflect on their values, beliefs and practices. Branson advanced that the ethic of moral integrity worked alongside the ethic of justice, care, critique, and profession, to enable a leader to become ethical and to create ethical environments in schools. This was a development from the earlier frameworks of Starrat (1994), Shapiro and Stefkovitch (2005) and Furman (2004) mentioned earlier. Branson contended that personal moral integrity demonstrates a leader's ability to take control of their consciousness for doing good without yielding to selfish interests or the demands of others. He explained that ethical leaders attain moral integrity through a conscious reflection on thought and action to gain self-knowledge about how these influence action. This suggests that ethical leaders take the initiative to become ethical. Leaders use their autonomy or freedom to make right and good decisions because they have knowledge of what is good.

Starrat (2004) was emphatic that ethical leaders must reflect on the "principles, beliefs, values and virtues that constitute a moral life" (p. 45) because it makes them appreciate the importance of avoiding harm, upholding justice and integrity and thus allows them to conform to what is moral as a practice and way of life. This led him to conclude that ethical leadership is not an absolute state to be achieved but a state to be lived. Sergiovanni (2001) also advised school leaders to constantly reflect on who they are, their beliefs, and the principles that guide their actions. This requirement calls for "ethical sensitivity or ethical mindedness" (Crocket, 2011, p. 15) and implies that the leaders have an obligation to perceive and interpret the impending outcomes of their decisions and actions on the welfare of others which requires their consideration of ethics.

It should however be noted that even though reflection is important, it does not necessarily lead to good acts because leaders can still be motivated by selfish reasons – although this is not necessarily bad (Begley, 2006). Begley contends that having moral integrity is synonymous with meeting only objective interests and not always commensurate with one's own or others' interests. Both Branson and Begley agree that ethical leadership is associated with reflection in as far as it draws on a leader's knowledge and ethical awareness to influence action, but ethical leadership cannot just be limited to actions of a leader but their attitudes and beliefs as well. Ethical leaders must be authentic, and take time to understand the value orientations of others in order to comprehend their actions and collectively engage with them and to understand the challenges they encounter within the community in order to achieve the goals of schooling (Begley, 2006).

The literature studied shows that five aspects are important for ethical leadership. Education leaders should be good people, they should uphold moral or agreed upon standards of the profession, promote ethical behaviour in others and need to establish and sustain an ethical system to guide their conduct and practice. Lastly they should reflect upon their own and others' values, beliefs and practice to discern the best action or conduct to uphold. It is not clear whether it is practically possible for leaders to articulate ethical positions and adhere to them all the time. No studies were located to show that secondary school leaders in Kenya subscribe to these expectations for ethical leadership, which is the focus of this study. In the next section I will explore the literature on ethical leadership from an African perspective to situate my research in the Kenyan context.

2.3 Ethical leadership in Africa

There is very little literature which addresses ethical leadership in Africa. The literature available focuses on organizational rather than educational leadership. Udeani (2008) described leaders and elders within African communities as “corporate personalities” meaning that they embody the past, the present and future. This means that leaders in Africa are symbolic and exemplify the life of the whole society both living and spiritual. He explains that the leaders are held in awe because they are the link between the living and the dead and therefore take care of the destiny of the community. Leaders are the custodians of culture, community values

and take the lead to promote it and ensure that communal interests are met (April & Peters, 2011).

Ubuntu is a foundational moral orientation (moral, because it is held by a community) for ethical leadership. “Ubuntu” is a Zulu South African word contained in a maxim “Ubuntu Ngumuntu Ngabantu meaning a person is a person through other persons, or I am because of others” (Nafukho, 2006). This concept is also expressed in Mbiti’s (1990) statement “I am because we are and since I am we are” (p. 106) which emphasises that individuals exist within the context of others. Ubuntu expresses the view that leaders have to promote the value of others and communal life.

Nussbaum (2003) explains that Ubuntuism

“is the capacity in Africa to express compassion, reciprocity, dignity, harmony and humanity in the interest of building and maintaining a community with justice and mutual caring... [It] is consciousness of our natural desire to affirm our fellow human beings and to work and act towards each other with the communal good in the forefront of our minds” (p. 2).

The author explains that Ubuntu is the foundation of conduct in African communities premised on the honouring of human relationships. It represents the moral values cherished by Africans and demonstrates that Africans are opposed to an individualistic way of life. Ethical leadership in Africa is premised on communal living and the concern for the welfare and interest of man as human persons.

Ethical leaders thus adhere to Ubuntu principles of the affirmation of others, altruistic response to the needs of others and of the community, a belief in oneness or common humanity and “respect, compassion, dignity, justice” and sharing (Nussbaum, 2003, p. 3). They also believe in wisdom and strive for equality and tolerance (Broodryk, 2006). Ethical leadership in Africa is gauged from a leader’s adherence to cultural values that enhance community relationships.

Temple (2012) stated “leadership and morality are inseparable” (p.50) to illustrate that morality is essential for leadership and to show that there is an expectation that a leader’s influence is grounded in morality. Temple blames the challenges of ethical

leadership in Africa on metaphysics following colonisation of Africa. He explains that a metaphysical challenge is “an incongruity that exists within the layer of deeply held beliefs (about the nature of the world and our relationship within it) which affects our decisions and actions in real life” (p. 49). According to Temple, colonisation led to the emergence of the state and institutions grounded in beliefs and values foreign to African understanding and culture. The new definitions of social groupings shattered the foundations of communal living that the African people have known and practiced within their context all along. Thus the interaction between the two cultural perspectives [Western and African] meant that African leaders engaged in metaphysical conflicts due to competing beliefs as they undertook their leadership roles. These metaphysical conflicts involved competing definitions of reality from both perspectives. It also includes conflict between personal identity and communal identity in the modern attempts to separate public from private space. Temple concluded that leaders can embrace moral leadership if they go beyond the ethos and demands of the community or clan.

The literature (April & Peters, 2011; Fayoshin, 2005; Ntibagirirwa, 2003) shows that there is a call for an African renaissance or different cultural perspective. It is proposed that the adoption of Ubuntu can make Africans re-engage with their cultural and communal ways away from the individualism perpetuated by the western culture and also to counter the tensions associated with post modernism and the negative impact of globalization in Africa (Saunders, 2008). Scholars (Nussbaum, 2003; Mangaliso, 2001) strongly emphasize that ubuntuism will enhance organisational leadership and organisational culture. Mangaliso proposes that key principles such as treating others with dignity and respect, promoting equity in the workplace, being flexible and accommodating others, and negotiating will ensure that the firm is “infused with humanness, a pervasive spirit of caring and community, harmony and hospitality, respect and responsiveness [and] will enjoy more competitive advantage” (p. 32).

Ethical leadership is about valuing or affirming others, promoting justice, communication, and enhancing harmonious relationships. Other scholars (Blunt & Jones; 1997; Jackson, 2002) add that cultural perspectives need to be taken into account in managing organizations in Africa, because western approaches cannot be

extensively applied in non-western contexts. This is because as Blunt and Jones explain, problems in Africa are embedded in different cultural, political, economic, social contexts which the western approaches cannot resolve. The handicaps here are that records of traditional knowledge practices are non-existent (Nkomo, 2011) and the assimilation of cultures has taken place over a long period of time.

Some scholars (Beugre & Offodille, 2001; Saunders, 2008) argue for a mix of both African and western approaches because there are valuable indigenous thought systems that can enable Africans to handle contextual challenges in the postmodern world. Mungwini (2009) however warns against reengaging with the moral indigenous values as a solution to the crisis in Zimbabwe's education system. He argues that the moral problems experienced in education in Zimbabwe are a product of the strong influence of modernity over the indigenous cultural ways and not necessarily because Zimbabweans have forgone their moral cultural ways. This is evident from Mungwini's statement:

modernity has brought with it a new system, a new way of conceptualizing the individual and the community; a new social ontology, which is a new philosophy of life that renders difficult the post-colonial desire to see traditional values define the normative dimension of modern education. (p. 774)

Here Mungwini illustrates that the traditional values that formerly directed action are under threat due to the infiltration of modern cultural values. He argues that their revival can be a challenge because they have been incapacitated by modernity. Matekere (2011) disagrees with Mungwini and attributes the crisis in education to politics and not a clash of values (Western and indigenous). Either way there is need for dialogue to address the ethical challenges evident in education practice and leadership in Africa by considering all schools of thought for their appropriateness.

In this section, I have explored the perspective of ethical leadership from an African perspective. I have shown that leaders in Africa are held in high esteem and considered ethical if they conform to values cherished by the community. There is some congruence between African and western values. Both illustrate the importance attached to leadership qualities because of the high responsibility it attracts and emphasize that leaders serve as role models for their followers and are recipients of

public trust. One significant difference is that ethical leadership from a western perspective draws from individualised normative values expected of a leader, while from an African context, ethical leaders draw from important communal values that enhance oneness and these override their individual decisions. African leadership values are centred on the holistic value of individual or community because a leader's decisions must ensure the stability of the community. The western perspective of community as advanced by Furman emphasizes that leaders need to be sensitive to the community needs and values but this is more or less limited to the school community which is a separate understanding from the African view which is broader.

The above review has revealed a few perspectives of African ethical leadership. It also shows that attention is being given to African cultural values and specifically Ubuntu, an African worldview, in an attempt to seek a context for derived solutions and specifically for enhancing organisational culture and leadership. There is a call for African cultural rejuvenation and some authors have even proposed that a mix of both western and African approaches is important. Some have contested this move, terming it as impractical because the African cultural practices have degenerated.

2.4 Empirical studies on ethical leadership in western contexts

There is evidence from the literature to show that school leaders encounter ethical dilemmas from time to time, but are also expected to resolve them in the most amicable and ethical manner by considering the ethical implications of their acts. Ethical dilemmas are “tensions between and among people especially based on philosophies, values, interests and preferences” (Duignan, 2006, p. 42), which result when values and ethics are in conflict and result in two alternative possibilities for each case. These dilemmas occur when leaders strive to meet the varied interests of stakeholders while also taking care to meet their obligations, such as compliance with established organisational goals (Denig & Quinn, 2001). A leader's ethical leadership can be accessed from their response to ethical dilemmas and ability to identify the values they uphold, the moral basis of their decisions, and the way they influence their followers' ethical conduct.

Very few documented studies on ethical leadership were found in the education literature (Langlois, 2004; Norberg & Johansson, 2007). Some of the studies focus on the traits defining ethical leadership for instance Karakose's (2007) quantitative study which sought to identify teachers' perceptions of school principals' ethical leadership in Turkey based on an ethical leadership scale. The results showed that teachers believed that school principals performed their ethical responsibilities adequately because they were "just, fair, understanding, patient and humble", but did not fare well on traits such as protecting individual's rights and lying. Female participants however showed that the male leaders did not demonstrate justice, compassion, and patience, and were not humble which suggest that the leaders did not relate well with female participants and this was problematic.

Similarly, Marshall (1992) used interviews to study the ethical dilemmas encountered by 26 school administrators in the US and the values and principles that underpinned their work. The findings revealed that care, protection of students' interest, fairness, openness, honesty and respect for all including the community were the core values that guided their function.

In Ireland, in four post primary schools and one primary school, McNamara and O'Hara (2010) used semi-structured interviews to explore the ethical framework that school leaders, who had just completed post-graduate study, relied on for leadership in the new policy environment characterised by evaluation, testing, inspection and accountability. The results showed that the leaders drew from established processes such as policies and procedure and personal values, while striving to fulfil the demand for care and commitment to students, respect, collegiality, cooperation and collaboration with stakeholders. The study did not reveal if the school leaders faced challenges in adhering to these frameworks.

Some studies explored school leaders understanding of ethical leadership. Frick and Faircloth (2007) for example used interviews and dilemma vignettes, and follow-up questions with 11 secondary school principals in Central and South Pennsylvania, US to examine the leaders' perceptions of the maxim 'best interests of the student,' in the ethic of profession proposed by Shapiro and Stefkovitch (2005,p.25). The

authors were interested in knowing what professional moral practice entailed and the challenges they encountered in meeting this need. The results showed that leaders perceived the maxim to mean adhering to the virtue of fairness and responding to student needs and acknowledging their uniqueness. They encountered an internal moral struggle or clash between their own personal values and beliefs about fairness and what was required in their ethics code. It was also a challenge to balance the demands of fairness in terms of equity and equality when it was important to ensure that all those involved were satisfied. They also found it a challenge striving to defend their actions.

Using data from their previous study (Frick & Faircloth, 2007), Frick (2009) later explored the participants' experiences with dilemmas or moral dissonance involving a clash of codes - between personal, professional codes and policies. The results revealed that school leaders experienced intrapersonal conflicts or an internal struggle within themselves because their personal beliefs and values differed from the professional and administrative or official expectations. They were able to cope by drawing from past experience, sharing challenges with others, drawing from their personal principles about what was right, gathering more information about the situation, and separating their self from the situation or by adhering to organizational rules. This shows that they reflected on their responses to ensure that they were morally sensitive to each situation and adhered to what they personally believed was a moral response.

Frick (2011) extended this study further by examining the leaders' perspectives and experience in adhering to the maxim student's best interest. The study revealed that two dilemmas were prominent and challenging for the leaders: (a) tension between accountability requirements and students' best interest, and (b) the dilemma of meeting an individual student's best interest and the interest of the group. The study showed that there were challenges in applying this maxim. First, the leaders did not regard the maxim as an absolute approach for managing dilemmas even though it was important and an underlying principle for their practice. Second, other ethical considerations were used alongside the maxim such as context, situation policies to determine the best moral acts for every situation. Third, the leaders had varied interpretations of the maxim when dealing with student's issues as a group or as

individuals. They concluded that since students had different needs, a blanket philosophy of ethics was impractical for meeting students' needs. They argued that respect, responsibility and a "responding relationship of personal investment in children" (p. 558) underpinned the professional maxim which comes prior to any considerations about what constitutes ethical action.

Cranston, Ehrich and Kimber's (2006) semi-structured in-depth interviews with seven experienced school principals in independent religious schools in Australia revealed that school heads encountered the following ethical challenges or dilemmas in undertaking their role: conflicts of interest, dealing with serious staff and student misbehaviour, handling staff underperformance, protecting a child from potential violence from a parent, attempting to change unethical organisational culture, dealing with the effects of change especially associated with managerialism. They enumerated the following values that were in conflict: individual values, professional values, school values, and public interest. The study revealed that leaders considered the situation, Aristotelian ethics, personal values and professional ethics when making ethical decisions.

Norberg and Johansson's (2007) pilot study used conference discussions to explore different school leaders' conceptions of ethical dilemmas in daily school practice. Participants included 35 school board politicians, 50 school principals, 35 newly appointed principals, 40 teachers aspiring to be principals and seven school superintendents in Sweden. Leaders' experiences of dilemmas varied, but the most prevalent were "conflict between a strong values oriented profession and personal values of individuals where children's rights might be at stake" (p. 277). The politicians revealed conflicts between their personal values and professional values, in meeting the best interests of a district and those of an individual. The school principal's ethical tensions emanated from dealing with staff issues, teacher-student relationships, student misbehaviour, difficult parents, uncooperative superintendents, and student welfare both at school and at home. They encountered tensions in identifying the right approach for resolving dilemmas: policy, law or professional loyalty. The newly appointed heads experienced tensions between ethics of duty versus personal codes, financial values and ethical values and dilemma of collegial loyalty. Aspiring principals reported a clash between personal codes and ethics of duty, care, critique and profession and had a fear of challenging harmony and

consensus, versus duty to care for the child. They chose less contradictory ethics namely the principles of care and profession, but chose the ethic of critique to enhance equality within the school. Lastly, superintendents encountered dilemmas of private versus professional values. The authors concluded that the dilemmas were linked to the challenging, complex work the leaders encountered and suggested that these challenges could be attributed to the different values underpinning legislation from those of the community. The study showed that leaders encountered different challenges in response to the demands of ethics.

Langlois' (1997) study of six highly experienced school superintendents in Canada through semi-structured interviews and a quantitative analysis revealed that the leaders encountered ethical dilemmas in cases of fraud, sexual harassment, dealing with cases of demotion and dismissal of staff. To identify the best action, leaders chose to reflect on their encounters, the rules or law, standards and policies. They drew on their personal values and on professional values of care and justice for both the individual and organisations to identify the most appropriate action. They considered their moral responsibility and the consequences of their decisions. They also consulted to validate their decisions with those in authority to ensure that it was acceptable which means that ethics for them was a shared responsibility. The leader's ability to draw from their self and personal judgements without external influence prior to consultation was highlighted. These findings were unique as they illustrated that dealing with corrupt and immoral professional practices in the work place can be a challenge for leaders.

Eyal, Berkovich and Schwartz (2011) designed an exploratory instrument to capture the ethical preferences of 52 aspiring school principals (students of educational administration) in Israel in an encounter with administrative and instructional dilemmas. The instrument comprised of scenarios representing typical ethical dilemmas in education settings and included choices of "fairness, utilitarianism, care, critique, profession and community" (p. 402). This quantitative study revealed that school leaders found it challenging to handle dilemmas that involved the following ethics: fairness and care, fairness and utilitarianism, community and care, community and critique and community and profession. The study further revealed that: i) the ethic of utilitarianism and fairness were contradictory because they both

advocated for different approaches to common good; ii) the conflict between the ethic of community, ethic of profession and critique emerged because of the presence of a universal principle evident in the ethic of profession, and critique which seemed unrelated to the context. This made it challenging to implement the ethic of community which drew from values of the community. The study concluded that the ethic of community was least preferred, because the education system was centralised and therefore the ethic was considered illegitimate. The ethic of fairness and utilitarianism was perceived to be of low moral standards and the ethic of profession and care most preferred.

Walker and Dimmock (2000) interviewed 15 principals in primary and secondary schools in Hong Kong to identify what caused the dilemmas they encountered in their work context and how they managed them and the outcome of these dilemmas. They found that the dilemmas were complex, causing a clash of cultural values, structural, professional, personal and relational values. The cultural and personal values of harmony and hierarchy predominantly influenced action, but conversely interacted with other factors to influence or create dilemmas. In this case, one dilemma was likely to trigger another dilemma increasing their complexity. Some coping mechanisms evident were avoidance, compromise, withdrawal or delaying decisions, and these approaches were underpinned by the values cherished by the school principals. All dilemmas were resolved by drawing on a hierarchy of cultural values of “hierarchy, seniority and harmony” (p. 20) to balance the effects of the dilemmas with those affected but also within themselves as leaders.

Taken together these studies mostly drawn from western contexts, illustrate the complexity of meeting the expectations of ethical leadership. It shows that school leaders’ ethical challenges can occur at a personal level and mostly in their conception of the definitions of ethical conduct, but largely involve a conflict of values. Cultural values also contribute to dilemmas but are equally important for resolving ethical dilemmas. Leaders respond to their challenges by drawing on their personal values, rules, policies and codes of practice, experience, the situation, collaboration and consultation. The studies show that education leaders in western contexts predominantly draw from the following ethical frameworks to manage their dilemmas: care, utilitarianism, profession, justice, and students’ best interests.

Empirical insights detailing the experiences of school leaders in Kenya (Africa) in meeting the demand for ethical leadership, and the ethical frameworks they draw from remain unknown due to lack of research in this area. This research therefore adds valuable knowledge and broadens the understanding of ethical leadership within the literature by illuminating the school leaders' experiences with the ethical issues, dilemmas and how they resolve of these challenges.

2.5 Empirical studies on ethical leadership in Africa

Few studies have explored the dimensions of ethical leadership from a traditional African perspective. The ethical values and beliefs of African leaders can however be derived from two major intercultural studies: Hofstede's (2001) study and the Globe Study undertaken by House, Hanges, Javidan, Dorfman & Gupta (2004). Hofstede (2001) reported a longitudinal study carried out with over 50 national countries in three regions: Arab countries, West Africa and the East African region (Ethiopia, Kenya, Zambia and Tanzania). Participants were staff at the regional offices of a multinational company (IBM). The aim was to identify how cultural differences and understanding among the different nationalities in the organization influenced their work. Hofstede defined culture as the "collective programming of the mind" (2001, p. 1) which is distinct for every group of persons. This programming included beliefs, values and norms. Questionnaires targeted responses to these elements from the employees of IBM. The study revealed that there were four dimensions of culture across nations; power distance, individualization, masculinity, and uncertainty avoidance. A fifth one, long-term orientation was added after the inclusion of the Asian region. Power distance referred to the way a people dealt with inequality. Its persistence relates to how people view wealth and, power. If people accept inequalities in the society, there is a high power distance. This influences the values, norms and beliefs within a particular group. Individualism versus collectivism referred to how individuals related to the group. Where individualism thrived, ties with others were loose and people took care of their own interests and needs.

Hofstede used collectivism to refer categorise those who had very strong relationship ties where everyone took care of another's interests and needs. Masculinity-femininity referred to one's social role as either a male or female member of society.

The study revealed that there were values and differences in importance attached to each sex in various cultures. Uncertainty avoidance refers to the way groups deal with uncertainty. Hofstede's findings also showed that different groups have different ways of managing uncertainty. Those with high uncertainty avoidance use rules, religion, security measures, and technology and science, and were more aggressive. Those with low uncertainty avoidance feel secure and do not strive to avoid it. Even though Hofstede's study does not directly concern school leaders but managers in international firms it does illustrate that there can be varied cultural preferences in the workplace. They point to the fact that African leaders may find their interaction with western cultural work practices different from their own.

The Globe study by House et al. (2004) aimed at expanding the Hofstede (2001) study by identifying how culture influences leadership practice, the effectiveness of organizations, and their economic successes. The quantitative data, interviews and focus group discussions showed that culture had a significant influence on leadership, organizational effectiveness and economic competitiveness in Africa. African leaders in Egypt, Zambia, Zimbabwe, black South Africa, Nigeria, and Namibia valued a humanistic cultural orientation and thus altruism, caring, fairness, generosity and kindness in the society and the workplace. They also had a preference for participative leadership styles, namely consultation in decision-making, delegation and enhanced equality. A humanistic style of leadership was associated with compassion, generosity, support and care of the well-being of others.

I did not locate any studies that explored the influence of culture on ethical leadership in education in Kenya. It is therefore largely unknown whether cultural differences create tensions for ethical decision-making for leaders of secondary schools in Kenya. The challenges these leaders encounter remain unknown.

The two studies provide some insights for my study. Firstly they show that leaders' interpretations and responses to ethical conduct may be influenced by cultural beliefs. Secondly, they show that there are variations in beliefs, values, norms that need to be taken into account when undertaking a study on school leaders' issues and challenges of ethical decision-making.

I will explore the literature on professions, professionalism and professional ethics next because as Koehn (as cited in Dingwall, 2004, p. 12) has pointed out, a profession is an ethical practice. This means that ethics is understood to be part of what it means to be a professional in western contexts and this understanding is important for my study.

2.6 Professionalism and professional ethics

Professional occupations arose in the 19th and 20th centuries to satisfy the demand for professional service following massive developments in western societies (Abel, 1979). A profession is a calling or an “honest occupation” (Davis, 2003, p. 440) and includes occupations such as medicine, law, teaching, social work and nursing which are oriented to public service. According to Gardner and Shulman (2005) professionals are persons accorded prestige and autonomy in return for providing impartial services for society and commonly display the following characteristics:

a commitment to serve in the interests of clients in particular and the welfare of society in general; a body of theory or special knowledge with its own principles of growth and reorganization; a specialized set of professional skills, practices, and performances unique to the profession; the developed capacity to render judgments with integrity under conditions of both technical and ethical uncertainty; an organized approach to learning from experience both individually and collectively and, thus, of growing new knowledge from the contexts of practice; and the development of a professional community responsible for the oversight and monitoring of quality in both practice and professional education (p. 14).

However, it has been argued that social work, teaching and nursing are semi-professional (Etzioni, 1969), because their professional bodies have limited autonomy and control over their standards and they attract limited status and prestige unlike other professions (Ornstein & Levine, 2003). In spite of the low status accorded to these professionals, the requirements for professional conduct still remain. Given this, as Thompson (1997) points out, most governments have taken control of the teaching profession. So although as professionals, school leaders might be expected to have the expertise, autonomy and discretionary power over the clients who rely on them to better their lives, they are also subject to government control. These expectations must be reflected in their conduct of service, the attitudes they uphold, and their conduct which builds into the trust and integrity they uphold as

professionals. They are also expected to demonstrate extra commitment to service, beyond what is expected of them in their contracts and to adhere to higher standards of conduct as part of their responsibility to service users (Small, 2000). The leaders are required to make autonomous judgments on behalf of their clients for their own benefit and that of the society. These expectations are quite demanding on the school leaders who are expected to meet the professional requirements, the demands of the state and public and those of their clients.

An increasing demand for professionalism arose in the 1950s (Whitty, 2000). This led to the development of ethical codes. The meaning of professionalism has been debated for a long time and is therefore understood differently from its initial definition by sociologists in the 1950s (Evans, 2008; Friedson, 1994; Whitty, 2000). Evans (2008) views professionalism in three ways: 'professionalism that is demanded or required of a group', or 'professionalism that is prescribed', and 'professionalism that is enacted' (p. 28). Evans defines professionalism as

work practice that is consistent with commonly- held consensual delineations of a specific profession...[It] reflects the perception of the profession's purpose and status and the specific nature, range and levels of service provided by, and expertise prevalent within, the profession, as well as the general ethical code underpinning this practice. (p. 29)

Several authors have argued that professionalism is an evolving concept (Crib, 2009; Evans, 2008; Hargreaves, 2000; Helsby, 1995; Whitty, 2000). Both Crib and Helsby emphasize that the context influences our understanding professionalism which means that its meaning and therefore practice differs Hargreaves (2000) provides a detailed description of how teacher professionalism has evolved citing four stages: i) the pre-professional, ii) autonomous, iii) collegial, and more recently iv) post professional (Hargreaves, 2000) and each was marked by different understanding about professional practice which also introduced new understandings as well as challenges in professional practice.

Hargreaves explains that in the pre-professional stage the good teacher was loyal to their superiors and profession and gained satisfaction from providing their service viewed as a calling. According to Hoyle (as cited in Hargreaves, 2000, p. 156)

professionalism was restricted to membership. The age of the autonomous professionalism emerged with new developments in the society which challenged the foundations of the profession and necessitated a need for formalised training, accreditation and licensing. Professionals then had more autonomy on decisions about their profession and had gained status because of their value and contribution to scientific expertise. In the collegial era around the mid-1980s social changes and increased uncertainty forced teachers into practices they were not prepared for, such as new teaching approaches, structures, knowledge, new responsibilities and tolerance of other cultures (Hargreaves, 2000). Their autonomy came under threat and collaboration, consultations and on-going learning programmes became necessary to incorporate changes and reforms that marked this era. A collegial professionalism then emerged. In the post-professional era, professionalism became unstable and there was a threat of de-professionalization because of the changes associated with globalisation, new technology, multiculturalism, the penetration of the market and corporate policies in education (Hargreaves, 2000). Hargreaves adds that regulatory and control mechanisms instituted in schools such as the inspection of professionals' activities, and their scrutiny by the public is viewed as a threat to professionalism. The professionals are thus slowly feeling pressured and controlled by forces outside the profession. However others view these new changes as part of a re-professionalization process to keep the profession on par with new developments (Whitty, 2000). Some have termed this the era of 'new professionalism' in which government influence is immense (Evans, 2011, p. 851) and there are indications that these new developments are a threat to professionalism (Codd, 2005; Whitty, 2000).

Evetts (2011) explained that today professionalism is no longer occupationally defined and stated "there is an increasing shift from collegiality, discretion and trust to increasing levels of managerialism, bureaucracy, standardization, assessment and performance review" (p. 407). Helbsy (1995) terms it a "proletarianisation" of the professional roles (p. 318). In view of this, more emphasis is placed on meeting an organisation's goals rather than client or professional values and takes away the control of the professional work from the professionals. This has had negative consequences for the profession and changed their view about their tasks, because they no longer rely on their own targets, professional values and beliefs but depend upon the state (Terhart, 1998).

Literature in this section notes the complex relationship between the emergence of professionalism and expectation of ethical practices. Professionalism is depicted as an evolving concept that is influenced by the changes within contexts and is best understood within its context of practice. These changes create new demands which can enhance or threaten the work of professionals. It has shown that currently teacher professionalism is said to be under threat of de-professionalization due to the controls established for professionals by the state and employer organizations. This suggests that today professionalism, including what is perceived to be ethical practice, is premised on meeting objectives defined by government, organisations or employers and not necessarily the knowledge and expectations of the professionals. These developments must have implications for professional practice and the conduct of school leaders as professionals and managers of professionals. It is not clear how changes in the understanding of professionalism in Kenya (Africa) have impacted on secondary school leaders' conduct as professionals and if it influences their task of managing teacher professionals, the teachers' task, the challenges encountered and how they cope with them. Although, findings from the studies in the previous section demonstrate that leaders took professional ethics into account, they did not necessarily show that it makes ethical decision-making any easier.

2.6.1 Professional codes and ethics.

Professionals are expected to rely on defined standards for the conduct of their service to enhance professionalism. Some scholars (Fisher, 2001; Kaptein & Schwartz, 2008) have noted that numerous terms are used to refer to the mechanisms for regulating the ethical conduct of professionals: codes of ethics, ethical codes, codes of conduct; codes of practice, professional codes, professional ethics; ethics codes. All of these serve the same purpose of governing the conduct of its users.

Fisher (2001) distinguishes between codes of ethics and codes of conduct, noting that whereas codes of ethics are value based and aim at providing information or principles that should guide decisions, codes of conduct are rule based. Many codes of ethics are aspirational and elicit the values that encourage professionals to aspire to do good rather than to compel them to obligations (Carr, 2006). A specific code of conduct, on the other hand, provides rules that direct conduct and allows limited

room for discretion. Together, professional ethics and codes provide “a set of guidelines - a written document produced by public authorities or by professional organizations which detail the set of recognized ethical norms (or values) or professional standards of conduct to which all members of a profession must adhere” (Poisson, 2009, p. 16). They are standards which seek to “draw a line between impersonal duties and obligations of public professional practice and the values of more personal private aspiration” (Carr, 2006, p. 172). They are supposed to influence the behaviour and thinking of professionals towards the profession’s moral goals. Leaders are required to adhere to these codes so that they are not controlled by their own emotions, personal interests, when looking for moral strategies when they encounter competing values (Beck & Murphy, 1997). They are supposed to use them to question their assumptions and biases about the best course of action (Price, 1997). They also use them to reflect on how an act affects others, themselves, its consequences, harm, fairness, and how equitable it is (Gini, 2004). Codes of ethics are thus used by leaders to evaluate values and to justify their support for given decisions.

There are mixed views about the importance of codes in the literature. Some scholars (Begley, 2006; Brien, 1998; Gilman, 2005; Hugman, 2005; Poisson, 2009; Small, 2008; Terhart, 1998) claim that professional codes are important and serve different purposes including minimizing ethical malpractice. Both Hugman (2005) and Brien (1998) contend that codes help to protect the interest of users of a professional service from the abuse of power, regulate professional tasks, avert and watch over the abuse of power, and promote ethical behaviour for the benefit of professional service. Gilman also contends that codes clarify professional moral responsibilities, whilst Campbell has indicated that codes provide a structure for sanctioning the discipline of members, to enhance professionalism and effective service. Poisson (2009) similarly contends that codes protect teachers and pupils from harm, and encourage teachers to maintain integrity and to use their power and authority in acceptable ways. In Poisson’s (2009) view, codes serve to “uphold the integrity, honour, dignity, self-esteem and reputation of teachers” (p. 16).

Much literature shows that ideally codes should provide guidance and support to education practitioners on how to deal with ethical dilemmas and how to make

ethical decisions, and there is clearly evidence that they should. However, some scholars contend that codes do not promote ethical practice because they are not contextualised or situation specific (Carr, 2006; Campbell, 2008; Gilman, 2005; Fisher, 2001; Nash, 1996; Small, 2008), while others argue that codes are too rigid and bureaucratic and limit ethical responsibility (Fisher, 2001; Dawson, 1994). Carr believes that codes tend to be over prescriptive and may lead to de-professionalization of teaching and adherence to routine with little room for individual professional judgment. He claims that professional ethics lean more towards duty based enumerations, and less on other dimensions of morality, and thus fail to capture other moral concerns of the profession. Campbell affirms that codes are incapable of dealing with the diverse changes and moral problems because “the moral and ethical responsibilities ... far exceed what may be inscribed in any code and thus ethics cannot just be limited to “codes, laws and standards” (p. 366).

Other authors (Begley & Stefkovitch, 2007; Gilman, 2005; Nash, 1996; Small, 2008) argue that professional codes do not stand alone – people make their decisions based on a mix of adhering to the codes and thinking about personal and community values. This means that personal and community values are an important part of ethical decision-making and their exclusion can make their application challenging. Yet they contend that professional codes of ethics are often de-linked from the contextual issues encountered by professionals. Begley and Stefkovitch note that codes do not accommodate all the motivations for behaviour because their application occurs in normative and cultural contexts, and is likely to cause conflict in diverse cultural settings. Furrow (2005) explains that it is difficult to separate one’s autonomy from the social context, because moral reflections are derived from the social context in collaboration with others, since this is where agents derive their values and choices. He states that agents cannot ignore individuals “specific histories, identities, feelings and ways of looking at the world that are often unique, novel and incapable of being expressed in generalizations” (p. 79). Ethics cannot be limited to one’s professional role but must reflect a personal one too, because professional ethics are also individually derived and cannot be limited to a professional code.

Gilman (2005) and Campbell (2003) concur that individuals approach codes differently because they have different philosophical and ideological orientations, which influence how they interpret and implement the code and create numerous opinions about matters of ethical practice. There is also a contention that codes can be challenging to implement because they do not necessarily represent the values of professionals. Butler (2002) argues that codes are not morally or ethically neutral, because more often, they contain “professional, occupational, ideological and moral aspirations of those who create them and thus may not necessarily represent the values of the professionals” (p. 240). Schultz (2011) noted that users of ethical codes can also be steered away from the ethical path by powerful forces.

Given that people do not separate their personal/community values from ethical thinking, or from adherence to the code, some authors (Blum, 1988; Crib, 2009; Furrow, 2005; Mason and Gallagher, 2009; Noddings, 1984) argue that professionals should be left to their own devices in making ethical decisions. Mason and Gallagher, and Crib, note that leaders are confronted with changes in their professional roles and in their contexts which makes adherence to codes unfeasible. Crib (2009) explains that teacher roles and their definitions of good as well as virtuous acts are socially constructed which suggests that there are always new influences on ethics which cannot be pinned down to a code. Crib on the other hand states “much of what is done by professionals is done by role construction and accomplished independently...before individual professional agency kicks in” (p. 38). This means that professional roles are continually shaped by cultural and organizational changes and personal experiences. Professionals construct their professional and ethical roles to reflect changes in their contexts by considering the event and particulars of each situation. Crib thus supports the view that professional ethics are socially constructed and contextually dependent. This suggests that professional codes cannot be limited to defined principles and professional conduct predicted because the professional’s roles, virtues and ethics are shaped and reshaped by history and evolving policy.

Consequently, it has been argued that codes should not be necessarily binding but only provides support for professional practice (Hugman, 2005). Ladd (1980) emphasised that codes are an imposition of ethical principles upon people and shows

disregard for the autonomy of agents, which contradicts Kant's philosophy of the autonomy of man. Bauman (1993) contends that when professionals rely on codes to inform judgment, their authority over the context or situation is limited because they cannot undertake a critical reflection on ethics in every situation because codes contain objectively defined truths. Banks (2003) has also noted that when codes are regulatory, every standard is enforced and this becomes problematic because it takes away the moral responsibility of professionals to independently discern what is important in a given situation.

There is debate over whether professionals should integrate the values of the profession with their own or separate them, or whether ethics should be individual or social, derived from communally held beliefs (Hugman, 2005). Cottone (2001) argues that ethics should be derived from negotiation and discussion with others and not from a mere intra-psychic process involving an individual and their assessment of the code, arguing that ethical decisions are better made in the context of situations. As a result of all of this there is much debate in the literature about the usefulness of codes in helping people make decisions and ensuring ethical conduct (Banks, 2003; Hugman, 2005).

In summary, the literature has shown that codes are intended to provide guidance that promotes ethical conduct; however there are conflicting views regarding the value of codes for promoting ethical conduct. Some argue that codes are limited because they are not sufficiently contextualised, and therefore fail to take into account the communal and personal values of their users; others find regulatory codes rigid and bureaucratic and thus limit the agents' autonomy, authority and independence in arriving at ethical decisions. There is an on-going debate over whether codes are really needed for professionals because good conduct is expected of all people and because professional roles and ethics are socially constructed and thus situation dependant.

2.6.2 The Professional conduct of teachers in Kenya.

The professional conduct of school leaders and teachers in Kenya is formally gauged from their conformity to the public laws and Ministry of Education (MOE) policies, but more importantly to the requirements of two important codes developed by the

Teachers Service Commission (TSC), the body charged with the responsibility for teachers' affairs including employment (TSC, 2012). They include (i) the TSC Code of Regulations (COR) for teachers (TSC, 2005), and ii) the TSC Code of Conduct and Ethics for teachers, which is premised on the Public Officer Ethics Act (POEA) 2003. POEA is a separate legal instrument from which all professional codes for all public officials in Kenya are derived. It was enacted to "raise the standards of professionalism, ethics and integrity and accountability of all public servants" (Kenya Anti-corruption Commission, n.d) with the aspiration of establishing standards of ethical conduct to ensure that the "integrity, dignity and nobility of the teaching profession" is maintained (p. 2). Its provisions apply to all public officers including the school leaders. Adherence to the POEA makes professional conduct binding and legal. Since both the COR and TSC codes of conduct and ethics standards are government driven, professional conduct in Kenya's schools, teacher professionalism serves as an instrument of government control over school leaders and their staff. Unions or teacher professionals have very little influence in their conduct Both instruments are legal, however considering Fisher's (2001) argument in the previous section, we can assume that that the POEA is intended to serve as a professional code of ethics while the COR serves as a code of conduct.

The COR was established under the TSC Act and it details the terms and conditions of service between the TSC as employer and teachers as employees. It is founded on the Education Act, but also draws on numerous laws such as the Employment Act, Pensions Act, National Hospital Insurance Fund (NHIF) Act, the Kenya National Examinations (KNEC) Act, the National Social Service Security Fund (NSSF), the Children Act and the Procurement Act (TSC, 2005). The COR outlines the procedures for registration of teachers in public schools, their appointment, remuneration, and leave entitlements as well as guidelines for all teachers and TSC employees ethical conduct when rendering service to the public. It also outlines the responsibilities of teachers, the various categories of teachers employed, registration procedures, their rights and privileges and the regulations that govern the teachers' relationships with their employer, the TSC. The COR directs the school leaders, as representatives of the employer and Government, on the management of teachers and in overseeing the conduct of education in their schools. It also stipulates rules of conduct for all teaching staff. As agents the school leaders are guided by this code on

matters such as discipline of teachers, employment of staff and financial management procedures. It outlines some of the common professional misdeeds such as: bad moral character, conviction of crime, infamous conduct and having carnal knowledge, desertion of duty, disruption of peace, financial mismanagement, forgery and chronic absenteeism. It also stipulates the action leaders are required to take in the event of professional misconduct.

The second document, The TSC Code of Conduct consists of three sections; (i) part I defines the terms used in the code (ii) part II outlines the TSC's stipulated requirements for conduct of all teachers and other employees of the TSC and (iii) part three is an appendix of the provisions of POEA and this outlines the general code of conduct and ethics for public officers. This code recognises the critical role of teacher professionals in enabling the government to meet the fundamental rights of children for education.

Part II of the TSC code of ethics, defines good conduct and outlines what is allowed and disallowed by the code. All professionals are expected to uphold human rights and freedom, and avoid discrimination and to adhere to the following rules for conducting their duty: maintaining professional competence, and avoiding conduct likely to threaten professionalism (a summary of these expectations are outlined in table one). Teachers are expected to uphold personal integrity and not to incur financial liability because they are supposed to be honourable and respectable members of society. The school leaders are required to influence those under them, to conform to the ethical and professional requirements and to conform to requirements of duty such as adherence to working hours, appropriate standards of dress and hygiene, and to generally undertake duties in a professional manner. The leaders are expected to be guided by the principles of integrity, competence and suitability in the selection of officers for employment, and this is to be observed in the interest of the public, and to ensure justice in making ethical decisions. Prohibitions to be upheld in the interest of justice and public interest include favouritism, nepotism, and reporting ethical malpractice or acts that contravene the code.

The part III section of the code of ethics is the general code of conduct and ethics for all teachers and staff working in education institutions. Its provisions are underpinned by the following principles “selflessness, integrity, objectivity, accountability, openness, honesty and leadership” which every public officer must uphold: (Directorate of Preventive Services, no year, p. 3). These are similarly identified by McKelvie-Sebileau (2011). Hellsten and Larbi (2006) confirmed that these principles have been adopted by many developing countries having been originally derived from the “Principles of Public life of the Nolan Committee of the UK,” drawn from the “Weberian bureaucratic model” which gives prominence to public duty over private duty (p. 136). By conforming to these values, there is an assurance that professionals in public service adhere to the requirement that they be guided by public interest and not personal preferences or social obligations (Miller, as cited in Hellsten & Larbi, 2006, p. 136). It also indicates an assumption that all professionals should be guided by these universal values and principles which are applicable regardless of culture and context, yet these too have an impact on one’s professional decisions (Lewis as cited in Hellsten & Larbi, 2006, p. 137). Overall this section of the code requires all teachers and school leaders to remain impartial or objective in undertaking their roles.

The POEA section does not differ significantly from part II of the code except that it dwells more on the principles that should enhance professionalism (a summary of its key focus is illustrated in Figure 2.1). Unlike the previous part, it emphasizes the importance of objectivity in the conduct of duty particularly in the following areas: use of one’s position, power and office, rules on gifts and donations, conflicts of interests, providing contracts to friends, and the declaration of interest in financial undertakings.

Figure 2.1: A summary of Key Part III section (Key areas of POEA) of code of TSC Code of Conduct and Ethics, Kenya.

An examination of the official documents in this section has shown that professional practice within schools in Kenya is regulatory and driven by the employer and not the professionals or union. Furthermore, school leaders have to conform to the obligatory requirements of two documents. The TSC Code of Conduct and Ethics is more prescriptive than aspirational and does not provide clear directions on how it can be used for managing ethical conflicts. The COR (2005) provides direction on how leaders can handle misconduct on behalf of the teacher's employer, but the approaches are limited to identified acts and rigid sanctions according to laws or rules as an approach. Both instruments do not recognise nor incorporate the cultural values, ethos and customs of the Kenyan context.

The omission of any recognition of contextual factors, and focus on rules and identified value characteristics as the basis of ethical conduct, is a likely source of

issues and challenges for secondary school leaders in Kenya. In view of this, secondary school leaders have a momentous task of managing ethical conduct using multiple western derived systems which do not incorporate the ethical values and beliefs of the Kenyan context. They have to go through a complex system with multiple laws and codes to arrive at ethical decisions. No studies have been located in Kenya to show how these leaders negotiate between their own personal values, and professional expectations and cultural expectations to manage ethical conduct in their schools. It is also not clear how they manage and cope with all of these expectations and whether the western derived approaches are useful for managing their ethical challenges. These questions form the framework for undertaking this study.

2.7 Empirical literature on professional ethics

Very few studies directly investigate people's perceptions of the usefulness of codes although as mentioned in section 2.3.5 there is evidence that people draw on professional codes in making decisions. Much of this research is positioned in business and management settings. Demitras (2010) used a qualitative study with 65 administrators in primary and high schools in two provinces to identify their perceptions of ethical codes used in Turkey. The findings showed that overall there was a high recognition for justice and honesty followed by professional competence and objectivity. Other principles identified as important were transparency, responsibility, professional competence and commitment, empathy, and respect of difference among others. A few of the participants' perception differed which illustrated that arriving at a consensus on values may be difficult even though every opinion was valid.

In their report of a professional development programme designed to familiarise New Zealand teachers from early childhood, primary and secondary school education with their professional codes, Bourke and O'Neill (2008) revealed that when the teachers had knowledge and were familiar with the expectations of the code they became more confident and committed to use them for ethical decision-making. Making leaders familiar with the content and expectations of professional codes is important

Table 2.1*Summary of part II section of the Teachers Code of Conduct and Ethics, Kenya*

Fundamental principles governing conduct	What is forbidden and threatens professionalism	Other rules
1. Professional conduct: should adhere to laws and regulations, avoid acts that can ruin professionalism, conform to dress code, professional care and competence. 2. Integrity : Should be honest, courteous and uphold integrity 3. Objectivity : must avoid conflict of interest and nepotism 4. Justice: perform duties without discrimination 5. Respect for the rights and dignity of students' 6. Efficiency: perform duty to the expected standard.	1. Nepotism 2. Sexual harassment 3. Private teaching or coaching 4. Cheating in Exams 5. Canvassing for favours 6. Pornography 7. Promoting the use of illicit drugs 8. Engaging in politics	1. Rules on receiving donations and gifts 2. Procedure for reporting improper orders and charges 3. Procedure for breach of the code

Terhart (1998) analysed professional codes in US, Germany and Switzerland and concluded that there were more disadvantages in using codes: there was a tendency for professionals to falsely assume that everything was in place once the codes were created; codes attracted very little attention; and codes were not necessarily adapted to the continued dynamic changes in education environment. The study showed that even though codes were used as a control mechanism, professionals had divergent interpretations of codes which suggested a challenge in balancing the purpose or function of a code. Some codes allowed freedom for choice while others disregarded exerted control over their users. All these reasons limited their purpose for enhancing ethical conduct.

Fisher's (2001) qualitative study with 45 financial and human resource managers in the UK gathered the perceptions of ethical codes using interviews. This study revealed that the dialogic tensions in understanding the ethical codes emerged because of the rigid nature of codes mostly when there were conflicts of values espoused within the code. Adherence to codes led to loss of autonomy, challenged personal integrity, and hindered the growth of networks. It also inhibited the development of commitments and limited obligations. This had negative impacts on the ethical standards of the organization.

Reybold, Halx and Jimenez's (2008) in-depth interviews with 12 staff members in a US university revealed the perceptions of Student Affairs professionals' ethicality. It showed that they conformed to ethics in three ways: regulatory, situated and collective. Participants who conformed to ethics by regulation mentioned external mechanisms such as rules and codes which they referred to as management of ethics through prohibitions. Those who associated being ethical with situated ethics did not rely on codes for reasoning, but on the social circumstances, setting of the institution and higher education in general in their decision-making. This included considerations such as the well-being of the individual and the circumstances prevailing. They reflected on the impact of each situation, situated interpretation of rule or policies, relationships and 'doing the right thing'. Those who considered ethicality through collective ethics reported that understanding the rules and collective values of the institution, interpersonal networking, and personal values and to some extent professional ethics underpinned by reflection, were the basis of

ethical decision-making. This study however, does not elaborate on the possible challenges or dilemmas inherent in conforming to either of these approaches.

Khandewal (2006) used a participatory diagnostic approach with 275 participants in India, 130 in Nepal and 180 in Bangladesh to compare the perception of teachers, administrators, policy makers, and representatives of teachers' unions, parents and community members of the design, implementation and impact of teachers' codes. They also sought to diagnose the potential sources of ethical malpractice in schools. The surveys and interviews from public and non-government schools showed that the impact of code was positive in reducing ethical malpractice in examinations, management of funds, improving teacher commitment, performance and human relations. Codes were not effective for management of teachers and curbing private tuition. He concluded that the mere presence of codes was not enough to limit malpractice and recommended that commitment to codes and the translation of codes into values, the involvement of teachers in their formulation and training on the use of codes rather than using them as administrative instruments, were likely to enhance their value.

McKelvie-Sebileau and Poisson (2011) conducted an international survey of teachers' codes in 25 countries, five representing each of the following continents: Africa (including Kenya), North America, Asia-Pacific, Europe, Latin America and the Caribbean. Participants were drawn from the National Ministry of Education officials, managers of teacher training institutes, bodies in charge of teaching personnel, teacher college staff, staff responsible for teachers at regional levels, and teachers' unions. The participants were in agreement that codes were sufficient in content, minimized staff misconduct, and enhanced professional identity, as well as education quality. However they reported that ignorance of codes on the part of teachers, the public, ministerial staff, and the lack of enforcement of codes by the law minimized their overall effect.

Taken together these studies suggest that there are advantages and disadvantages of relying on codes for curbing ethical malpractices. The McKelvie-Sebileau and Poisson and Khandewal's studies agree that the lack of awareness regarding the purpose and ownership of the codes was a great limitation for their use. The two

studies unlike Fisher's study provided a more generalized view of professional codes and their use. The findings of Khandewal and Mckelvie give the general pattern of thought about codes across five continents. However their findings were based on a survey which does not bring out the contextual and real perspectives and experiences of the actors in the way my study intends to. Surveys do not delve into the depth of the issues under investigation and may not adequately assess perceptions of values because they are incapable of capturing important nuances and rich experiences and values of participants. Such studies are likely to provide more generalized perspectives which are assumed to be applicable across a range of countries and less likely to represent a clear picture of the reality under investigation. Moreover these studies do not distinguish between the type of codes, the participants relied upon, whether they were prescriptive or aspirational; such as distinction would have been useful because each type of code was likely to elicit different perceptions about their use. Since the authors did not clarify this, it is difficult to judge their assessment of ethical decision-making. Bourke and O'Neill's revelation that ownership and familiarity with the purpose of the code as crucial for meeting their purpose of promoting ethical conduct resonates with all studies reviewed except for Reybold et al.'s study. All of these perspectives inform the need and considerations for conducting my research.

2.8 Summary

This literature review has shown that there is a growing interest in ethical leadership from both western and African perspectives. However, whereas western literature explores in some detail what is required of ethical leaders, very little has been written from an African, let alone a Kenyan, perspective and none in relation to leadership in education. Alongside this, there is a growing interest in professionalization in western contexts, including the development of ethical codes as an important part of what it means to be a professional and ethical leader. The review shows that the western understanding of ethical leadership and practice is dominant in the literature and its practices have infiltrated into the Kenyan context as professional ethics codes and laws are of western derivation. However, where western research shows a beginning interest in the importance of culture and context in ethical decision-making, Kenyan codes do not write any consideration of cultural context into their regulatory documents.

No research was located on the value of ethical codes in Africa. The little literature available shows that the understanding and practice of ethical leadership in African contexts is different from that in the West. There is a resurgence of interest in African cultural values and traditions and how they can be used to manage the challenges facing African contexts today. However, very little research illustrates whether these values and traditions are relevant or useful for school leaders. Western research also notes the increasing complexity of ethical dilemmas facing educational leaders. In Chapter One I noted the complex social issues that face leaders in Africa which are distinct from the issues faced by western countries. No literature was located that shows why the social issues are prevalent in Africa and how school leaders manage these social issues and complexities within their contexts. If leaders in western contexts debate the usefulness of ethical codes, how do school leaders in Kenya cope with two regulatory documents, social disruptions and challenges, and the demands of local cultural practices and values?

This study will provide insights into the myriad issues facing public secondary school management and a deeper understanding of why ethical malpractices persist in secondary schools in Kenya today. Knowledge gathered from the research can result in an agenda for discussion and revision by policy makers in Kenya to improve ethical governance in secondary schools in Kenya, but can also increase our understanding of school ethical governance in non-western contexts.

CHAPTER 3

BEING ETHICAL

Bur ochiek dwaro bicho- Luo proverb

Introduction

The Luo proverb above is translated as “you cannot beat the drum with one finger.” It is obvious that this would be very impractical because no reasonable sound can be produced with two finger beats. The proverb can be used in many ways but in this study I use it to point to the fact that being ethical can be understood in many ways. Having said that in this chapter I identify what the literature says about being ethical by looking at ethics and ethical decision-making from both a western and African perspective. I do this in order to understand how secondary school leaders in Kenya might appear ethical. Both perspectives illustrate how ethics can be understood, and provide frameworks for the likely preference and values Kenya’s secondary school leaders may draw upon to make decisions.

People or their acts can be regarded as ethical or unethical. Often ethical is considered ‘being a good person’ and bad people or acts are considered unethical (Thiroux & Krasemann, 2009). Thiroux and Krasemann add that these distinctions are made with the assumption that people can make choices or decisions. School leaders make decisions on behalf of their followers and stakeholders. They should be able to recognize, anticipate and interpret the impending outcomes of their decisions and actions on the welfare of others because as Hoy and Miskel (2005) assert, administrative decision-making is not merely compliance to rules but a matter of engaging with value laden matters.

Several authors (Denig & Quinn, 2001; Duignan, 2006; Cranston Ehrich & Kimber, 2006) confirm that leaders encounter situations with several competing but legitimate options or choices and find it challenging to define what is best for each case when making decisions. This calls for ethical decisions in order to select the best alternative. According to Nash (1996), ethical decisions align with an individual’s “beliefs or norms by which they live and are willing to stand on and defend” (p.

110). The decisions must also meet the expectations of an organization's value system and the community it serves (Fairleigh Dickenson University, 2009). It is not clear how secondary school leaders in Kenya deal with the complex issues they encounter, what advice or guidance they draw from and how they arrive at amicable decisions.

Various scholars (Begley & Stefkovitch, 2004; Begley, 2004; Brooks & Normore, 2005; Greenfield, 2004; Hodgkinson, 1991; Sergiovanni, 2001; Shapiro & Stefkovitch, 2005) mention that leaders draw on ethics, values, morals, obligations or laws to reflect on their choices and to articulate the issues they are confronted with. Values influence how one views issues or problems, how they make judgements and evaluate them (Guy, 1990). They influence one's motives towards a given action and indirectly enable them to appraise or filter the available options for solving problems (Leithwood & Steinbach, 1995, Begley, 1999). Values thus determine the perspective, strategies of management and the outcome of any issue encountered by leaders (Law, Walker & Dimmock, 2003).

The literature (Begley & Stefkovitch, 2007; Gini, 2004; Hodgkinson, 1991; Law et al., 2003; Sergiovanni, 2001) illustrates that education leaders' draw on ethical perspectives for reasoning and problem solving. Gini (2004) affirms that ethical perspectives allow people to question their actions, consequences, fairness and harm in decisions, and to justify their choices. Agents also use ethical perspectives to critically examine personal, professional values and beliefs and to query stances about right and appropriate courses of action (Price, 1997). Sergiovanni asserts that by drawing on these perspectives leaders are able to identify useful practices and procedures, and to perform their work in morally acceptable ways.

Leaders also draw on morals or beliefs, standards and principles of good conduct consensually agreed upon by the community, profession or society as obligatory to arrive at decisions. They also draw from laws and policies as they also form part of an ethics regime, as statutory and regulatory devices that add weight to the code (Duignan, 2006; Frick, 2009; Langlois, 2004; Langlois & Lappointe, 2007).

3.1 Theoretical foundations of ethics and ethical decision-making

A number of frameworks explain how ethics, being ethical and ethical decision-making are defined and take place. These inform us about how the principles underlying moral claims are made or defined and illustrate how moral standards are understood (Stewart, 1991). They include the theories that underpin ethical practice; the ethical reasoning applied in ethical decision-making or in defining ethical or moral conduct (Thiroux & Krasemann, 2009). In this sense they explore the foundations that underpin a definition of right, wrong, good or bad. Globally several of these exist across cultures; however for purposes of this study western and African perspectives of ethics are explored.

3.2 Ethical decision-making in western contexts

Ethicists in western contexts have theorised ways of dealing with moral problems. Western ethics is traditionally founded on three normative theories: virtue theory, deontology, utilitarianism and virtue theory (Furrow, 2005; Hugman, 2005). Hugman explains that each represents philosophical thoughts and beliefs about what is right and wrong. The theories are a product of the social and contextual changes that occurred in western contexts across three eras of history: classical, medieval, modern and postmodern eras. Today they currently co-exist and provide valuable platforms from which people can make ethical decisions (Hugman, 2005). I will take each one in turn alongside its history to highlight what each entails.

3.2.1 Virtue theory.

Virtue theory was predominant in the classical and medieval era when morality was dependant on characteristics of an agent as evident from the works of Socrates, Plato and Aristotle (Wilson, 2008). The possession of morally valued traits or excellent character was important for enabling one to reason and practice acts that resulted in happiness which was the essence of ethics (Deigh, 2010). Some core virtuous characteristics or dispositions and acts were encouraged. Socrates emphasised that “acting justly, honestly, temperately and ... benevolently” (Frankena, 1973, p. 92) was important. For Plato, wisdom, courage, justice and self-control and moderation,

were important but justice had the highest value because it was a guarantee for happiness (Annas, 1992). Aristotle championed for both intellectual and moral virtues, but believed phronesis or practical reason was the highest virtue needed for taking charge and making life's decisions, because through it one could identify virtuous acts for a good life, and regulate behaviour, emotions and feelings (Furrow, 2005). Since morality depended on an agent's perception of the situation, it was subjective and a product of their own experiences, upbringing and interactions within their social contexts (Noddings, 2007). Agents who possessed and maintained the valued dispositions were capable of perceiving right action and thus character was central for ethical conduct. The literature confirms that there has been a resurgence of virtue ethics built around neo-Aristotelian ethics (Hursthouse, 2007; MacIntyre, 1981) in the Western world.

3.2.2 Deontology.

The moral theory of deontology or duty ethics was associated with Emanuel Kant and William David Ross (Thiroux & Krasemann, 2009). Rawls (1971) theory of social justice was also aligned to deontology because he opposed teleological theories which emphasised that prioritizing common good over right acts was important. This theory emerged in the modern era or the period of enlightenment when the influence of authoritarian theocracy began to wane and traditional forms of social organisation, beliefs and practices of the medieval and classical eras were rejected (Hugman, 2005). It was influenced by the following developments: the emphasis on science, reason, individualism, freedom (Abercrombie, Hill & Turner 2006); the discovery that man had a rational capacity for identifying moral action (Furrow, 2005). For them reasoned action was considered to be at a higher level, more human and necessary for creating a better world (Bagnall, 1998). Modern ethical frameworks including codes and ethical laws and structured work practices were established to replace the divine law to create order. Bagnall affirms that deontology became the foundation for ethics; a philosophy based on human reason, and was legislated, controlled and enforced by the state.

Deontology emphasised that one's moral obligations and duty were more important than the consequences of their actions. Kant emphasized that agents were rational and autonomous beings capable of reasoning and identifying appropriate moral

principles to govern their acts. Right action was identified by “rationally assessing ... actions, submitting them to the judgement of the categorical imperative” (Furrow, 2005, p. 88). This imperative consisted of fundamental universal and objective principles, which placed mandatory oughts or duty on everyone and adherence to the moral law was a duty undertaken for the sake of duty itself (Furrow, 2005).

Ochulor and Bassey (2010) affirmed that the categorical imperative was stated as follows:

Act only on the maxim through which you can at the same time, will that it should become universal law [and act] in such a way that you always treat humanity whether in your own person or in the person of any other, never simply as a means, but always at the same time as an end. (p. 472)

Ross reformulated Kant’s theory and argued that actions could not be rigidly or absolutely determined by principles alone but through situational judgement (Furrow, 2005). He proposed that when a conflict of principles of duty occurred, agents should reflect on the situation through rational intuitionism to identify which duty should prevail. Agents needed to carefully consider the seven *prima facie* duties or principles which represent basic moral beliefs that are applicable in common morally significant situations: fidelity, gratitude, reparation, justice, beneficence, nonmaleficence, and self-improvement (Furrow, 2005). This philosopher emphasised that everyone was intuitively aware of what was good, their duty and had the ability to make judgements in any conflict situation (Simpson, 2012). A new view of universal ethics grew and ethical prescriptions then became obligatory for all man (Bauman, 1993).

3.2.3 Utilitarianism.

The utilitarian theory was advanced by Jeremy Bentham (1748-1832) and later John Stuart Mill (1806-1873) and has equally remained dominant in the modern era (Thiroux & Krasemann, 2009). It began as a call by Bentham for a social reform of problematic laws and policies in response to the social injustices in Britain. Both philosophers argued that decisions were gauged by drawing on the utility or the greatest happiness principle to ascertain the options for impeding or promoting human goodness (Deigh, 2010). The author adds that moral acts were those that

resulted in more happiness for a great number of people. Agents thus needed to take into account the moral worth of every individual when making ethical decisions which were based on consideration of the context and the good of many.

Mill later emphasised the importance of examining the fundamental social rules or principles that served the common good to determine any harmful consequences (Furrow, 2005). In this case agents had the discretion for defining good acts and identifying what was right. This expectation was likely to be challenged where good and right acts are communally defined.

3.3 Postmodern ethics

In the postmodern era a new understanding of ethics emerged. Postmodernism is a western cultural movement associated with a shift from practices and, beliefs of the modern era. No consistent demarcation of this era is found in the literature but some writers have designated it as beginning in the 1980s. Others associate it with the effects of the massive rebellions against the rigidities of the modern era in many parts of Europe in the 1960's, which began to be felt in the 1970's (Milliken, 2004).

The era was characterised by doubts and scepticisms about the foundational truths of the modern era especially their insistence on objectivity illustrated in grand theories, and universal truths (Lyotard, 1984). The grand theories were considered an unrealistic representation of reality, which marginalised truth and other knowledge (Sackney & Mitchell, 2002). A new understanding that the world could be understood in many ways other than the absolute and object truths of science advanced by modern theorists arose (Bagnall, 1998). Holtzhausen (2000) for instance, explains that it was realised that varied cultural, social class and economic backgrounds influenced the people's different realities and this led to a new understanding about ethical responsibility and appreciation of differences. Bauman's (1993) showed that the emphasis on rationality, universalism and absolutism of morality and their effectiveness for attending to moral problems was challenged and the influence of dominant cultures in determining morality was overruled. The modern practices and beliefs particularly its emphasis on "order, structure, rationality and control" (Sackney & Mitchell, 2002, p. 883) were criticised for their insistence

on “objective truth and of foundational, transcendent principles” (p. 887). A new concern for people and human life in general arose.

Some authors (Bauman, 1993; Benhabib, 1992; Foucault, 1979; Gilligan, 1982; Hugman, 2005; Levinas, 1979; MacIntyre, 1981; Neyland, 2004; Noddings, 1984) confirm that new approaches arose to counter the foundational ethical theories of Kantianism and utilitarianism. Some of these include an ethics of self which is linked to Levinas, Bauman, and Foucault, communitarianism, feminist ethics of care, narrative ethics and virtue ethics which illustrate that ethics can occur without a code and thus ethical pluralism is here to stay. Most of these criticisms centred on the modernists assumptions of universal and absolute approaches for managing human conduct (Bauman, 1993). It was argued that universalist reason was inadequate for determining morality because it failed to deal with or take into account varied contextual and life experiences (Benhabib, 1992).

3.3.1 Ethic of care.

The emphasis on an ethic of care runs across all eras of western history. Care was considered a dispensation that agents need to make decisions within virtue theory; Held (2005) explains that care has been understood as an activity, an attitude, concern for others as human persons, and as feelings to draw attention to the place of emotion and human relationship in defining moral action as opposed to abstract reason and rules of the modernist era. Held (2005) contends that consideration for justice is underlain by consideration for care of others as a humanistic value every human person should have to be considered moral.

The first proponents of the ethic of care, Gilligan (1982) and Noddings (1984) challenged the modernist perspective of ethics. Gilligan drew attention to care as an alternative to the principle of justice by showing that there were gender differences in moral orientation; men were more inclined to draw from principles of justice, rights and rules while women were more endeared towards an ethic of care characterised by a tendency to maintain relationships and meet other people’s needs. Gilligan disputed the view of Kohlberg’s (1978) experiment which showed that women morally reasoned at a different level than men when considering their response to the Kantian and utilitarian principles of “impartiality, rationality, justice and universal principles”

(Blum, 1988, p. 473). Gilligan introduced the ethic of care after establishing that women gave priority to the context or situation and individual needs in seeking moral judgements. Moral judgements were thus not based on principles or rules alone, but care and responsibility within relationships (Blum, 1988). Engster (2005) pointed out that caring persons were “attentive, responsive and respectful” (p. 55)

Noddings (2007) established that personal desires and emotions determine and influence moral action. Noddings argued that the essence of this ethic was taking care of human relationships and that the insistence on objectivity in duty ethics encouraged agents to be detached and inhibited them from doing good things to others. Held (2005) argued that the principled approach failed to acknowledge that morality was also linked to responsibilities and the response required of agents within relationships. The author explained that relationships made unavoidable moral demands on agents, whilst duty ethics failed to take cognisance of the influence of context, culture, situations, emotions, interests and personal experiences in determining ethical action. Noddings concluded that care was a better foundation for ethics because it is human and a universal need.

3.3.2 Communitarianism.

Communitarianism was first used to refer to arguments of those opposed to Rawls (1971) political theory of justice. Rawls had argued that moral principles for just governance should be derived under a veil of ignorance, where individuals objectively and freely deliberated on how they wanted to be governed through reason (Kochan, 2009). Abbey & Taylor (1996) pointed out that several scholars namely “Alasdair MacIntyre, Charles Taylor, Michael Walzer, Richard Rorty and Seyla Benhabib” (p.1) opposed this view because it suggested that the community could not be relied upon to determine what was good. It was also evident that Rawls also placed more emphasis on the individual’s abstract self and its capability for defining what is good and disregarded the fact that man is “socially constituted” and derived their essence as beings from their communities (Cohen, 2000).

MacIntyre (1981) also expressed this view in this statement:

I can only answer the question “what am I to do” if I can answer the prior question of what story or stories do I find myself a part...I am

someone's son or daughter, someone else's cousin or uncle: I am a citizen of this or that city, a member of this or that guild or profession; I belong to this or that clan, that tribe, this nation. Hence what is good for me has to be good for one who inhabits these roles. As such I inherit from the past of my family, my city, my tribe, and my nation, a variety of debts, inheritances, rightful expectations and obligations. (p. 216).

In this statement, MacIntyre clearly showed that reliance on individuals to determine moral acts led to the exclusion of an important determinant of morality and that is the common voice of what was agreed upon by the group on what they valued and how the common value influenced the individual. He emphasised that the community gave the individual their identity and moral values as they interacted with one another.

Noddings (1996) also argued that Rawls like other theorists exaggerated the freedom of individuals, universalism and disregarded the importance and influence of the community in decision-making. Golby (1997) claimed that liberals failed to acknowledge the "links between personal identity and conduct on the one hand, and its social and political contexts on the other" (p. 125). Meanwhile Cohen (2007) argued that everyone is embedded within communal relationships, and communal thought exemplified in consensually derived values and beliefs, was important for evaluating principles that determine morality, justice and good. This is because, as MacIntyre (1991) intimated, virtuous acts and definitions of good were discerned from within the community and in contexts of relationships and not solely by individuals. Similarly, Walzer (1990) re-emphasized that ethical acts were defined by the community and that an individual's acts are geared towards meeting the moral obligations and expectations of the community to which they belong.

3.3.3 Ethics of the self.

Three philosophers Emmanuel Levinas, Michel Foucault and Zygmunt Bauman's arguments seemed to indicate that the self was the centre of the domain of ethics (Homfeyr, 2006). Levinas's personal experiences with the Russian revolution, the Second World War and the holocaust that claimed his family members and his imprisonment influenced his definition and perspective of ethics (Bergo, 2011). Foucault, a French philosopher and historian drew from history and experiences in western contexts and came up with the concepts of subject and power which he used

to critique and illuminate the mechanisms installed to control morality in the modern era (Fitzsimons, 2011). Bauman on the other hand concentrated his critique on modernisation and the place of ethics and moral responsibility necessitated by the changes in the modern world (Kelemen & Peltonen, 2001).

All three scholars faulted the wisdom of external moral laws as a basis for ethics. In his book *Totality and Infinity*, Levinas (1979) criticised modern philosophical ethical theories for preventing the transcendent nature of ethics. He argued that their objective truths and systems or codes came in the way of the “self” which determined ethical responsibility (Neyland, 2004, p. 63).

In his book *Postmodern Ethic*, Bauman (1993), blamed the numerous moral challenges on modern ethical standards or codes because they alienate man from their natural moral inclinations, moral responsibility and moral spontaneity. According to Boss and Wilmot (2001), Bauman claimed that due to a reliance on codes moral action was no longer “impulsive, endemic, gratuitous” (p.780) instead it was planned by agents and no longer experienced. They explained that Bauman saw the prevalence of codes as a sign that modernity had rejected individual autonomy and responsibility for morality. This prevented people from responding to their innate responsibility for morality. Morality for Bauman had thus become a response to the requirements of the codes, demands of legislators and authors of codes and not to the moral impulse or self. Bagnall (1998) affirms that morality was reduced to compliance and unquestioning of rules for fear of reprisal (Bagnall, 1998).

Baumann (1993) elaborated on why codes failed to work. He explained that first of all, codes were established because the self was considered an unreliable and unpredictable basis for morality. He pointed out that ethical codes were an attempt to create certainty since their intention was to control man’s ambivalence, or the innate quality of man, which is both good and bad. Bauman explained that a firm line between good and bad envisioned through codes failed because codes, ethics, reason and rules are incapable of attending to every case; because moral problems and morality were unpredictable and there were no purely good or bad acts. He pointed out that codes stirred up man’s awareness of their ambivalent nature, and led to feelings of guilt and ethical challenges. He concluded that the ambivalent quality of

man was innate and could only be controlled by the self or moral impulse and not codes.

While Foucault (1990; 1995) acknowledged that man's identity and knowledge of notions of right and wrong were products of powerful influences from socialization and the context. He explained that this knowledge was made available to them through codes or discourses expressed in languages underlain by power which limits their autonomy. Foucault thus considered reliance on a principled and objective approach a mechanism of power for political control of individuals which inhibited their freedom to act in ethical ways as defined by their self. Consequently individuals were no longer rationally autonomous; and thus he called for liberation from this domination in order to "construct an ethics of the self through inner dialogue" (Fitzsimons, 2011, p. 76).

All three, Levinas, Bauman and Foucault, claimed that man has autonomy and an innate capacity to take responsibility for morality. Levinas used an analogy of an intersubjective encounter in life between two persons to demonstrate that ethics is a natural, involuntary, necessary and unconditional response that comes from an encounter with the face of another. He explains that when an individual- 'I' meets the 'other', 'I' is compelled to respond to the face of the 'other'. The face summons 'I' to some prioritized demands or responsibilities and an infinite and impulsive response which is human and transcendent (Simmons, 1999). Levinas concluded that relationships and individual responsibility form the basis for ethics and morality.

Bauman (1993) pointed out that people had an innate responsibility for morality because each one had a moral impulse, the innate capacity that directs them to take responsibility for morality. He distinguished between reason advanced by the normative ethical theories of deontology and utilitarianism from moral responsibility, a natural inclination of an individual towards morality. Both theories emphasised that one needed to reason to identify moral action and thus had separate definitions of morality; reason being concerned with making right decisions while morality being ones responsibility for the other. Like Levinas, Bauman (1993) argued against the views expressed in normative theories because he contended that responsibility for the other was obligatory and not contractual. In other words ones moral

responsibility for others came before reasoning and not vice versa. Both emphasized that one needed to consider their moral responsibility (morality) first before reasoning to identify right action.

Even though Foucault (1990) claimed that ethics was a subjective experience and did not emanate from external codes. He argued that to be ethical one needed to take the initiative to control the self from external demands such as laws, codes and rules, and the limits placed upon them. For Foucault (1983) ethics was freedom, or the ability to control or regulate one's conduct. Foucault (1986) also explained that individuals have a responsibility to create themselves as ethical beings using "technologies of the self" or rules they set upon themselves to attain valued goals to become ethical persons as one would create a work of art (p. 10). These rules define their ethical goals, help decide what kind of person they would like to be, and identify the values necessary to help them achieve the moral goals without relying on a system of codes or rules. Morality is only achieved when an agent has a relationship with the self, because the self is directly relevant for ethics.

Foucault (1982b) affirmed that ethics was a product of one's intuition and reflection on a situation, values and ideologies that one was confronted with all the time. He explained that by reviewing and monitoring each step on a regular basis one became a better person. Thus for Foucault, ethics meant having control of the self and filtering and controlling the forces that continually shaped and influenced it through reflection. He explained that ethical persons had an awareness of the influences upon their self, but strived to ensure that these were in harmony with their ethical goals. Ethics is thus an individual's efforts to develop acceptable character and take acceptable action.

3.3.5 Narrative ethics.

Narrative ethics are also gaining ground. Wilks, (2005) explains that narrative ethicists believe that in order to identify action, agents need to have close interaction with the personal lives, identities and histories of the people they serve. This gives priority to relational ethics over principles. Such an interaction allows agents to get a deep understanding of the moral events they are confronted with (Candilis, Weinstock & Martinez, 2007, p. 73), so that they arrive at justifiable decisions linked

to an individual's life stories and experiences. This has an advantage because priority is given to an individual's account as they conceive and experience it, while acknowledging the contested meanings in each situation (McCarthy, 2003; Wilks, 2005).

3.4 African ethics

Africans had their own moral standards; however the numerous cultures in Africa make it difficult to argue for a single notion of ethics. However, we can rely on common elements existing among all cultures in Sub-Saharan Africa, which have shaped the African worldview expressed in African folklore, art, music, values and belief in communalism (Gyekye, 2010). Gyekye adds that African ethics are a product of reflections on the nature of human society, relationships, sociality and human objectives which led to the creation of a natural-humanistic ethic. The literature shows that Ubuntu philosophy is the dominant worldview and maxim of ethics in Africa (Nussbaum, 2003, Mangaliso, 2001, Nafukho, 2006). It is a cultural value system founded on care and interdependence.

Communitarianism or universal humanness is important, and thus virtues such as compassion, generosity, hospitality and interdependence were obligatory and a duty for all community members. African ethics is thus an ethics of duty because ethical conduct is obligatory because of its consequences for human welfare (Gyekye, 2010). Agents strive to adhere to expectations for moral conduct to demonstrate their concern for the general welfare of others.

African ethics is social (Gyekye, 2010; Jegede, 2009; Kigingo, 2002). For this reason, communal life and the value of others are a central aspect of life and that is why social networks and close relationships are important. The community is the basis for morality in Africa and any unethical act or a failure to fulfil expected social roles and norms is considered a disruption of communal cohesion (Verhoef & Michel, 1997). An African's decision-making is thus influenced by communal thought, which includes their African beliefs, values and practices (Lutz, 2009) enhancing communal life.

As moral rules and social practices are determined and enforced by the community, individuals have a limited role in defining what is ethical, and they must conform to what is agreed upon by the community (Jegede, 2009). Individual roles are limited to the sustenance of the ethical tradition and welfare of the community by conforming to the communal expectations. Communal values may not be good for the individual, and may not necessarily be ethical by other standards. They can lead to conflicts if implemented in modern day contexts that propagate individualistic ethics.

Consideration for humanity forms the basis and foundation for ethical practice in Africa (Gyekye, 2010; Kigongo, 2002). Ubuntu itself is referred to as humanism (Gaylord as cited in Hailey, 2008, p. 4). Africans have a view that human welfare; interests and needs form the basis for ethics, because conforming to fundamental moral norms, ethical conduct is human (Gyekye, 2010). One of the maxims of Ubuntu, “if we are human, we must be brothers”, confirms the African belief that we all belong to a universal human family, which goes beyond race, ethnicity and culture (Gyekye, 2010, p. 15). This also provides the foundation for the value of ‘care for all’. This closely links with the arguments for a western ethic of care premised on the value for relationships and doing good advanced by Noddings (2007) and Held (2005).

Morality is dynamic in African settings, because the assessments of moral acts vary in each context. Verhoef and Michel (1997) explain that deliberations on conduct are made collectively based on the intention of the act, social position or status of the individual, and their moral character. Nel (2008) explains that this assessment is not undertaken by rationality but by reference to values and standards prescribed by tradition, custom, practice as well as social and family codes” (p. 44). The elderly, community councils and clans are consulted because they are the custodians and disseminators of ethics and moral values in African communities and their long experience, wisdom and knowledge of the cultural life is important (Kosomo, 2010). Decisions also rely on one’s conscience (Ayantou, as cited in Jegede, 2009, p. 247); take into account the situation, context or particularities of situations and form commonly agreed values. This closely resonates with other ethicists such as Held (2005) and Bauman (1993) who contend that there are influences outside principles that determine ethical action.

There are conflicting views regarding the link between African ethics and religion in the literature (Gyekye, 2010; Mbiti, 1990; Nafukho, 2006; Wiredu, 1983). Gyekye claims that ethics and religion are not linked because ethics is a product of deliberations about what is good for community, and not for a supernatural being. Nafukho sees a link between religion and Ubuntu, because both emphasize respect and the importance of African beliefs including religious beliefs and practices. When Mbiti describes the African as “notoriously” religious he means that every aspect of their life is permeated by religion, and thus African morality cannot be distinguished from religion because it underpins moral conduct (p. 1).

3.5 Summary

In this chapter I have shown that being ethical can be understood in different ways. From a western perspective premised on the theories of Deontology, utilitarianism and virtue ethics we can see varied views about what defines good and bad conduct. A deontologist considers ethical conduct a duty and expects everyone to adhere to universal principles. Utilitarian’s contend that it is important to adhere to the utility principle which enables one to gauge happiness because it forms the basis for ethics. Virtue ethicists emphasise that virtuous character or habits are essential. Postmodern ethicists are opposed to these traditional theories linked with the modernist way of viewing conduct. They emphasize that individuals do not need defined codes or principles for conduct because ethics is an innate quality that needs no external regulation. They argue that rules or principles hinder them from moral or ethical conduct. The section has also shown that in Africa, ethics is understood differently but its practice is closely related to the Aristotelean virtue ethics. African ethics lays emphasis on virtuous characteristics and differs from these theories because it is centred in communal ethics. Ethical conduct for them is communally defined. These varied and multiple definitions of ethics and ethical conduct are likely to be a source of ethical problems for any leader. No studies were found to have explored the experiences of school leaders in Africa or Kenya’s experiences with the demands of ethical conduct upon their work and everyday activities. This review illustrates that there is a gap in the literature on school leaders’ ethical leadership in African contexts for there are no documented studies illustrating their experiences with the expectations of professionalism or ethical conduct. There appears to be very little

evidence that the predominant western ethical theories or principles in the literature take into account the perspectives of African communities in studies of school leaders' ethical decision making or professionalism. The minimal reference to African ethical theories in the education literature in Kenya and Africa indicates that moral consensus or ethics is understudied in African settings and thus very little is known about how school leaders account for their chosen solutions, what ethical theories they draw upon, and to what extent Kenyan cultural perspectives influence these decisions. This study seeks to add valuable knowledge to the field by examining the experiences of secondary school leaders in Kenya. In this way it will contribute to the body of knowledge on schools leaders' professionalism and ethical decision making.

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CHAPTER 4

METHODOLOGY

Bur ochiek dwaro bicho- Luo proverb

Introduction

The Luo proverb is translated as “the boil is ready for pressing.” It is very painful to suffer from a boil on any part of the body. It is also painful to the touch leave alone press it to relive a person from the pain. I liken this proverb to the purpose of this chapter, which is to describe the overall research strategy, the process, and the rationale for the methodological approach that I used to undertaken this study. It details the research orientation, research design, methods of inquiry, and analysis techniques I used in this study.

I have structured the chapter as follows. First, I outline the main questions that guided this research. I then present a brief description of the social constructivist/interpretive paradigm, the theoretical framework underpinning this research; this illustrates the link between the paradigm, research questions, and the methodology. Second, I discuss my qualitative research design and how I conducted the research, and then I describe the analysis process, including the coding process. Third, I explain my role as a researcher and the ethical considerations I made in the research process. Finally, I provide reflection on the research process and conclude the chapter with a discussion of how I addressed issues concerning the trustworthiness of the research.

4.1 Research questions and objectives

Given the gap in the literature identified in the previous chapter, I chose to investigate the issues and challenges secondary school leaders in Kenya face in making ethical decisions. It was intended that the study would expose the challenges the school leaders encounter in adhering to their ethical responsibility.

My research was guided by the following research questions:

1. *What key ethical issues do school principals and BOGs, HODs, school bursars, and key stakeholders identify?*

This question sought to identify the multiple views of the participants' regarding the ethical issues, dilemmas and challenges or ethical problematic situations in their work as school leaders. The data gathered here identified those situations that led to moral conflicts and exposed leaders to ethical decisions.

2. *On what do school principals, BOGs, and school bursars in Kenya base their decisions?*

I used this question to identify the approaches the school leaders used for managing the ethical issues, dilemmas identified in the study. In the data collection and analysis, the preferred strategies as well as the reasons why they were perceived as more valuable were illuminated. Reference was also made to the strategies available in the literature.

3. *What challenges do they face in making ethical decisions?*

This question was linked to the major research question. It sought to identify the challenges each category of school leaders encountered in arriving at ethical decisions.

4. *How can ethical governance be improved in secondary schools in Kenya. That is, what are the implications for improving practice and policy?*

This question allowed me to explore the participant's and my own perspective of the strategies for managing and minimising the ethical challenges encountered by the school leaders after my interpretation of the data.

A detailed summary of the research objectives, specific research questions and the different sources of data that were used to conduct this research can be seen on Table 4.4 (see p. 102). Details of the data sources will be provided later in the chapter.

4.2 Social constructivist/interpretive paradigms

Guba and Lincoln (1994) mention that a researcher's beliefs, worldview, or paradigm need to be defined because they "direct the choice of method" (p. 105). Denzin and Lincoln (2008) add that a paradigm reflects the epistemological and ontological assumptions about the nature of the phenomenon under investigation. Morrison (2007) emphasised that by defining their lens, researchers are able to illustrate how their research evidence will be understood and assembled. It also ensures that the theoretical paradigm, the strategies of inquiry, and methods for data collection are harmonised.

My research was premised on a social constructivist/interpretive framework which, according to Klenke (2008), lays emphasis on "studying the ways in which people experience, perceive and make sense of the events of their lives" (p. 14). My research question and the objective of the research sought to identify secondary school leaders' experiences (issues and challenges) with ethical decision-making. This provides a framework for exploring how secondary school leaders' ethical issues and challenges emerge. An exploration of my participants' varied perspectives and experiences on the subject within their contexts was necessary and, thus, ontologically this research is premised on relativism and the epistemological assumption that knowledge is co-constructed by the researcher and participants and adopts a naturalistic methodology (Denzin & Lincoln, 2003). I hold the view that reality is subjective and personal (Cohen, Manion, & Morrison, 2007), thus the school leaders' and parents' subjective experiences and perspectives count as reality, are meaningful and subject to interpretation. As suggested by Schwandt (2000), this includes the norms and institutional or cultural perspectives that define their action.

Constructivists assume that "natural reality and social reality are different" (Gray, 2009, p. 21) and need to be approached and interpreted differently. For them, knowledge is constructed when objectivity and subjectivity are brought together by a conscious mind or through interaction; objects therefore serve to generate meaning (Crotty, 1998). This suggests that subjectivity cannot be viewed alone because the object and subject are indistinguishable, thus the subjective experiences of the school leaders and the parents with ethical decision making within their contexts will be interpreted collectively in this study. The objective and subjective circumstances of

the school leaders, and mine as researcher in my role as interpreter and disseminator of knowledge are also assumed to be interrelated. My perspective is that knowledge is actively constructed by these leaders as they interact with their environment for, as Denzin and Lincoln (2003) state, “we do not construct our interpretations in isolation, but against a backdrop of shared understandings, practices, [and] language” (p. 305). Knowledge or meaning about ethical decision making is, therefore, contextual and negotiated within their social contexts.

The theoretical underpinnings of the social constructivist/interpretive paradigm have thus informed the methodological approach I employed in this study. In the next section, I describe the strategy of inquiry or research design I employed for data collection.

4.3 Qualitative approach

I chose a qualitative approach for five reasons. First, it was appropriate for exploring the subjective experiences and the world of the selected secondary school leaders because it is generally inductive and allows the participants’ data to speak. Second, scholars have emphasised the need for research on leadership, ethics, and values that draw on a naturalistic, constructivist approach because available research has tended to hide the contextual details and experiences of school leaders (Eacott, 2010). Similarly, Ford and Lawler (2007) have criticised the continued focus on objectivist approaches in the study of leadership and recommended the incorporation of subjectivist approaches. Third, qualitative research was used because it allows for the exploration of processes, events, and phenomena in their natural settings (Yin, 2009), for interaction with the participants in their settings, and their words and perceptions, which enables researchers to get a rich, holistic overview and deep understanding of the phenomenon (Miles & Huberman, 1994).

Fourth, I used a qualitative research because its “emergent design” allowed for flexibility in data collection methods (Merriam, 1998, p. 71). This enabled me to make changes in the research process when one of my data collection methods failed to yield data. This was advantageous for me because I was delving into qualitative methods for the first time. One final reason for using this approach was that it allows for reflection on the research process at every stage. This allowed me to challenge

my judgments and values throughout the research process (Jaye, 2002). I will now provide details of my research process.

4.3.1 Case study research design.

I employed a case study approach, one of the strategies of the social constructivist paradigms identified by Denzin and Lincoln (2003), to gather data about secondary school leaders' experiences with ethical decision-making. Given the interpretive position I have taken in this study I chose a case study because, as a strategy of inquiry, it allows the researcher into the world of the participants and allows them to relate the data to the physical environment and documented data (Denzin & Lincoln, 2003).

Case studies are defined variously in the literature (Merriam, 1998; 2002; Yin, 1994). In this study, case study referred to “an intensive, holistic description and analysis of a single instance, phenomenon or social unit” (Merriam, 2002, p. 21). In this instance the single phenomenon under investigation was the issues and challenges associated with ethical decision-making encountered by secondary school leaders in one province in Kenya.

Yin (2003) indicated that a case study is appropriate if the contextual conditions were important for understanding the phenomenon under investigation and when it was not possible to control the participants and the events in the study. I found a case study appropriate because it resonated well with the assumption of my research that a holistic perspective of the participants' experience in their context was crucial for understanding the issues and challenges associated with ethical decision-making. The approach therefore had potential for allowing me to capture the reality, experiences, and perspectives of the participants about their situation in relation to the phenomenon under investigation (Cohen et al., 2007). Given its naturalistic style, Yin (2003) affirmed that case studies make it easy to study phenomena in their natural settings; the exploration of significant features of the case and meaningful characteristics of the events and the phenomenon are retained.

Yin (2003) indicated that case studies allow for the use of multiple sources of data. I was able to gather information from several sources- school principals, Boards of

Governors (BOGs), Heads of Department (HODs), school bursars and parents. This has the advantage of triangulation of data, which reinforces the trustworthiness of the research, allows for multiple views of participants to be visible, which makes the evidence credible (Stake, 1995). This allows for an in-depth and holistic exploration of the phenomenon (Yin, 2003). One disadvantage of the case study approach is that it can yield too much data (Gray, 2009). I took precautions and identified measures to manage this problem; for example, I attended a course on NVivo prior to the research and used the programme as a database to store and analyse the data. I also prepared an interview guide to collect the data needed.

It was necessary to decide whether the study would use a single or multiple case study approach. My decision to use a single case study was made after considering Yin's (2003) suggestions about the circumstances that call for the use of the single case study vis-à-vis a multiple case study. Yin explained that a single case study is appropriate in the following circumstances: (i) when the case represents an extreme or unique circumstance, (ii) represents a critical case in testing a theory, (iii) a revelatory case where observation is made of a case that cannot be accessed through science, or (iv) when the purpose is longitudinal or revelatory. Merriam's (1998) contention that single case studies were appropriate when a researcher's interest was in "the patterns of interpretation given by subjects" (p. 31) also resonated with the purpose of my research. I adopted a single case study design because my inquiry was unique and met the criteria enumerated by Yin above.

Figure 4.1: Single case study.

Note. Adapted from Yin (2003, p.46).

I did not use multiple case studies because, as Yin indicated, they were useful where there was need for replication and this was not one of my intentions. I did not intend to explore the differences between the cases but to understand the case as a unit. My objective was to understand the experiences of the school leaders with ethical decision making by focusing on each sub unit within the case to illuminate it better. A single case study design with embedded units was the most suitable model based on the objectives of my research. I used this to explore the perspectives of ethical decision-making in five sites located in one province of Kenya. An embedded case is a case with sub-cases within it, for example, students within a school (Merriam, 2009). In my research the embedded case included the different schools or sub-units where ethical decision-making took place as illustrated in Figure 4.1.

Drawing from Merriam's (2009) emphasis on the importance of delimiting the object of the case study or "the instance of the process, issue, or concern" (p. 42), I identified and defined my unit of analysis as the stakeholders' perceptions of ethical decision-making. The secondary schools comprised the sites in which instances of this phenomenon of interest (ethical issues, decision-making, and challenges)

occurred and, thus, were likely to yield rich information. The leaders and parents who interacted with the phenomenon were found within schools. Therefore schools in this study were not described and treated as cases in themselves because no rich analysis or lengthy engagements were made with them.

4.3.2 The research site.

The primary setting for this study was in one province in Western Kenya. My choice of the region was influenced by familiarity and knowledge of the region and the ease with which I would be able to interact with the participants. The region is also characterised by high poverty levels, political and socio-economic marginalisation and the school leaders were more likely to be confronted by ethical problems. The population also has a strong attachment to their cultural beliefs and practices and it was important for me to identify how these cultural bonds interact with the school leader's work. The study was undertaken in provincial schools because they constitute the majority of schools attended by Kenyan students. The national schools are few in number and better endowed and thus stand out as a separate category of schools. These admit only students who perform well in the primary school certificate. The district schools on the other hand are young and have considerably lower populations and were more likely to be headed by newly posted teachers with minimal experience. Both the district and national schools did not fall within the category of schools because they would have provided limited answers to my research question.

4.4 Gaining entry into the field

Figure 4.2 (see overleaf) provides an overview of the research process that was used to undertake this study. After gaining ethical approval from the Faculty of Education Ethics Committee at Victoria University of Wellington, I sought permission and clearance from the Ministry of Higher Education in Kenya as per the rules and regulations for conducting research in Kenya (see Appendix C).

In order to recruit the key participants in my research, namely school principals, BOGs, school Bursars, HODs and parents as stakeholders and recipients of school leaders' ethical decisions, I considered Patton's (1990) suggestion that contacts can provide direction about "information rich sites" (p. 169). I sought to gain access to

the first group of participants, the school principals, by soliciting the support of the Kenya Secondary School Heads Association (KSSHA). I asked KSSHA (see appendix D) to identify and invite eight secondary school principals to participate in a focus group discussion about their experiences with ethical dilemmas and ethical decision-making based on an identified criterion (see recruitment 4.4.1). Krueger and Casey (2009) indicated that four to twelve participants were sufficient for focus group discussions and that is why I choose to have eight participants in the discussion. I purposely chose to have a discussion with school principals first because as heads of the institutions they were the best placed to be engaged in decision-making as units for this case study since they were more involved in the daily school activities than the other school leaders. I used the outcome of the focus group discussions with school principals to develop questionnaires for the semi-structured interviews.

Since I intended to use a case study approach, I further invited four school principals out of the eight interviewees in the focus group to volunteer for a further discussion of their experiences by way of open-ended, semi-structured interviews. I also requested them to allow their schools to participate in my research. Once the four principals consented to their schools participating in the research, I made further consultations with the District Commissioners, District Officers, and District Education Officers in the locality of the consenting heads. This was part of the protocol requirements of the Ministry of Higher Education in Kenya for conducting research. The fifth school principal was identified through snowballing following the recommendation of Principal B because of the school's unique location and its previous circumstances. A similar contact was made with the government officials after the school principal gave consent for the research.

Figure 4.2. Overview of the research process.

My decision to sample four schools was informed by the views of some scholars (Miles & Huberman, 1994; Patton, 1990; Yin, 1994) who contended that depth and detail in qualitative research is more important than representativeness or number of participants. Miles and Huberman's criteria for sampling in qualitative research, namely feasibility, richness of information and relevance of the sample to the conceptual framework, were particularly useful. I chose to explore the experiences of participants in four sites because it was convenient for me to do this singly and allowed me to delve in to more depth and thereby yield a thick description and relevant data as indicated by the four authors above.

After obtaining approval from the District officials, I visited the principals of each of the five schools to whom I gave the following pseudonyms: Amka, Bango, Chako, Dani, and Endeleva. I have also referred to them as School A, B, C, D, and E respectively in my discussions. A description of the schools and their characteristics are provided in Table 4.1. It shows that the schools identified represented a mix of various characteristics – boys' and girls' schools, day and boarding, rural and urban – with a range of student population, the highest having a population of 1100 students

and the lowest 470 students. I relied upon each school principal to identify potential participants within their schools because it was culturally appropriate to give them recognition as heads of the institution, and because it was expected administratively.

Table 4.1

Characteristics of Participating Schools and Principals

<i>School</i>	<i>School type</i>	<i>Enrolment</i>	<i>Location</i>	<i>Gender</i>	<i>No. of years' experience</i>
Amka	Provincial girls' boarding	830	Rural	female	13
Bango	Provincial boys day	1100	Urban	Male	29
Chako	Provincial girls' boarding	470	Rural	female	15
Dani	Provincial boys' boarding	890	Semi-urban	male	23
Endeleza	District mixed school	500	Urban	Male	6

4.4.1 Recruitment of participants.

My selection of participants was influenced by Patton (2002) contention that “there are no rules for sample size in qualitative inquiry” (p. 244). This is because the richness of cases and the analytical qualities identified are more important than the sample size because qualitative researchers are more interested in having in-depth understanding of phenomena. Drawing from Patton I used purposive sampling to identify information rich research sites. I was also guided by Morse’s (1994) suggestion that each participant selected must have the following qualities “the knowledge and experience...the ability to reflect, is articulate, [has] time to be interviewed and is willing to participate” (p. 229). Other than this, my main criterion was that only those who engaged substantively with the phenomenon of interest, ethical decision-making, were recruited.

I used two purposive sampling strategies identified by Patton (2002) to select the participants: criterion based sampling where participants that met some identified criterion were selected, and snowballing where cases were identified by people with

knowledge of information rich sites. One, criterion-based sampling was used at the initial phase to select participants – school principals for the focus group discussion – and subsequently applied to the rest of the participants in the study. I recruited the fifth school principal later through snowballing, a second criterion based on the recommendations by one of the school heads I met in the initial discussion forum.

As mentioned previously, I used the school principals as an entry point to the schools because they hold a key position in the school administration. Only school principals who met the following criteria were invited to participate in the first focus group discussion and subsequently the study:

- i) Belonged to a school with a functioning governing body – BOG
- ii) Had a minimum of five years' experience as school principal because from my experience as an educationist, I considered this experience sufficient for a leader to be well-grounded in school leadership and management.
- iii) A school principal in a school with a minimum of 200 students. A large student population was more likely to experience more ethical issues than a small school because a majority of them lacked trained teachers or school principals, learning facilities and were often managed by community members who may not necessarily be professionals.

I also made considerations about gender, not because the analysis was going to be gender based, but because people's worldviews can be influenced by their gender identity. The schools identified had to be a mix of day, boarding, urban, rural, boys', girls', and mixed schools. These considerations allowed me to capture participants' views from a rich and wide context. Once I had selected the principals, I then invited the other participants, namely BOGs, HODs, the school bursars and parents, and my only criterion for them was that they held important positions in the school. The school principals made suggestions about which HODs were likely to encounter or deal with more ethical problems and these included the following: the Head of Guidance and Counselling, Head of Careers, Boarding Masters or Mistresses and Head of Science. Most of the school principals handed me over to their deputies who then introduced me to the staff and school leaders. I then made direct personal contact with the potential HODs from these categories in each school. I also made

further consultations to invite BOGs, school bursars, and parents to consent to participate in the study (a summary of the participants by category and number is illustrated in Table 4.2, p.100).

Each potential participant was given an information sheet with details about the research and taken through a brief discussion to elicit their consent to participate in the study. I informed each participant that they were under no obligation to participate and they were free to withdraw at any stage. We agreed upon a schedule and venue for the interviews with each participant based on their availability. I made contact with participants to confirm their availability prior to each session.

4.4.2 The study sample.

A total of 45 participants were involved in my study; this includes the eight school principals who participated in the initial focus group at the beginning of the research. Forty two participants from five schools were involved in the second phase of the study (see Table 4.2), which was undertaken at the school level. Participants were recruited because they engaged with ethical decision-making in the school, the phenomenon of interest. They included the following:

- BOGs who were the external managers of secondary schools
- HODs that were part of the school administration body and were in charge of an identified department. Their duties entailed making decisions on a wide range of issues from curriculum to guidance and counselling and they were an important link between the teachers and school principal and the BOGs
- The School Bursar who was in charge of support staff and the management of school finance
- The parents who represented stakeholder interest were selected because they were recipients of ethical decisions made by the school leaders.

Table 4.2*Summary of Participants by Category*

Schools/participants	Amka	Bango	Chako	Dani	Endeleza
Principals	1	1	1	1	1
BOG	1	1	1	1	1
Bursar	1	1	1	1	1
HODs	6	3	3	3	3
Parents	2	2	1	2	2
Total	11	8	7	11	8

4.5 Data collection methods

In order to explore the participants' perspectives, beliefs, and experiences related to ethical decision-making, Table 4.4 (see p.95). Identifies the principle data collection methods and data sources that I used in this study to answer the research questions and to meet the objectives of this research. They include: semi-structured interviews, focus group discussions, and document reviews. Semi-structured questions were the principal data collection procedure used in this study. All the participants were asked to respond to similar questions, just as the documents were investigated in light of the research question. It also illustrates the link between the data collection methods, research questions and the data source in this study. I will now discuss the rationale of each approach.

4.5.1 Semi-structured Interviews.

I used semi-structured interviews as the primary research technique for data gathering in this study. Interviews provide an avenue for participants to express their opinions and interpretations of their world and were useful for exploring the participants' personal experience of the phenomenon (Cohen et al., 2007). It was ideal for exploring the participants' hidden worlds including their feelings, thoughts, and opinions about their world (Patton, 2002) as well as their values and beliefs about sensitive topics like the subject of this study where the participant has to

divulge and engage with sensitive information (Liamputtong, 2007). A semi-structured interview also provides researchers with a chance to step back during the interviews and to examine the interpretations of the participants and to seek clarity or additional information during the session (Creswell, 2009). The approach allowed the researcher to interact with the participants in their environment and to explore new ideas that emerged during the study (Merriam, 2009). It also allowed for corroboration amongst the participants views so as to bring out a true picture of the phenomenon under study. The semi-structured nature of the interviews allowed the researcher freedom to use different approaches for different participants while tackling the same information. As observed by Klenke (2008), it also allowed the researcher to make interpretations, and rephrase or substantiate during instances in which the respondent did not understand. One limitation of using interviews was that they have potential for bias and subjectivity (Cohen et al., 2007). Patton (2002) recommended that to avoid this, open ended questions should be used to elicit the participant's world view and that is why I used them. I was therefore able to explore each participant's experiences, opinions, feelings, knowledge, and background. Merriam (2009) had indicated that open ended questions allowed the participants and the researcher to reflect on the experiences discussed and to respond to new ideas that emerged in the interviews. Leading questions were therefore avoided.

I employed a number of strategies during the interviews. First, I made an effort to establish a rapport with the all the participants, to build trust, and then, as suggested by Klenke (2008), I gave each one a sample of the interview schedule prior to the scheduled meeting. All meetings were structured at the convenience of the participant and protocols for the research adhered to as expected by the Victoria University Ethics Committee. Thus, I sought the consent and signature of every participant before each session, assured each one of confidentiality, and made recordings of the discussions with the consent of each participant. I held the interviews in the office designated for the participants and asked the participants to ensure that interference was limited during the interview session. Each interview session lasted for approximately one and a half hours.

Semi-structured interviews were conducted with all the participants in this research: school principals, members of the boards of governors, school bursars, heads of

department, and parents. Based on Merriam's (2009) recommendation, I used an interview guide or protocol to direct the discussions to ensure that all areas for the discussion were covered. This protocol was derived from my review of literature on ethical decision-making, and from my initial focus group discussion with school principals. Most of the interviews were conducted in English except for a few held in local languages with participants such as parents who were less fluent in English. These were later translated into English by a transcriber who signed a confidentiality agreement. Some of the transcriptions were shared with willing participants and a few follow-up interviews were also undertaken to clarify the participant's position after the initial interviews. Some of these took place by phone, email or direct contact.

I began each interview session with general questions and used a conversational style to put the participant at ease. I used occasional probes and requests for elaboration to draw out more information from the participants. This served as a technique for exploring the issues in depth while seeking clarity from my respondents in order to explore new issues not contained in the schedule. Based on Merriam's (2009) recommendation I used a mix of more or less structured questions, worded flexibly to gather specific information from participants. I sought the consent of each participant to record each interview session. Participants were given the option to accept or refuse to have the sessions recorded. Recording had the advantage of collecting the verbatim accounts of the participants and provided rich data about the perspectives of the participants. It also allowed me to effectively attend to the participants and the data collection process.

At the end of each day, I recorded details of field contacts, primary concepts, questions, themes, and issues raised by contacts used in contact summary sheets as suggested by Miles and Huberman (1994). I kept a memo record and a reflective log of the important responses to each research question to provide an impression of the data gathered and then used this to gauge the frequency of the responses and to make comparisons between groups as suggested by Bloomberg and Volpe (2008). This helped me to identify areas for further exploration with the participants.

4.5.2 Focus group discussions.

A focus group interview is a discussion of a central topic by a group. I identified this approach because Kruger and Casey (2009) indicated that they were useful for exploring the knowledge, beliefs, experiences, and varied opinions about a topic (Krueger & Casey, 2009). Marshall and Rosemann (2006) had also mentioned that focus groups offered the participants a chance to explore their perspectives and to confirm each other's experiences and perspectives. I also considered that they can present challenges in research, for Cohen et al., (2007) claimed that difficulties of managing domineering participants and conflicting views in such interviews were likely. Kruger and Casey (2009) noted that they could also be time consuming and difficult to coordinate if the researcher had to manage the group and collect data at the same time. To curb some of these challenges, I hired an experienced facilitator who signed a confidentiality form prior to undertaking the task to manage the sessions and direct the participants to curb these challenges. This also allowed me to concentrate on the participants' discussion and to capture their views.

Two focus group discussions were held with the following participants: school principals and HODs. The hired facilitator welcomed and introduced the participants, laid down ground rules for interaction prior to the discussions to minimise conflict. All participants were encouraged to participate and were allowed sufficient time for discussion only on topics relevant to the study to minimise time wastage. Both focus group discussions lasted for one and a half hours.

I used the first focus group discussion held with eight school principals as an entry point to the study sites and to get a general picture of the sorts of issues and challenges the secondary school leaders faced. I captured the key ideas from this discussion and used the findings to tailor interview guides and questions for use in the next phase of my research.

The second focus group discussion was held with eight heads of department in school A. This discussion did not yield sufficient data in spite of all the provisions made for its success. I observed that the heads of department were not willing to make their experiences and opinions about leaders openly known. It was more likely that the participants found the experience of openly revealing their experiences

before their colleagues very threatening. This could have hindered them from interacting fully in the discussion. It is also possible that some of the experiences they would have liked to share touched on them and other school leaders present in the study. After I realised that the discussion was sensitive I concluded that the approach was inappropriate. I consulted further with my supervisors and the Ethics Approval Committee at Victoria University through an Ethics Addendum (Appendix B) which recommended its abandonment in favour of semi-structured individual interviews.

4.5.3 Document reviews.

Data was also obtained by analysing relevant documents. I drew from Yin's (2003) recommendation that it was important to draw from two or more sources if the research was to be valid. Yin also advised that documents were mostly relevant where a single case study was involved. I thus used documents to seek convergence and to corroborate the findings from the semi-structured interviews. Following Patton's (2002) recommendation, I purposely selected and studied documents that were directly linked to the research purpose prior to going out in the field. This helped me in developing the research question, and in to gain an understanding of the research context. The list of documents for review selected (see table 4.3) were policy documents, integrity reports, code of regulation, professional codes, selected statutes, media reports, government reports, and newspaper articles which gave information on prevailing education practice in the secondary school. These were accessed from libraries and websites of the Ministry of Education and the Teachers Service Commission (TSC). Relevant newspaper articles depicting ethical challenges in secondary schools were also collected from the websites of two prominent Kenyan newspapers, the Daily Nation and the East African Standard, between 2011 and 2012.

Table 4.3*Documents Referred to in the study*

Document	Data
The Sessional Paper No. 1 of 2005 and The Report of the Kenya Education Sector Support Programme (KESSP).	Provided background information on education management practice and policy.
The Report of the Education Sector Review (2008).	Provided information on the status and linkage of education to Vision 2030.
The KACC Report for TSC (2006) and Ministry of Education (2010).	Governance issues on the education sector.
Relevant newspaper articles.	Public perceptions.
Teachers Code of Regulations.	Rules for engagement and professional conduct.
The Report of the Taskforce on Affordable Secondary Education (2007).	The status quo – current operations, secondary education management, problematic situations and recommendations for handling them.
The TSC Code of Conduct and Ethics (2003).	Rules of professional conduct.
Relevant Acts governing education.	Background information and status of education and governance mechanisms in place.
Taskforce Report on the Re-alignment of the Education Sector to the New Constitution (2010).	The status quo – governance of the sector.
Relevant texts, documents on African ethics and morality.	The contextual beliefs – past and current on ethical behaviour.

Note. From “Documentary Analysis as a Qualitative Research Method,” by G. Bowen, 2009, *Qualitative Research Journal* 9 (2), p.36.

Some the data sources – namely policy documents, statutes, professional ethics codes, and codes of regulation – provided information on the expectation for ethics and ethical conduct. Reference was also made to education sector reviews and taskforce reports such as the Taskforce on the Affordable Secondary Education and, the Taskforce on the Re-alignment of the Education Sector to the Constitution of Kenya 2010, undertaken during the period of research. These provided information about the challenges school leaders faced. The statutes and policy documents illustrated the legal perceptions about ethics and moral conduct. Written texts provided information about African thoughts both current and past regarding moral conduct.

I utilised this approach because it provided advantages identified by several scholars. Bowen, (2009) for instance, indicated that they allow for corroboration of findings through triangulation and thereby reduce the potential for bias. They can also provide for a rich and thick description of the phenomenon (Stake, 1995). The use of the approach was complementary and aligns with Merriam's (2009) advice that "information in a single interview should be considered in light of...other sources of data" (p. 114). Glesne, (2006) affirmed that document reviews provide support and contextual dimensions to the interviews, and expand the perception of a study. Bowen (2009) argued that the following characteristics their "availability, cost effectiveness, lack of obtrusiveness, and exactness" (p. 31) made the approach easy to use as a source of data. Efforts were made to counter some of the disadvantages documentary reviews present in research such as out dated information and the inaccessibility of documents by exploring the data sources to ensure that valid documents were identified as far as possible. I made clarifications about my identity and the purpose of my research and this allowed me to obtain some documents I needed from government.

4.6 Data analysis

Data analysis entails "making sense of the large amounts of data collected, and includes reducing raw data, identifying what is significant and constructing a framework for communicating the essence of what the data reveals" (Bloomberg & Volpe, 2008, p.127). My analysis was informed by a social constructivist/interpretive

theoretical framework. I also used an inductive approach (2002), which implies that the themes in this study were derived from the data (Patton, 2002). My conclusion about the issues and challenges of ethical decisions was therefore premised on my interpretation of the participants' experiences illuminated in the data.

This data analysis took place throughout the whole research process, for as Merriam (2009) indicated, data analysis is a "recursive and dynamic process" (p. 169) in qualitative research and this means that it is an on-going process. I divided the analysis of data in my study into three phases: the informal phase (Gall, Borg, & Gall, 1996), and the second phase which I term the formal analysis of data. In the third phase I undertook a Foucauldian analysis to provide a further reading of the data. All these phases are discussed in the next section.

4.6.1 First phase.

The first phase of data analysis began during data collection. I recorded notes, memos detailing my reflections, hunches, ideas, and tentative themes and reviewed them at the end of each interview to inform the next data collection process as suggested by Bloomberg and Volpe (2008). I used this information as a reflective log to think about the meaning of their experiences as recommended by Glesne (2006), and used the ideas to inform the actual data analysis and interpretation. Miles and Huberman (1994) suggested that contact summary sheets were important. I used this to store the details of my field contacts, the primary concepts, questions, themes, and issues the participants identified. Based on Bloomberg and Volpe's (2008) recommendation, I kept a record of all participants' responses for each research question because they indicated it could give an impression of the data gathered and could be used to gauge the frequency of the responses and to make comparisons between participant groups. I transcribed interviews at the end of each day and noted down the trends and issues in the discussions as recommended by Merriam (2009).

4.6.2 Second phase.

My rationale for the second phase was to identify the common themes from the participants' accounts and thus a thematic analysis was most appropriate. Bloomberg and Volpe (2008) define thematic analysis as "a process that involves coding and then segregating the data by codes into data clumps for further analysis and

description” (p. 147). The aim of this process is to “identify, analyse and report patterns (themes) within data and to make interpretations (Braun & Clarke, 2006, p. 79).

Drawing from Bloomberg and Volpe’s (2008) recommendation, I used the NVivo 8 software tool, because of its ability to process and to “store, categorize, retrieve and compare data” (p. 75). I also used it because Richards (1999) showed that the program made it possible for one to examine patterns and to reflect upon the data. Beazeley and Richards (2000) indicated that the program allowed for an audit trail of the analysis process, to scrutinise the stability of the codes, create memos, and to connect memos to texts. The software provided a better way for organising the huge amount of data I gathered for this study and allows researchers to make their own inferences using other ingrained features such as memo creations linked to texts that can be used to record my hunches and interpretations during the coding process.

My rationale for using thematic analysis was based on Braun and Clarke’s (2006) contention that it was capable of producing the reality of participants, such as their experiences and interactions within the context. Secondly, as Braun and Clarke indicated, thematic analysis is not bound to any theoretical framework and thus was likely to fit in with my own theoretical perspective. One disadvantage they noted was that it could only yield descriptive accounts and not the meanings within them. To counter this, I read through all the codes, themes, and transcripts to get a sense of the data and prepared memos of my hunches and interpretations of the themes during the analysis process.

I drew from Braun and Clarke’s thematic framework consisting of the following steps: (i) familiarisation with the data, (ii) generating initial codes, (iii) searching for themes, (iv) reviewing themes, (v) defining and naming themes, and (vi) producing the report to derive thematic codes.

Table 4.4*Linking research questions, methodology and data collected*

Research objective	Specific research questions	Data source
1. What key ethical issues do managers of public secondary schools in Kenya encounter?	What ethical dilemmas do the school managers face and what is the source of these dilemmas? What ethical issues occur most frequently? What are the most challenging and difficult decisions made by school managers?	Semi-structured interviews with school principals, BOG chairpersons, parents, School bursar, documents.
2. What criteria do school principals, BOGs, and HODs base their ethical decisions on?	How are ethical dilemmas resolved? What do they base their decisions on? What structures and factors guide decision-making in public schools? Who are the key players in decision-making in secondary schools and what are their roles?	Semi-structured interviews with school principals, BOGs, parents, HODs. Reference to documents.
3. What factors constrain and affect their options for ethical decision-making?	How adequate or useful are the mechanisms in guiding or addressing the ethical dilemmas faced? Does school locality influence decision-making?	Semi-structured interviews with school principals, BOG chair, school bursar, parents. Reference to documents.
4. How can ethical governance of public secondary schools in Kenya be improved?	What does the literature say about ethics and good governance in schools? How can the leaders and managers of the secondary education sub-sector improve secondary school governance?	Documents, semi-structured interviews with school principals, BOG chair, school bursar.

Building on the first phase of data analysis, I began to familiarise myself with the data listening to and reviewing the recorded data and transcribing the verbatim accounts of the interviews to ensure that the participants' views and perspectives were captured for an in-depth analysis as suggested by Miles and Huberman (1994). I labelled the transcripts and grouped them according to the participant groups and schools thus: as school principals, BOGs, bursars, HODs, and parents, for Denzin (2001) suggested that grouping the stories together allowed for comparisons and convergences to be made. I transferred these to a database as recommended by Yin (2009) using the NVivo 8 program.

Using the NVivo 8 program, I followed Glesne's (2006) recommendation and began coding, a progressive process of sorting and defining collected data by clumping all like-minded pieces of data together. I progressively identified codes and matched them with related data extracts by "tagging and naming selections of text within each data item" (Braun & Clarke, 2006, p. 89). This process yielded an initial list of 30 codes from across the data set (see Appendix F). I then amalgamated some and where there was insufficient data I discarded them.

As Braun and Clarke (2006) suggested, I produced a thematic map with the identified codes and patterns and, after interrogation of the patterns, paired closely linked codes to form themes, after discerning the relationship between both the codes and themes. I then pooled data extracts with the identified themes and reviewed both the codes and themes further to determine if they could be combined to form an overarching theme. I repeated this process, going back and forth for the whole data set, reworking and redefining closely related themes and merging them to form new ones or naming new codes if needed. This process enabled me to capture any data missed out and I finally stopped – as Richards (2005) suggested – when I reached saturation point; that is when no more themes and codes were emerging from the data. I then grouped concepts with a common meaning together following an "interpretational analysis" when scrutinising codes to identify themes from the data (Gall, et al., 1996, p. 562). The entire process progressed from identification of codes to patterns and then the creation of themes. From this a visible picture of the issues and challenges of ethical decision-making encountered by secondary school leaders in Kenya emerged from the data set.

4.7.3 Third phase.

When I had completed phases one and two, I thought the findings did not sufficiently explain the nature of the challenges the school leaders faced. I sought to engage further with the methodological literature and found that postcolonial theory, critical theory and post-structuralism were appropriate options to use for further analysis of this data. I had come across some of Foucault's ideas earlier during my literature review and found them interesting. I therefore subjected my findings to another level of analysis using a Foucauldian lens for the following reasons: first, the Foucauldian approach introduces the concept of discourse and thus moves beyond the individual meaning making in social constructivist frameworks to consider the way language and text offer certain subject positions. Foucault's insights allowed me to view the ethical leadership and ethical decision making as social constructs involving certain relationships of power dependant on language, history, context and consensus.

Secondly, Foucault's discussions problematize structures that have constructed who we are (Popkewitz & Fendler, 1999). By problematization, I mean the process in which he engages with the questions of truth, and encouraged people to question them so they could transform their thinking and think about their self (Burchell, 1993). Thirdly, Foucault urges us to go beyond stating that things are wrong, to explore the underlying assumptions that influence the way we think and act. Foucault emphasises the need to interrogate all truths and practices that are taken for granted (Kendall & Wickham, 1999) because for him truths are mere fictions (Foucault, 1994a). A Foucauldian analysis disturbs the habits, the familiar practices and generally opens up the space to think broadly about the issues and challenges enumerated in Chapters 5, 6 and 7 of this study. The practices, norms and assumptions that direct the school leaders' actions need further interrogation to identify how they might influence the ethical problems identified in this study. Lastly, I found Foucault's work useful and his ideas so compelling especially his discomfort with forces of domination and arguments about ways of resisting them which were very relevant to the argument of my study, that school leaders encounter numerous issue and challenges in trying to adhere to ethics.

My Foucauldian reading and analysis thus focused on the overall context or the “field of possibility” that have influence on school leaders actions and not the interviews and policy documents analysed in the previous phase of analysis.

4.8 Ethical considerations: Potential ethical issues and problems and how they were addressed

Howe (2001) noted that when researchers enter a participant’s world to gather data, they can intentionally or unintentionally unearth information that has ethical implications. Bloomberg and Volpe (2008) noted that ethical issues could arise at any stage of the research process. Researchers are thus required to take precautions to minimise risk when undertaking research (Cohen et al., 2007) because qualitative research is intimate and involves interaction with participants. Taking precaution entails adhering to defined ethical principles or a code of conduct which defines what is appropriate or not in undertaking research.

Undertaking research investigating the ethical issues and challenges secondary school leaders’ face can be very sensitive and potentially intrusive and can result in ethical issues. I envisioned several issues that were likely to require my consideration of ethics in this research: firstly, during the period of the research, there was a lot of apprehension in political circles following a clamp down on unethical practice in public service. There was national concern about ethics and governance in public institutions in Kenya, specifically within the education sector. I anticipated that this could potentially influence my participants to misconstrue my research to be part of the on-going investigation and therefore limit their participation in the research. Secondly, as a public official I foresaw that it was going to be very challenging to gain entry into the research sites and that my colleagues and employer were likely to misconstrue my engagement with this research as a criticism of the organisation. Thirdly, I was aware that the research questions and findings could result in a threat to participants who may feel ineffective and insecure as leaders. Fourthly, I wondered what I would do if participants revealed unethical behaviour that was illegal or open to sanction.

I undertook the following measures to overcome this perceived mistrust and potential challenges. First, I adhered to the research ethics guidelines of the Victoria University of Wellington Human Ethics Committee. My participants were well informed about the research and assured of its approval having satisfied the ethical committee and the ethical requirements of the New Zealand Association of Research in Education (NZARE) (Appendices A and B).

Second, I sought a research permit from the Ministry of Higher Education, Kenya in accordance with the legal requirement for the conduct of research (Appendix C). The District Commissioners and District Education Officers subsequently gave me an introductory letter to schools to allow entry as per the research guidelines. I made contact with the Kenya Secondary School Heads Association (KESSHA) and sought for their consent and support for identifying participants for the study. This helped to dispel fears and encouraged the school leaders to participate in the research.

Third, as suggested by Klenke (2008), I made an effort to build trust before undertaking the research because a good rapport was likely to win their trust. This process was inbuilt throughout the research, but more during initial sessions with each participant. I took care to guard the participants from harm by providing a full disclosure of the purpose of my project and its benefits, and ensured that this was understood prior to each session. I sought the consent and signature of every participant and gave them the option to withdraw from the research if they wished. I valued and showed respect to each participant by ensuring that the discussions dealt with matter they would be comfortable to share.

I considered both the establishment of trust and the provision of safe spaces to be critical for a discussion about ethical decisions (Fine & Terram, 2009). When participants displayed discomfort with open discussions of ethical issues and lack of confidentiality in an earlier planned focus group session with HODs I was willing to change the research direction. I therefore sought for an amendment of the original plan for focus group discussion to shift to semi-structured interviews where participants felt secure. This showed that I exercised ethical sensitivity throughout the research project and I did not just rely on the initial ethical approval.

Fourth, I assured all participants of confidentiality including restricted access and safe custody of the research findings. I also assured them that their identity would not be disclosed and thus used pseudonyms both for participants and participating schools. Participating schools were named A, B, C, D and E and the school leaders were given abbreviations linked to their schools for example PRB meant school principal in school B and HDB1 was a HOD 1 in school B and vice versa (see Table 4.5). I gave each participant an opportunity to verify their transcript through member checks to confirm their contribution and to make amendments where need be or withdraw if they wished. The two assistants I engaged in the research – a transcriber for interviews conducted in the local language and a facilitator of the initial focus group discussions – signed confidentiality agreements, since they were privy to some of the discussions held with the participants. These actions assured the participants of my credibility and created a free environment for a deep exploration of the phenomenon.

Table 4.5

Participants pseudonyms

Pseudonym	Participants
BG	Board of Governor (A,B,C,D,E)
BR	Bursar (A,B,C,D,E)
HD	Head of Department
PA	Parent
PR	School principal (A,B,C,D,E)

I anticipated that there was a potential for ethical and legal issues to overlap during the collection of the sensitive information pertaining to the research. Following Gall, et al.'s (1996) contention that personal information shared in the interviews and encountered during analysis was likely to yield ethical issues, I solicited the support of an advisory group (see Appendix E), whose membership was drawn from the MOE, to undertake a discussion of the issues that I found threatening from the study. This was done without disclosing the names of the participants.

Since the research had a potential for identifying illegalities I was very cautious about the way I framed my questions and in tackling the issues that came through. I was aware that this sensitivity was likely to scare away participants from engaging with the study. I took care of this by emphasising the confidentiality of the research, and also by informing participants that they were under no obligation to participate in the research nor were they to disclose anything they felt uncomfortable about sharing.

I also endeavoured to meet the expectations of culture while undertaking the research. I adhered to the expectations of respect for the authority of the school heads, appropriate dress and attitude as I interacted with the participants. I maintained my distance and questioned contentious issues in the appropriate manner expected. This went a long way to enhance trust between me and the participants.

4.8.1 Ethical dilemmas of the researcher.

Undertaking a study of ethical issues and ethical dilemmas can be ethically challenging and result in dilemmas for the researcher, especially when the study ironically reflects and puts the organisation one works for in the limelight, as was the case for me in this study. I faced a number of dilemmas in undertaking this research. I had a conflict between adhering to rules of reporting, and jeopardising my research. I had a duty of care for my participants, my education institution, and my PhD study. I had to consider the consequences of each step I made in the research, for I risked losing the participants and also putting them at risk. While I took the risk to undertake the research, there was a potential for the study to be misconstrued for being an investigation into the school leaders unethical practices.

Another ethical issue concerned the privacy of the participants. Gall, et al., (1996, p. 116) noted that keeping the privacy of participants was challenging because identifiable signs within the research are always present and likely to give them away. I have carefully selected pseudonyms and provided minimal information and leads about the research sites; however, the potential for identification of these schools is not within my control. I was also faced with the challenge of whether or not it was appropriate for me to reveal the study site, which I decided to keep confidential.

4.9 Research quality

Busher and James (2000) contend that research must be “designed to create trustworthiness or valid outcomes if it is to be believed to be pursuing truth” (p. 114). The approaches used for assessment of rigor depend on the underlying paradigm of the research (Klenke, 2008). For instance, in quantitative studies validity is emphasised as a measure of research quality, while in qualitative research truth is accessed through a measure of trustworthiness or authenticity because trustworthiness of the study and the researcher is more important (Robson, 1993). Trustworthiness thus replaces validity and reliability (Merriam, 2009) used in quantitative research. Denzin and Lincoln, (2008) contend that trustworthiness in qualitative research can be assessed by considering its credibility, transferability, dependability, and Confirmability. I made an effort to conform to these at all stages of the research as proposed by Merriam (2009).

Qualitative research is not value neutral. Klenke (2008) confirms this and explains that researcher bias can emerge from researchers’ familiarity with the organisation, and the values, beliefs, and prior knowledge they carry to the research. I have already outlined how my background influenced my research, and the potential and actual situations for bias in my study. To guard against potential bias in the research arising from my role as an education official and as a teacher, Lichtman (2010) suggested the use of bracketing to separate my views about the study topic during the research and to continuously reflect on the interpretations of the participants in order to understand how they were being influenced by my personal interests and concerns. I was thus able to separate my biases at every stage of the research. My supervisors drew my attention to my interpretations and analysis of data from time to time, and this made me focus on participants’ own views and what emerged from the data as opposed to my thinking. I will now consider how credibility, transferability, dependability and confirmability have enhanced the validity of my study.

Transferability refers to the extent to which similar results can be found by independent investigators (Klenke, 2008). Following Merriam (2009), I have provided rich, thick descriptions of the case, its setting, participant’s descriptions to provide a vivid picture of their experiences and the research setting. I have also

vividly described the sampling approach used in the selection of participants, so allowing readers to judge the relevance of the emerging themes to their own settings, and experiences and how applicable the case can be to other contexts.

Dependability is concerned with the consistency of the research findings while confirmability refers to the extent to which another person can corroborate the results (Lincoln & Guba, 1985). Drawing from Gray (2009), I have provided a vivid picture of the research process to attain dependability so that an audit trail to illustrate the links between the data and my interpretation can be identified to provide clarity about how I undertook the research process at each stage. This includes all the procedures used in the research process; decision points, the research proposition, data collection, transcriptions, and analysis (Merriam, 1998). Following Yin's (2003) suggestion, I have presented these to inform interested researchers as to how the research was conducted. I requested a PhD colleague with an interest in, and understanding of, my research project to follow the trail, first through reading a school principal's transcript, then coding and analysis, to determine the consistency of this process and to find out if this was likely to yield the same conclusion. I used my field notes and memos to reconfirm the raw data and to check if they were linked with the coding manuals and the final interpretation of the data. Guba and Lincoln (1985) indicate that it was important to do this to verify the dependability of a researcher's analysis process. There was concurrence and variation in the identification and interpretation of the issues and challenges in the principal's transcript. We discussed the differences and where it was clear that a code was misinterpreted or misplaced this was revised and sometimes discarded. This allowed me to verify the data more closely and to make accurate interpretations. The concurrences were an assurance that the process was credible.

Research credibility, as Klenke (2008) observes, seeks to discern the extent to which the results are believable from the participant's view. I used the strategy of member checking by giving back transcripts to willing research participants to verify and confirm and comment on the accuracy of my reports and interpretation. I also made some follow-ups through brief interviews, email and phone calls to confirm and to make clarifications with participants where necessary. This was undertaken based on Patton's (2002) recommendation that research was credible if the participants

confirmed that reports represented their perceptions. Participants confirmed this and in some cases drew my attention to those that were not and I made the corrections as agreed.

To illustrate my connections to this project I have provided clear information about my background qualification, experiences, and perspectives and included measures such as critical self-reflection which has allowed me to take control of my potential research biases as suggested by Klenke (2008). I used a variety of data sources – namely document sources, field notes, and interviews – which allowed for triangulation of all data sources (Patton, 2002). Triangulation was also achieved through the convergence of the perspectives of the BOGs, school principals, bursars, HOD and parents – the different participants interviewed, as well as that of the researcher. Cohen et al. (2007) contend that triangulation enhances “researcher’s confidence” (p. 141). Peers at an international conference, and at university presentations offered opportunities for evaluation and feedback for this study. This feedback enriched the research. Subsequent reviews and feedback from my supervisors have also served to improve the credibility of this research.

4.10 Summary

In this chapter I have examined the social constructivist/interpretive paradigm that informed my research methodology. I have described the single case study, and explained the procedures for selection of participants, data collection methods, analysis, and the measures taken to ensure that the trustworthiness or quality of the research and ethics were upheld in this research. The chapter also presents discussion of ethical issues that arose in connection with the research. The ethical dilemmas illustrate the challenges of undertaking such a study.

CHAPTER 5

ETHICAL ISSUES IDENTIFIED BY SECONDARY SCHOOL LEADERS

Osuri oumo mangeny – Luo proverb

Introduction

The Luo proverb above is directly translated as ‘the roof stick seals or covers a lot of things unknown to people’ (author). Osuri is a roof stick that lies on top of a traditional house inhabited by the Luo people. The statement suggests that the stick knows the secrets and all the happenings within a house which an outsider or neighbour can only imagine. Like the osuri, the participants in this chapter are privy to the challenges of adhering to the expectations for ethical leadership in their work as secondary school leaders that remain unknown to observers.

In this chapter I explore the ethical issues identified by participants in my study. Participants’ responses identified a magnitude of complex, inter-related contextual issues that constrained their efforts to remain professional and ethical. For purposes of this thesis I have identified seven dominant themes for discussion: i) social challenges, ii) dealing with flawed policy, iii) unclear leadership roles, iv) inadequate resources, v) dealing with others who have different values, vi) persistent threats, and vii) the demand for accountability (these are summarised in Figure 5.1, p.112).

These themes are a product of a coding process and thematic analysis where I merged clusters of ethical issues that represented similar experiences. For example I coded the two excerpts below under the theme lack of clear policy:

Now the MOE has directed that extra tuition is illegal...because it has specified time for working, no student should be taught before 8 a.m. or after 5p.m. The school should not use any of its facilities or its compound, paid or unpaid to have such activities. [HOD HDE3]

And another

Another contradiction I have is about the school fee policy which requires that students remain in school even when they have not paid school fees because the government is paying for tuition; but you see this being a boarding school, it is very difficult to run the school... So you get into a conflict: when you send the child home you are interfering with the policy, but if you do not send them the parents will not pay for the boarding [Principal PRD].

I merged these two accounts under a sub category: *lack of clear policy* because the leaders' experiences depicted concerns about contradictory policy. A further revision of all the codes led me to merge similar experiences depicting lack of clarity which I clustered into the following sub categories: *lack of clarity in roles, and lack of clarity on policy implementation*. This I later merged to form the theme or category: *Lack of clarity*. A similar process was undertaken for all the themes identified above. These themes are all interrelated and cut across each other but I have presented them separately because they are referred to in different ways by my participants.

This chapter provides a picture of the context in which secondary school leader's work. It demonstrates how each of the themes limit or challenge ethical or professional practice of secondary school leaders in Kenya. Ethical issues in this study thus refer to situations that have a potential to be ethically problematic. Participants' expressions indicate that they are a potential trigger for ethical dilemmas, and sometimes the cause of ethical malpractice. They limit the chance for ethical conduct to flourish.

5.1 Social challenges

All the participants recounted diverse societal related experiences that impacted greatly on the schooling process, student education and ethically sound leadership roles. Common issues cited were health, poverty, orphans, because they resulted in situations that challenged their beliefs and values.

5.1.1 HIV/AIDS health issues.

Most participants spoke of the frequent HIV/Aids health related issues among their staff, students, and stakeholders:

We have had teachers who are affected... about two of them and they do not want the other teachers to know that they are sick. They can be off duty for a whole month due to sickness but they do not want anybody to teach their classes and this affects students and the syllabus coverage. They cannot have teamwork, they... hide the fact that they are sick and this too affects their productivity, their relationship with other teachers and even with students... they are so sensitive, that you cannot even help them if you wanted to because they feel that you infringe on their privacy [Principal, PRA].

HIV/AIDS related staff illness also contributed to some of the school leaders' ethical challenges. This is because school leaders revealed that dealing with the emotional and social issue problems associated with this pandemic and the physical absence of teachers was problematic. This is because they had to balance between meeting their values of being humane while also striving to meet the needs of the learners and requirements of policy and law at the same time. This issue and challenge was encountered by most participants in dealing with students.

We lost one student last year she had reported when she was sick. We have those who are HIV [positive] and are on medication; we have those with HIV- related diseases - TB but we try to make it very private so that it is only the nurse who is privy to the information and only let[s] the class teacher and games teacher know if it affects her physically. We try to limit this information for fear of stigmatization [Principal, PRA].

Principal PRA illustrated that dealing with student illness was a new and challenging task. The task called for caution, care, support and protection for those who were affected from it which the school leaders found challenging to provide because most of the sick teachers shunned any support or sympathy. This indicated that the HIV/AIDS pandemic had shifted the school leaders' roles and many were forced to perform social-work roles that they were not well-informed about.

5.1.2 Poverty.

A majority of the participants, including parents reported that it was challenging to deal with increasing poverty because of its potential for creating ethical challenges:

You can find a student who comes to school without anything. Some cannot pay their school fees and ... so you give them everything... some parents are negligent - they do not visit their children and the student cries on visiting day and the following week does not concentrate in class [Principal, PRC].

I told one student to come to school because he is a total orphan and the person who took responsibility for his care abandoned him, and he did not have a home. He used to live in the church, but now the pastor is not willing to take care of him [Principal, PRB].

Both Principals of PRC and PRB illustrated that school leaders today have to deal with poverty related issues - mainly associated with orphaned students, negligent parents, or where sponsors withdraw their support for needy students. In one school, the HOD of guidance and counselling illustrated that his work had increasingly become more challenging because orphaned students formed half of the school population. He explained that in view of this, leaders found that as they sought to resolve the problem they got embroiled in it and thus students' poverty had become a new responsibility for the school:

Half of the student population in this school are orphans:

Form two: 46 out of 72

Form three: 34 out of 68

Form four: 20 out of 52 [HOD, HDE2].

Some participants also reported that it was ethically challenging to know that some of their own students headed households because they were orphans, while others had a responsibility to take care for their sick parents from a young age:

Most of these students are orphans and under the care of guardians. Some even head households and have to work to take care of their siblings [HOD, HDE1].

One participant explained that due to the high poverty levels some parents showed less care for their own children because they struggled to support themselves:

The parents are overworking themselves and do not give attention to the students so long as they can eat, wash and sleep... The care they give is very minimal you see because people are looking for money when they come back you do not have time for the kids and this is an issue. And so the responsibility of the parent is now brought to the teacher! A child needs counselling and to be guided by the parent but this is not taking place! This is a dilemma because the teachers are overloaded they have a pile of books to be marked and do not have time for counselling the children so it is another problem brought about by the government and poverty [Parent, PAC1].

All these excerpts identify the ethically problematic situations associated with the high poverty levels in the community and its effects on the work of school leaders. It indicates that school leaders had more responsibilities for the care of students including counselling because either parents no longer had time to raise their children, or because they had no one to look up to suggesting that parenting responsibilities were slowly being transferred to the schools in Kenya and this was problematic and challenging for leaders who not only had other responsibilities but had limited resources too.

5.1.3 Divorce/separation, family and violence.

Many of the participants recounted how the increasing cases of divorce, separation and violence had an effect on their work, as indicated by this participant:

Instability in families is messing us up... an example is when parents are involved in a fight and then the mother leaves with her children ...and then she sends someone to school to inform the child to beware that the father can come to school and kill him!... This becomes very sensitive and the learner becomes unsettled. So we have to try and look for solutions, the school has to get involved. Students are now finding the school more comfortable than home [Principal, PRB].

Social challenges	Dealing with flawed policy	Unclear Leadership role	Inadequate resources	Dealing with others who have different values	Persistent threats	Demand for accountability
1. HIV/AIDs Health issues Poverty 2.Divorce/separation family and violence 3. Breakdown of societal morals.	1.Policy on school fees 2.Policy on management of support staff 3.Policy on student admission to schools 4.Policy on school programmes FSDE policy 5.Policy on re-admission of girls after pregnancy 6.Policy on procurement (The Procurement Act) 7. Policies on teachers.	1.School principal and school bursars role 2.HOD role School BOG role.	Financial deficit: SAPS, lack of government support to resolve crisis, delay in disbursement of school grants, insufficient grants for instituting FSDE Policy.	1.Unprofessional conduct 2.Failure to show care 3.Perceptions of self interest 4.Unethical acts Non-compliance.	1.Demands of the community 2.Demands and influence of politicians 3. Lack of support of the school leaders' role.	1.Demand for high student grades 2.Rigorous learning programmes 3.Cheating in examinations 4.Denial of students' rights 5.Promotion of students tied to student performance 6. Lack of quality assurance.

Figure 5.1. Summary of contextual challenges – leaders' ethical issues and challenge

This scenario illustrates that school leaders found themselves embroiled in parental differences because they affect student learning and often had to intervene on behalf of students. This is an indication that school leaders may be dealing with socially related issues.

5.1.4 Breakdown of societal morals.

Some participants' accounts revealed that leaders encountered challenges in dealing with negative values held by the society, which frequently played out in the school as shown from these accounts:

In this country, people who have corrupted their way and become rich are the ones calling the shots. When you come down to instil discipline or try to stop the child from doing what the society is doing, you are the one seen to be out-dated - you still belong to that old society... you tell them about drugs, yet at home - that is what one of the relatives thrives on, and it is the business which pays for their education - so there is a lot of conflict because we are deemed irrelevant [Principal, PRD].

Whatever goes on in the society is reflected in the school. The morality of the society has changed [HOD, HDE1]. These excerpts illustrate that school leaders encountered ethically challenging situations because the prevailing social values threatened and weakened the moral values promoted by the school. PRD accounts illustrate school leader discomfort with the fact that vices were given prominence and even celebrated in the society. They found this contradictory and challenging for their work because as school leaders they had a moral responsibility to mould the youth to become better citizens by encouraging them to acquire positive values that are useful for better living and a good society.

5.1.5 Political issues. Most of the participants reported that one of the challenges they encountered was dealing with post-election violence and its divisive effects among the staff as well as its outcome on the students:

On post-election violence: we had students who lost their homes and teachers who were forced to relocate and new teachers who joined the school. One of the students had lost her arm in the violence [Principle, PRA].

The school houses students who participated and were affected in the post-election violence – the school is located in what was the hot bed of post- election violence in this region. Some of the students were away for a very long time and really missed learning. There was a girl who was seriously raped. Some students' parents were even killed [Principal, PRE].

From the two accounts, PRA and PRE identify the difficult situations that resulted from political conflicts within the society and which impacted on their role. They show that they were confronted with ethically problematic issues emanating from the social divisions associated with the political conflicts such as trauma of death and injuries inflicted on both the staff and students. They also indicated that having students who participated in the violence was equally problematic because this conflicted with the purpose of schooling. These were ethically problematic issues the leaders had to deal with.

5.2 Dealing with flawed policy

Parents, school principals, and BOG members revealed that they encountered challenges in dealing with flawed policies, described as unclear, impractical, unworkable and conflicting. Challenges were associated with the following: the Policy on School Fee payments, Policy on the Management of Support staff, Policy on Admission of Students into Secondary schools, Policy on School Programmes, Free Day Secondary School Education (FDSE), and the Policy on Re-admission of Girls after Pregnancy and the Policy on Procurement (The Procurement Act). Others include the policies on teachers namely: Policy on Staff Promotion, Teacher Discipline Policy, and Teacher Transfer Policy.

5.2.1 Policy on school fee payment.

The school leaders reported that they were guided by a ministerial policy which required that all students be kept in school and not denied learning opportunities on account of lack of funds. The school leaders thought that expectation was impractical given the poor economic situation in their schools:

In fact this is the biggest problem we have because parents do not pay fees. We have a mixed group of parents; some cannot afford to pay and others who just do not want to pay... People tend to take advantage...there is nothing much you can do and it is made worse by this policy of 'don't chase students away for not paying'. We often just

send them home, but when we do this, they go to the Provincial Director of Education's office to report, but you have to bite the bullet sometimes and say I am stuck unless I get this money I am in a problem. You can see my face I am not enjoying it. It is lousy; awkward it is really not okay because your hands are tied! I have a big problem with that policy. [A]financial related dilemma is the most common [Bursar, BGB].

Bursar BGB illustrates his frustration with this policy because some parents with the ability to pay took advantage of this requirement and refused to pay. Although the Provincial Director of Education's office was keen to enforce the rule to keep students in school, the school's financial base could not sustain the school activities. This was a huge problem for school leaders who had limited options for dealing with this challenge.

Participants also indicated that they attempted to solve the problem by keeping students in school, but withholding student certificates until payments were made. However this resolve was thwarted by another policy that barred them from this, but still did not offer a remedy to resolve the problem of finance in schools:

In 2008, the government ordered schools to release all the certificates of all students who had school fee arrears... schools had no choice but to comply. Parents thronged [to] the schools and if they did not find the principal they were in the PDEs office, they went to the Provincial Commissioner [PC] and District Commissioner [DC] to complain about the certificates. The arrears are still outstanding; the creditors have not been paid. So that is the situation [Bursar, BRB].

We handed in those certificates to the students and it put us in a big financial problem [Bursar, BRA].

It is evident that this policy requirement did not take cognisance of the financial state of schools and the effects of the policy on the management and provisions of school activities. School leaders' attempts to remedy, by keeping students' certificates, could be deemed to be unethical, leaving limited options for dealing with this challenge. The new policy prohibiting schools from keeping students' certificates thus making the work of school leaders more difficult because the schools stood to lose if the old debts owed to the school by the parents were not paid. This is a daunting task for secondary school leaders in Kenya.

5.2.2 Policy on the Management of Support staff.

Participants reveal the challenge with another policy, the Management of Support Staff.¹ The government transferred its responsibility for these staff from the MOE to the schools board through a repeal of the Education Act in an attempt to limit its spending. Most of the participants concurred that the MOE policy requirements accompanying this reform were impractical and failed to take cognizance of the schools' financial situations and abilities to pay.

When you look at the rules, we are considered civil servants, so our scales should be in tandem with the civil servant scales but this is not so [Bursar, BRA].

This participant alludes to the difficulty leader's face in adhering to the policy and legal requirement that school workers be paid salaries at the civil servants rate because most schools lacked the funds due to their meagre income from student dues as well as a huge financial deficit. Since most of the schools relied on parents' contributions to fund the support staff salaries, and these payments were erratic and not forthcoming, schools leaders were unable to fulfil this requirement and there was no choice other than to provide a very basic income for school workers:

If you go around most of the schools you will find that there is no specific scale some will say "bwana you are a watchman, we shall pay you Ksh.4000". No annual increase, nothing on top. It is basic and final. [Bursar, BRB].

Lack of a structured system for managing the workers' affairs was another challenge that the participants found ethically problematic:

There is no uniform structure the board is left to decide. You have to look at your financial base and if you are not very strong you ask them to either accept it or not [Principal, PRD].

Employment of workers has been a big problem because there is no good structure in schools. Employment of workers depends on the principal and the board [Bursar, BRB]. These two participants indicated that they managed the support staff without a clear structure and on an ad hoc basis. It was evident from their accounts that they found it difficult to adhere to the defined policies and laws expected of every employer, and this was a potential ethical problem. For instance, one participant

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¹ Support staff includes the cooks, caterers, cleaners, typists, watchmen, grounds people, kitchen hands, matron and laboratory technicians who provide additional support to the teaching staff.

demonstrated in his account below that although leaders were fully aware of the regulations on the engagement of a trade union for the school workers, they chose not to adhere to it because their inability to fulfil all the legal provisions required of them as employers could have resulted in more problems:

I told the people “that you choose either to subscribe to the external organisation - trade union or you come and bargain with me”... We give what we can offer and they decide whether or not they can take it. After talking with them almost everybody broke links with the trade union and I think we have gone on very smoothly we work with what we can afford [Principal, PRB].

This participant indicated that school workers were forced to break links with trade unions which they accepted out of their desperation for a job. It illustrates that school leaders have the upper hand over school workers under this reform policy. It indicates that even though leaders disengaged the unions due to the lack of a well-structured employment system and because they feared the reprisal associated with this, the case of support staff in secondary schools in Kenya is ethically problematic as the next participant further illustrates:

In a situation where things are left blank, a low paid worker who has no power to go and read those big documents, cannot be briefed on his rights, cannot be given what is due to him. [Bursar, BRB].

Bursar BRB illustrates that the school leaders challenge amounts, which constitutes a denial of the support workers' rights, yet the staff have no one to turn to because they have no union to act on their behalf. All the accounts demonstrate that both leaders and the support workers have very minimal choices with regard to employment policy and are seemingly in a helpless situation. The leaders have limited options because they rely on limited funds to pay staff, while out of desperation, the support staffs take what is on offer. This is a potential ethical challenge because the power of the school leaders can be abused to further trample upon the support workers' needs and rights.

Most of the participants also reported that although the recent government initiative to fund the support of school workers under the Free Day Secondary Education (FDSE) programme was a step in the right direction, a number of limitations with this policy are still evident:

Now the situation has even worsened a bit because the schools now get funding from the Ministry, but schools have not been given an establishment for workers. When money is sent to schools it should be well specified that it is for salaries and anything else. Schools should also be allowed to state their needs, and the number of school workers, so that it is easier to determine their salaries [Principal, PRD].

PRD indicated that without a school establishment and clear guidelines about distribution of funds given to the school, the funding of support workers' salaries still remain a challenge.

Another equally problematic situation highlighted, was that a freeze in the employment of additional support workers was another requirement of the policy:

You see the government stopped schools from employing... it reached a time when five people retired and there was no replacement...we had to bring changes which brought problems as staff had to be switched from one department to another. At the moment schools need to employ but we cannot do that because of lack of finances. The workers are very few on the ground and the school must be kept tidy [Bursar, BRB].

As BRB indicates school leaders were finding it hard to perform their tasks due to the low support staff levels in schools:

This school used to be two streamed but from this year we admitted a third stream. The staff feels that the work is too much... there is always some tension...the person scheduled for the early morning shift has to sleep in the school in order to wake up at 3am to start preparing breakfast for the students and finish at 6pm the next day. They can only go for leave during the school holidays, but again we have ... holiday tuition, therefore only one person can go at a time. The only tricky case is that of the matron and the caterer because their services are needed all the time and [they have] to be in school. They are only allowed two days off each week and they stand in for each other [HOD, HDC1].

This participant illustrated that the low staffing levels led to ethical challenges because they were forced to engage the available support staff for more hours. They also denied them sufficient rest or annual leave as stipulated in the law in order to cope with this challenge. These practices could be interpreted as ethical malpractice but the leaders seem to have very few options but to engage in this even if they know it is unacceptable and this is ethically problematic.

5.2.3 Policy on Admission of Students into Secondary School.

Some of the participants revealed that the policy guidelines for the admission of students into secondary school were contradictory and unclear and made their work difficult:

There seems to be no clear policy guidelines for the admission of students into secondary school. Previously admission to secondary schools was official; all students got letters of admission and reported to the schools indicated in their letters. Today we do not provide letters to all students while at the same time we encourage them to make applications to schools of their choice. Merit does not count in the admission because people have applied to the schools and... there are cases where there is some influence - you find that somebody who is able gives the principal something to influence their decision and so they end up giving somebody who has not merited the position [Principal, PRD].

Principal PRD showed that the school admission policy failed to ensure that only students who qualified were selected into national schools because. Unqualified students had found their way into national and provincial schools possibly through corruption. The participant reported that the challenge emerged because the policy was not fully adhered to at the ministerial student selection level as many students who miss out on the mandatory placement exercise were encouraged to seek for admission in other schools - a practice which potentially left room for malpractice. The school leaders identified the lack of clarity in the selection process was ethically problematic and had further implications for their work:

You know your list of selected candidates may be 90 students who have performed very well. Out of the 90 selected you can end up with less than 10 that report to Form one as per the deadline set up by the Ministry....you end up taking people who are seeking admission and who have been turned down from other schools,...your school is a second place for them or even a third one... they are waiting to go elsewhere and so this is like a resting place... so that the commitment of the child academically becomes quite challenging [Principal, PRC].

As can be seen from PRC's account, the lack of clear policy on student admission had left a chaotic scene in the admission of students into schools. This is because parents engaged in an unending hunt for better performing schools which left most students unsettled because they stay in schools with a hope of moving to a better school. School leaders in poor performing schools ended up admitting students who

were in transit to other schools because the search for schools remained endless. This posed a threat to small and poor performing schools because they remained unattractive. The leaders thus had to contend with the lack of stability in schools because they had limited control over this.

5.2.4 Policy on school programmes.

Some of the participants were concerned that although the MOE policy stipulated the minimum standards for school programmes and activities regarding the conduct of education and learning, there was evidence that individual school programmes ran contrary to these requirements:

The government says that the holiday tuition is banned, but at the end of the term students come home with letters to parents indicating that the teachers have made a decision about having holiday tuition... The moment the child gets into secondary school they are already out of your hands because they are in school throughout the term and during the holidays - for two weeks, three weeks for tuition. School term should just be school term and holidays should just be holidays because parents need to spend time with their children. That is something I can stand firm on. Let them stay at home, stay with their parents and do their homework at home...this has financial implications [Parent, PA2].

Parent PA2 draws our attention to the growing trend in schools where students were required to attend mandatory extra tuition during the school holidays. This was ethically problematic because this seemed to deny some parents and students the right to be together as a family.

Many of the participants showed that school leaders encountered challenges because of the pressure from parents and also teachers to ignore the policy banning the pursuit of extra tuition:

If you do not do teaching outside the regular lessons even the parents start saying that this principal has no interest in the schools performance. You may have even covered the syllabus... but now it is routine. Teachers only rest in December yet this is against the ministry guideline... Also teachers are no longer committed to the teaching and so when later they realise that they have not completed the syllabus in the school term they would want the school head to ask parents to pay money so that they complete what would have ... covered during the learning time [Principal, PRB].

Some of the participants especially the HODs were opposed to the extra tuition programmes because they presented more ethical problems for them:

People were surprised that a decision had been made. You know students are supposed to go home after five but this changed; they are now required to leave at 6pm... As a teacher on duty we do not live within the school compound, but you are expected to remain in school when students are here to ... to make sure that all students leave the school and often [the] last one leaves at 6.45pm. This is very risky because this is a slum area and...thugs are many. There are even places here where you cannot walk through at night so ... you see by staying late you endanger your life and so are the students because some of them come from very far [away]... 7p.m is a very dangerous time for the students [to] leave school [HOD, HDE3].

As can be seen from the HDE3 excerpt, the intense learning programmes in some day schools leave students and teachers exposed to danger and other risks. The leaders found it challenging to adhere to this demand when the school principals made extra tuition compulsory regardless of the risks that were involved in it.

5.2.5 Free Day Secondary Education Policy (FDSE).

Most of the participants indicated that the encountered challenges in implementation of the FDSE policy because accessing the allocated grants was problematic:

Often these funds are sent to the school accounts and there is no explanation or letter showing how these funds should be spent. It becomes very difficult to apportion the funds and has made it difficult for us to use the funds because you do not know whether you are spending the money on the right thing as required by the Ministry [Bursar, BRE].

As BRE indicated, lack of clear guidelines on the FDSE grants makes it difficult for leaders to apportion funds for school activities. Another challenge associated with the FDSE policy identified by the participants was linked to the re-entry of mature students into the secondary school system:

The government tries to ensure that everybody is on board through FDSE; it has brought on board so many people that would (in competent systems) otherwise not be required to be in school... we are forced to have men and women in class, at this level and at the same time we have school age children - the real students. This is of great concern. We are here telling students what they are supposed to do and not do such as not to have sex until they are married, to finish education before marriage. You tell them about HIV/AIDS, but we

have people here who are married in class. You also tell them that students should not be married, finish education first, be a good man but you see you they are in the same class. Most of these students are married [Principal, PRE].

PRE's statement indicates that some leaders found the presence of adults in young students' classrooms unsettling because it made it difficult for them to pass on moral values to the young students. In this cultural context this move was viewed different for as the leader indicates, these adults were not good role models, because some of them failed to accomplish their education goals due to marriage, for example. This leader's opinion was likely to have stemmed from a cultural belief in which the role and activities of adults and children in the African community were clearly distinct and separate. The presence of adults' in regular classrooms created ethical problems for leaders.

5.2.6 Policy on re-admission of girls following pregnancy.

Most of the participant's accounts show that some of the education policies were problematic because they conflicted with their cultural beliefs and practices as illustrated by PAC1:

Some laws are workable but others are not...for example it is said that when a girl falls pregnant she can come back to school. As a parent, I think this is good, but it can cause humiliation...the other students can make fun of her. Secondly, when the girl comes back there is no lesson learnt and the students will think that is okay to give birth and come back to school and think it is an acceptable thing. So in as much as we would like to increase access to education, the clause should have said "can continue but be transferred to another school" [Parent, PAC1].

The MOE policy on the readmission of girls following pregnancy drew varied opinions because of its effect on overall student conduct, perception of the students, teachers and on the strategies for control of student behaviour and student pregnancy rates. The leaders found it challenging to implement the policy because of fear of going against culturally upheld values for pregnancy outside wedlock was culturally abhorred. The attitude, low status and blame accorded to girls who fell pregnant outside wedlock in the community also made it challenging for the leaders to fully implement the policy because as PAC1 illustrates the girls were likely to be looked down on by their peers and other members of the school. Others found it challenging

to implement because they thought it was unlikely to deter girls from falling pregnant. This policy was likely to have infringed on the cultural beliefs and practices of the community.

5.2.7 Policy on Procurement (The Procurement Act).

Bursars in particular demonstrated that there were hurdles in the implementation of the Procurement Act:

Sometimes it becomes very difficult when a decision is made by the committee as required in the procurement procedure and then their decision is thrown away. One time our procurement committee, which I deputize, made an approval and gave a contract to a supplier, but this decision did not go well with the school principal. He went ahead and told his preferred trader to go on and supply. This brought a lot of conflict because the one who won complained [Bursar, BRE].

This account demonstrates that leaders sometimes failed to uphold the decisions of the Procurement Committee as required by law because they did not meet their own interests. Sometimes they went ahead and erratically engaged their own rules to the potential disadvantage of others. Regulations about the employment of school workers are obviously not straightforward (see 5.3.2).

5.2.8 Policies on teachers.

Many participants raised concerns about teacher related policies namely: policies on teacher shortage, upgrading, handling errant teachers, teacher transfer, and employment of teachers which had an impact on the quality of education provision. School leaders encountered ethically problematic situations both in seeking to implement these policies and in dealing with their effects.

5.2.8.1 Policy on the Promotion of Teachers.

Some of the participants' accounts demonstrated that highly experienced staff seemed to have remained in lower grades for long periods, raising concerns about the policy on teacher upgrading:

Like now you know I am a senior master but there are quite a number of teachers who I found here... but now I am above them. So sometimes when making decisions you find that these colleagues have got more experience and occasionally I go to them for advice. But sometimes when I have to make decisions touching on them, it becomes challenging [HOD, HDD2].

This participant illustrates his discomfort with supervising more experienced staff which indicates that the policy of teacher upgrading failed to take cognizance of a teachers' experience, or working context and this was problematic.

Some of the participants were concerned that the internal appointments of teachers to leadership positions were hardly recognized even when they fulfilled the legal or policy requirements:

Once you have been appointed internally you are in [an] acting position, so it is assumed to be a TSC appointment awaiting confirmation. At a later date the TSC makes a decision whether to confirm you or not ...this can take too long. We had a deputy principal who acted for five or seven years and was not confirmed and she eventually took up her ordinary role. ... there was no letter to show that she had erred or there was no vacancy or [it] was still under consideration there was no communication - she was just dropped to class...and so her past record of activities in the past five years cannot be recognised you know it is not recorded anywhere substantially, apart from the head who just signs a letter to show that you were in acting capacity in the school and you performed certain duties. Although that one is not fool proof ... you know when somebody else is looking at you they will question why you were not confirmed [HOD, HDE2].

As the HOD illustrates, the lack of recognition or confirmation of people in acting positions was a potential source of discontent and ethically problematic because it touched on matters of justice. While this participant indicated that the school principal and the TSC as the agent have a role in the confirmation and recognition of such teachers, as a HOD this participant considered this an ethical issue that can impact on the school leaders' role and motivation of staff.

5.2.8.2 Teacher Discipline Policy.

Some of the participants had concerns about the teacher disciplinary policy in reference to the process and outcomes of dealing with errant teachers. Two leaders indicated that:

There are procedures to be followed when a teacher does something and that is okay in one way ... it protects the teacher from unfair victimization, but what I want to say is that the employer really cares about the teacher. For you to prove that a teacher is at fault you really go through a lot of hell, a lot of grilling a lot of issues, a lot of meetings. In my opinion, the process takes too long and at the end of it

the student loses because the teacher may go to another school and you do not even get a replacement [Principal, PRC].

You see again TSC has no clear guidelines on how to deal with drunken teachers [Principal, PRA].

Both accounts pointed out the weaknesses in the teacher disciplinary process, referring to delays in handling the issues presented, and pointing to the fact that the outcome of the disciplinary processes in many cases did not take cognizance of the loss of student learning time during the period the teacher was interdicted. They were of the view that the outcomes of the disciplinary process were not favourable to the school because as noted, errant teachers were transferred to new stations without replacements for the affected schools. They interpreted this to mean that pursuing a disciplinary process for errant teachers led to more losses for the school, potentially encouraging the retention of unethical teachers. Moreover as PRA illustrates above, the disciplinary mechanisms also failed to provide clear direction in handling some of the problems the school leaders encountered.

5.2.8.3 Teacher Transfer Policy.

Some participants reported challenges dealing with the requirement that teachers seeking transfer to other stations should make their applications through the school principal:

I told you I have been here for 16 years, those many years surely as a human being you feel bored. You may want a change, but in the teaching profession this cannot come unless your principal agrees. A teacher is required to fill in transfer forms and the Head teacher recommends you for transfer to another station. But often their recommendations are not positive. So many teachers have applied but [are] rejected...whatever she writes has got a lot of weight and it is confidential. A number of teachers in this school have been here for about 8 or 10 years and over, some 14, 16 but there is one who has been here for over 20 years and has tried to move but it is impossible. [HOD, HDC3]

This participant illustrates that the transfer policy was potentially abused by leaders because they had the discretion to deny teachers their right to move to other stations. HDC3 also indicates that most of the applications for transfer to other stations were not honoured. Many staff could be working in stations they are not comfortable with, and others may have overstayed in their time. This has the potential to affect

education outcomes, because when teachers are denied their right to transfer due to staff shortages, they lose the motivation to work effectively.

5.3 Unclear leadership roles

The majority of participants demonstrated that the lack of clearly defined roles hindered their ethical performance in schools. The BOG and bursars recounted more experiences with this theme than other participants. With regard to the conflicting role of the bursar and school principals BRC noted:

School heads are accounting officers and not accountants but they confuse the two roles and stakeholders also view the duties differently. When auditors visit the school what they tell me differs from what they tell the school principal yet as the school bursar I have no authority to incur expenditure even though I collect the money and undertake expenditure as authorised. I am the bursar, but the school principal can bank cash or make payments without my knowledge, yet I am supposed to have this information. The dilemma that arises from this function is that I am not sure about my limits. You do not know what the principal does and if it encroaches into yours. You cannot keep good records when the school principal uses funds without my knowledge. When expenditure is not recorded in the cash book it accumulates and becomes a problem. [Bursar, BRC]

Role conflict between the school principals and bursars with regard to financial management creates fiduciary challenges for the bursars in carrying out their mandated role as financial officers in schools. Here the term ‘accounting officer’ seems to be understood to mean that school principals have to take complete charge of everything including handling finances. In view of this, school principals were undertaking the roles designated for school bursars. This suggests that there was likely no internal control within the school finance system, a situation that potentially could lead to ethical problems because there was no clear oversight over the school finance systems and therefore the parties were not likely to be trustworthy or accountable.

Most of the participants also reported concerns about the function and role of the school principal:

The role of the school principal is undefined in many cases too broad. For example, first of all we are not trained to be school principals, but teachers. You are expected to manage school projects like

infrastructure because you are not a builder, you deal with medical issues yet you are not a medic, professional counsellor, probation officer. We go through murky waters but we have to strive to get out of it. [Principal, PRC]

PRC illustrates that school principals who are primarily teachers have multiple responsibilities which result in challenges because of the load of responsibilities placed upon them to perform roles which they were not sufficiently familiar with.

Some of the conflicts cited related to the role of Heads of Department:

In the school structure, the caterer should report to me, but she reports directly to the school principal. I think that this is a problem of the school principal because he allows streams of people to his office... I am also supposed to do the budgeting and procurement after getting information from the school caterer of what is required in the kitchen as well as the boarding but the caterer does not do this... this poses a dilemma as I cannot make decisions as required yet I am the one directly involved and in touch with the boarding section. [HOD, HDB1]

HDB1, a head of department for boarding, illustrates conflict between his role as boarding master and that of the school caterer and matron, who are professionally trained and employed. The expectation that this leader should supervise the school caterer, also conflicts with the role of the bursar who is directly responsible for non-teaching staff. The leader is expected to budget and procure goods, yet this role is similarly performed by the school caterer in conjunction with the bursar.

For some participants, the role of the Board of Governors with regard to financial management of schools remained unclear:

I realised that the former head teacher was not honest and because I do not have authority to audit school expenditure, I could not point this out to him. I used to document everything I signed but because I have not been empowered by [the] MOE to take up monetary issues with them, I felt frustrated because I could tell that the school was going down because of mismanagement, yet I could do very little to help... The board's mandate does not include providing an oversight on the spending of money that the school receives. So we feel like lame ducks on this - if only the board could be empowered through a small committee to check and monitor the expenditure to see how the head teacher spends the money then they would be cautious in handling school funds and how they spend money. [BOG, BGE]

The lack of clarity on the role of BOG members with regard to financial management of schools mean that these leaders have limited access to financial records held by the school principal and the bursar. Their role of ensuring ethical practice in schools was therefore hindered.

5.4 Inadequate resources

Many of the participants' narratives indicated that inadequate resources, financial deficits and limited staffing levels created ethical problematic situations for leaders. However they reported that financial deficits in schools were of grave concern, BRB explains:

Initially in the 1970s the government used to pump money into the schools. But this started fizzling out in the 1980s... this reality was accepted in 1999 yet schools had been doing their budgets pegged on the grant. This left the schools with a huge deficit. There has been no answer, the figures have been accumulating over the years and schools have been on deficit. If you could have a chance to see the audited accounts - the sum for creditors has always been huge, and we always have a problem of the salary arrears for school workers. [Bursar, BRB]

BRB related the current financial deficit in schools to a policy that saw the government withdraw its support to schools in the 1980s. He explained that this withdrawal led to an accumulated debt which was reflected in most school accounts to date, and consequently most of them were unable to meet their financial commitments.

Some participants blamed this problem on the government's lack of commitment to get rid of the long outstanding debt problem in schools:

In the year 2007, the government pronounced that they were going to pay arrears in schools. Schools were asked to prepare the list...when this figure reached the Ministry it appeared in the papers that ...[it] was totalling to about 15 billion...this was withdrawn and they simply declined to pay saying that the figures were fictitious. Yet the Ministry... has documents in their office that they can use to verify [the figure]. Since they threw it away we concluded that it was mere politics. [Bursar, BRB]

Despite a clear knowledge of the financial debt crisis in schools, the leaders' accounts seemed to indicate that the government had not offered a solution and this

was problematic and was a potential source of ethical dilemmas the school leaders recounted in relation to finance.

All participants, especially the BOGs, bursars and parents confirmed that the delays in the disbursement of government funds for the FDSE Programme created more challenges for school leaders:

I was sharing with the accounts clerk in one of the day school[s] and he said that for four months they have gone without pay because of lack of funds. You know from May this year when they last sent funds to school, it is only yesterday [October] that an announcement was made to show that money would be sent to the school accounts. In most of the day schools the support workers have not earned [a] salary, some exams were not administered because of the money issue - it is a real problem. You know you cannot even ask parents to pay fees in a day school because they have been poisoned by the government policy to believe that education in secondary schools is free. [Bursar, BRD]

This account showed that in view of these delays, school leaders were unable to pay the support staff on time, and sometimes cancelled crucial school programmes due to delays in remittance of state funds. This is ethically problematic because the leaders are forced by circumstance to deny staff and students their fiduciary rights.

Most of the participants also emphasized that the lack of involvement of key stakeholders in decisions over government grants to schools was ethically problematic as BRB indicates:

They have brought the school fee guidelines, made by people who sat in Nairobi and they decided that it would be Ksh.10, 265.00 in 2008... from that time up to now prices of items have gone up and they do not seem to be consulting down that since it was put to be Ksh.10, 265 should it remain there, yet we have to spend to improve on the quality of education. [Bursar, BRB]

This case further shows that contextual factors were rarely taken into account in making crucial decisions such as the state funding of schools, nor were further reviews made to incorporate changes in pricing and the cost of living. Consequently, most of the participants indicated that schools were perpetually in debt due to financial deficits:

We have a debt, that I will be embarrassed to tell you that the suppliers are on our necks and we are hoping that faith will push us

through – it is an extremely bad situation. This is the mother of most challenges, I have to look for excuses every day and plead with all our debtors... I was overseeing the construction of this building and pushed the contractor to finish, only to realize that we had very little money in the school account. There was no money to pay this contractor so contractually we are now defaulting. So it has forced me to ring him every other day, and week to convince him that we will pay him. We are in a serious financial problem to date and as the BOG chairman that is where I feel the weight most because I have more financial issues, I am worried deeply about how the school is supposed to run. When you are talking of hundreds of thousands of shillings and you know that we do not have money to buy the chemicals for the KCSE examination practical's due in two weeks' time; what do you do it's very bad...some of the schools have been taken to court and they pay up slowly. We just depend on the good will and relationship with the supplier and this makes us move on. [BOG, BGB]

Shortage of teachers was another ethical problem identified by many of the school leaders. This was attributed to political interference that led to a shift in emphasis on training of more science teachers than the humanities:

Staffing is another problem, because teachers are not posted to schools in good time. Right now if you walked in the whole province you will not find a teacher for ... history/CRE, CRE/Kiswahili. They made a mess when they promoted science and a mathematics teacher... the TSC gave them extra allowance at the expense of English and the Arts. When we have a teacher shortage and the available staff member in that department is difficult to handle, you have to remember that if you if you do away with this teacher you will get more problems. I am aware of the over-loading of staff, but we still try to encourage them to take more lessons and they are not happy and some can even choose to refuse. As PTA members we have very limited choice because the school also has limited resources and it takes time to get a good teacher. [Parent, PAC1]

This participant points out that the low teaching staff levels in schools meant that leaders had very few options but to engage in ethical problematic acts such as over-working the few available staff and tolerance of errant teachers as a measure to curtail staff shortages even when they knew that this was not acceptable.

5.5 Dealing with others who have different values

School leaders also encountered ethical issues in their relationships and interactions with other leaders, teachers, parents, students, community members, and education officials, who did not support the values they upheld. Participants' accounts indicated

that they encountered challenges confronting “unethical acts”. This was evident in dealing with persons who were thought to have engaged in unprofessional conduct, failed to show care and promoted their own self interest. Even though some of these accounts were encountered in response to difficulties with policy, they were a potential source of problematic ethical situations.

Most participants reported that they had to tolerate teachers who failed to adhere to the Code of Regulations and Professional Code of Conduct:

Teachers have a lot of problem[s] in their responsibility. Quite a number of teachers want parents to reward them to do their work through remedial work for students. Teachers are engaged to be with students on stipulated time for 3 months every term, but they miss lessons, like I have just learnt that a teacher missed a lesson in the morning but I am trying to look for him...he has not informed us he has put off his mobile. When lessons are missed the syllabus coverage is affected and they want money to be able to teach over the weekends. They force the school administration to share this request with parents so that there is holiday tuition where they are paid. During that holiday nobody misses a lesson even if he is not prepared and they quote payments per hour yet in normal time there is a bit of Laissez faire. [Principal, PRD]

Principal PRD illustrated his difficulty in supervising teachers with problematic behaviours, namely attitudes. This seemed to suggest that they lacked professional commitment to their work and were driven by self-interest.

In another case a HOD found it challenging to manage a teacher who adamantly refused to take up teaching lessons allocated to her:

A teacher was allocated a lesson in a particular class ...had been in the field for [a] long time. This class was previously handled by a BOG employee for about a year...The regular teacher refused to take up this class claiming that “the class had been destroyed”. The principal called the head of department and the teacher, but she adamantly refused to take up the responsibility...in fact this went on for a whole term... he said that if he acted immediately then other students would have suffered because we were experiencing a shortage within the humanities. [HOD, HDD1]

Participant HDD1 illustrates that by refusing to take up their responsibility, the teacher failed to uphold their professional commitment. The leader found it even more challenging because the school principal failed to take action against the

teacher as required. Both cases presented challenging situations to school leaders who in the face of an impending teacher shortage chose to ignore teacher misconduct and this was ethically problematic.

Some of the participants showed how their ethical challenges arose when other leaders refused to demonstrate care as expected when undertaking their role:

In this school, if a student sneaks out of school [leaves school] they are required to buy a roll of barbed wire and five fencing poles. Sometimes the student comes from an extremely poor background and even paying [a] fee is a problem or maybe this student is even an orphan ... but the rule says you must come with this, so at times you really feel it. And when you look at the reasons why she sneaked you wish you could bend the rules...a bit...so you find that some of them just drop out because that is the rule and it has to be followed. [HOD, HDC2]

HD2C illustrates how a school principal's failure to handle students' disciplinary cases with a humane touch, choosing instead to use extreme and sometimes very harsh measures was problematic because it demonstrated their lack of regard for students and their circumstances. This participant found such an action upsetting and problematic because the demonstration of an unrealistic, uncaring attitude in handling student disciplinary problems was beyond the professional expectations of a duty of care for a school leader.

Some participants highlighted ethical challenges resulting from failure of commitment to on-going care by financial sponsors who made a promise to provide support to needy students in secondary schools:

Sponsoring organisations... pledge that they are going to pay fees and even provide personal effects... and when you are beginning the term you know that the child is sponsored. Then you find that the fees are not paid and the personal effects are not provided. The sponsors get information from the schools about students and receive the money, and channel it to schools but ...some of them withdraw at a very delicate stage and you do not know what to do with the child. [Principal, PRB]

The failure by sponsors to provide the care they promised to provide for needy students led to ethical problems. Firstly it called into question the integrity and commitment of sponsoring organizations. Secondly, it gave the school leaders,

additional baggage because they had to take care of the abandoned students amid limited resources.

Many of the participants revealed that it was ethically challenging when parents failed to demonstrate care and concern for their children:

You know most of these students stay alone; they have some interesting [unusual] guardians who live very far away from them. They have rented for students' houses around the school. When you ask students "are there no schools in those regions where your guardians are? They do not give any good reasons. This is an issue, I know who a student is... they are adolescents – I mean students just staying alone without anybody responsible does impact negatively on their performance and discipline... when you send them home no one comes. [Principal, PRE]

The lack of commitment by parents and guardians to care for their own children by allowing them to live on their own and showing no interest in their school progress was illegal and ethically problematic. Some of the participants acknowledged that poverty may be the reason why parents failed to show sufficient care for their children and were not fully to blame for these circumstances. Even though PRE acknowledged his responsibility for the care of the students, he revealed that it was challenging to uphold this when parents failed to exhibit care too. This led to more challenges because this demand for care led to more conflicts with their administrative leadership roles.

Many of the participants, especially bursars, recounted the challenge of working with leaders who had no regard for rules:

The school head can come up with something not factored in the budget ... I have to think of how to or where to charge it. Sometimes when we have BOG meetings, the DEO and even the District auditors attend. The rules do not allow them to get a sitting allowance because they are civil servants, but they ask for it and they even know because they refuse to sign for it and you are informed "to simply look for a way to cover it" or "play around with the figures." [Bursar, BRA]

BRA's account showed that school bursars encountered ethically challenging situations in dealing with the 'unlawful' demands of school principals, and the disregard for finance and accounting rules. The example touches on issues of integrity because the principal allows the education officials to manipulate them to

get irregular payments, while at the same time authorizes the school bursar to pay them out even when they know it is irregular. This leader's desire to adhere to the rules was thwarted by the school principal who had the power to instruct them on what to do. All the parties engaged in this case have awareness about the rules but choose to ignore them.

Again some of the participants especially the school bursars found it challenging to interact with 'selfish' leaders who promoted their own interests contrary to the expectations of the profession as illustrated by the participants below:

You would find that the same board members come and talk to you and then go round and they become suppliers in the school. [Bursar, BRA]

The PTA chairman wanted some money from the school. He thought that because he was a PTA chairman he would just get funds. [Bursar, BRD]

Here is a case where the school principal just comes and says "give me fifty thousand" he signs and goes. And then he comes and accounts for it without you knowing whether it was used for school purposes. [Bursar, BRD]

This issue was of particular concern to school bursars who were concerned that the school BOGs and school principals promoted their own interests by utilizing school funds irregularly or by seeking favors to procure supplies to the school. This created ethical challenges for the school bursars who were required to conform to financial rules but at the same time comply with instructions from the school principals because they wanted to protect their jobs.

PRC, a school principal gave another perspective of the same issue and showed that it was challenging for her to conform to the rules of the code when officials, charged with responsibility for managing teacher discipline, failed to provide the necessary support:

The most challenging thing is that some officers at the headquarters were willing to help him out. So unless you get somebody who is willing to assist you, the person can be reinstated... at the TSC you even find that there is someone at MOE who would like to help him out. [Principal, PRC]

PRC's challenge emerged when officials charged with the responsibility to serve the school and a teacher discipline case at the national office were willing to help an errant teacher escape disciplinary action. The participant showed how this act led to an ethical challenge and made it difficult for her to perform her ethical responsibility.

Many participants confirmed that their ethical performance was challenged when they worked with leaders who had no regard for integrity:

Auditors do not take their work seriously. They always want to find an error in your books so that they pin you down and say "bwana if you don't cough out fifty thousand we are putting this down - we suspend you." you wonder - "where do I get fifty thousand?" So you have to go and 'eat your heads' and start bargaining. You know auditors are faultfinders. They can twist and put a fault on you particularly if you are stingy because they have a belief that if you are the [one] in charge of the institution you swim in money and definitely ... use it in a wrong way ... but under normal circumstances if you are flexible they will also work well with you. [Bursar, BRD]

BRD showed their discomfort with the attitude and conduct of the district school auditors who manipulated leaders through use of threats when undertaking their job while soliciting for bribes to protect them from disciplinary action. This indicated that some audit officials dealing with school leaders were dishonest. This ethical issue was a challenge school leaders had to contend with.

Another participant also recounted another problematic issue involving a private sponsor and an orphaned student:

This sponsor, an elderly white woman, finally ended up abusing this student – got into a love relationship with the child; the child was not concentrating in school. The lady took him out of school and went with him to ... they took some time there and this experience ... derail[ed] this boy. He opened up and told me everything. [HOD, HDB1]

HDB1 identified a case of child abuse by a foreign sponsor who had taken up the responsibility to provide for the care of a student. The leader found it ethically problematic that a sponsor took advantage of the student's situation and exploited it to their advantage. This raised questions about the integrity of sponsors of needy students.

Some participants reported that they found it challenging to work with leaders who failed to take action against ethical malpractice:

In some cases we have a few teachers who are chronically absent during exams but you will find that the school principal may be informed but he does not take action. ... The same it applies to teachers missing lessons - a teacher may miss lessons ... but nothing will be done and then you start wondering whether the principal is discharging his duties because the students will go to him, he will not take any action. [HOD, HDB3]

HDB3 illustrated how his ethical leadership role became difficult when school principals failed to take action against irresponsible teachers. The leaders showed that this also contradicted the values of his department, challenged his authority as well as his moral standing before the members of the department and further compromised his relationship with them.

5.6 Persistent threats

Some of the participants revealed that they encountered threatening situations in undertaking their ethical leadership roles. These prevented them from complying with rules or acting according to their own moral beliefs. There was a sense that they felt unsafe in pursuing what they believed to be the right course of action especially when faced with demands from the community and politicians which they perceived to be illegal. There was also a perceived lack of support for their role as ethical leaders and this restrained them from conforming to the moral expectations.

5.6.1 Demands of the community.

Most of the participant's accounts illustrated how diverse pressures from the community threatened their ethical function:

Even from the community, you know this is their school ... they expect certain favours from the school, which they believe must be met, yet some of them cannot be met. When you do not meet them they ask "how come and this is our school?" We had a case; our school vehicle had an accident and it was carrying the community members... and two fellows passed [away]. We still have two court cases, they want to be paid, compensated and you know the insurance does not cover them. They believe that the school has a lot of money but do not know that compensation comes from the insurance and is governed by rules. So when you do not carry them... it is an issue - they say this is our vehicle and it is not assisting us. When you carry them and an

accident occurs, they should be paid. When there are funerals they want to use the vehicle. [Principal, PRC]

Another participant recounted:

The community can make it very hard and this is very common...they dictate who should be principal of a school. In another school, the community tried to impose a local teacher whilst another sitting head was in still in office [Board member, BGC].

Both cases demonstrate that the community's influence upon a school leader's activities was strong. Some of their demands contradicted the requirements of the law, school policy, or professional ethos and thus created ethical problems. These two illustrations show that the community assumption that they were entitled to access the school resources yet in fact they were separate entities was problematic for the leaders. PRC also illustrates how leaders often went out of their way to cater for the demands and needs of the community even when it was not ethically acceptable.

5.6.2 Demands and influence of politicians.

Some of the participants' narratives showed how sometimes the politicians' influence upon schools and the leaders' actions was equally problematic. One participant had explained why this was so:

The magnitude of issues has increased because our government system gives politicians room to have a voice in everything that happens in their constituencies, in all sectors including education. [Board member, BGC]

BGC suggests that political influence in school affairs was immense because politicians were very influential people. Some of the demands they made upon leaders created ethical problems for them:

Everybody knew it and said "aah we are happy we are now going to get it this fund from the Ministry" only to find out later when we saw different names published and it became political interference. We asked the DEB what happened because there was a criterion used to select schools but they told us "you know as the DEB we made our decision", in fact look at our minutes but it seems some politician had an interest and so this is a political problem and there is nothing we can do. To an extent that when we complained there was a [CDF] project in the school, and you know a CDF project is also a political issue, you have to be nice to be sponsored. So the funding for the CDF project stopped and construction collapsed. [Principal, PRD]

PRD showed how some politicians interfered with school projects and even disregarded ministerial decisions or policies sometimes the law and even important decisions made by the District Education Boards (DEB). They also had the power and influence of determining which schools received community Development Funds (CDF) and also chose to disband projects at will. This situation and control by politicians led to ethically problematic situations in schools because they suggested a low regard for students' interests and for the school authorities.

Recounting a similar experience, this Board member explained:

Politics is always with us and there is no institution that is not spared. Sometimes there is great need for CDF funds by the school but the way it is apportioned to our school is not proper; for one, my area councillor is not [o]n good terms with the MP and so when the MP comes to donate cash the councillor never turns up...I have tried to plead that their personal differences with the MP should not hamper development of the school. So we have lost some funds to a neighbouring school because of the councillor's refusal to grace the occasion. [Board member, BGE]

This case further illustrated how political influence had a drastic effect on school development especially when personal differences and competing interests of and between politicians result in disregard for ethical practice. This leader, BGE, finds this experience ethically problematic because it contradicts the expectation about proper use of public funds which seems to have been tied to political expediency rather than the interest of the public.

5.6.3 Lack of support of the leaders function

Some participants' descriptions indicate that they encountered challenges because of lack of a support system to cushion them from threats:

Within an institution there should be internal control but here the authorizing officer does everything. The systems do not support you and so when you see something wrong happening and you know that when you report this you will be in more trouble... Because it does not exist I would rather remain quiet and take care of my job. [Bursar, BRE]

This school bursar's account showed that the lack of a clear and accountable system, clearly defined roles and a reporting system prevented him from taking action and

doing what was professionally expected of him. He felt threatened because the school principal, to whom he was responsible, was his employer, and had control over everything in the school. This bursar opted to protect his job rather than adhere to the required principles because of likely repercussions. Lack of support for the bursar's role and function, and protection for people reporting wrongdoing, limited this participant's ethical conduct. The bursar was lead into condoning ethical malpractices because of the threat of losing his job.

5.7 Demand for accountability

Accountability is used here to refer to the expectation for leaders and their staff to be wholly answerable for the performance of students. Most of the participants raised concerns that this requirement placed new demands on their work by over emphasizing the need for good student performance. The leaders showed that this had led to ethically problematic situations because these demands contradicted their own expectations and understanding of professionalism.

5.7.1 Demand for high student grades.

All of the participants confirmed that the demand for high student grades had become common in schools:

I have told you how I g[o] out of my way to buy items to carry out practical's in biology. The fruits are not there and you get discouraged. Wait till the exam results come and you face a very big challenge. Can you explain your column? The column² is an issue and yet you did not sit for the exam. You did your best you cleared the syllabus and revised - like now we are revising with the candidates but finally the outcome is disappointing and yet as a teacher you are required to explain. You explain at school level in the staff meetings, the board also want an explanation - the board can take you out for a retreat and then ask you to explain your column. The PTA the same- that's the most discouraging of all. I tell you this year everybody has been on our neck since our poor performance last year. I had to tell them that "these meetings were now just too much, let us forget about the bad results and concentrate on the current candidates and improve their results". The board members were not happy and one of them reacted by saying "madam we will still have meetings, if it is meetings you do not want be prepared to have more meetings because we want results." [HOD, HDC3]

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² Column refers to the list of examination results per subject. It is the teacher's subject performance.

HDC3's account shows the intensity of the demand for good grades and how the pressure on schools, school leaders and their staff can come from all quarters. This took place in spite of numerous challenges, the effort, leaders and staff went through to produce results as this participant demonstrated but which were not recognised.

5.7.2 Rigorous learning programmes.

Most participants especially the heads of departments' accounts demonstrated how the demand for better performance led to unfavourable practices among the school teachers and school leaders.

We have a pre mock exam in first term, and then post pre mock exams before the mock exams, and then a post mock exam. This term we did not schedule a post mock exam for the students because we have so many revision papers for them to revise. At the beginning of each term after five weeks we have our first Continuous Assessment Tests (CATs)...and others at the end of term... remedial lessons are conducted every afternoon, on weekends, and at night and each parent signs an agreement to commit themselves that if the child does not do well they will seek for admission in another school or repeat the same class. [HOD, HDC2]

HDC2 shows that schools engaged students by scheduling crowded learning programmes, numerous exams, tests, remedial lessons and extra tuition in addition to the daily school programme. Many of these were programmed beyond the approved hours of work in schools, every day of the week, day and night and during the school holidays. These overfilled programmes had the potential to create ethical problematic situations because they challenged teachers' professional practice, adherence to policy and law, and more likely infringed on student and parental rights. As illustrated in this case, some parents were made to sign an agreement to take responsibility for the poor performance of their children and to abide by the options available if the students failed to attain the specified targets. This demand and its resultant practices challenged professional and ethical practice in schools.

5.7.3 Denial of students' rights.

Most of the participants' accounts showed that the continued demand for accountability for student learning led to increased cases of examination fraud, as shown by PRD and HDE2 statements below:

The pressure is very high for everybody...when the principal is being asked to defend his result he has to find a way to defend it, so he will corrupt it in one way or the other. The community will not want to know how you corrupted it and one way of corrupting it is you have stolen the exam, or you have suppressed the teacher to produce it. Or you have really coerced the students or drilled them so much that they have to produce the result or you have put a very tight work environment so that teachers produce the good result. [HOD, HDE2]

These accounts suggested that the demand for good grades led to high levels of competition among students and schools, to the extent that people were willing to compromise their own values for good results. As HDE2 explains, some school leaders went out of their way to ensure good results were obtained regardless of the means or process and this was ethically problematic. Participants' responses also indicated that the demand for success had shifted the focus of learning from understanding, to passing examinations which seemed to have become the most valuable outcome of schooling.

Some of the participants demonstrated how the demand for good results led to the infringement of student rights, as this participant showed:

At the end of form two, when students are selecting their subjects everyone wants the top student. Some teachers will say "not my subject" ... so you find some of the students are really disturbed... because they are not top performers. The teachers do not want them because they will dilute their performance...they want to be seen to be the best which can only come when you do not allow poor performers to register in your subject. [Principal, PRD]

Participant PRD showed that leaders were increasingly encountering many ethical challenges because some teachers denied poor performing students a chance to select subjects of their choice. This unprofessional practice was motivated by a fear that students' poor performance in their subject would limit their chances for promotion. In view of this it can be said that this new demand had shifted the values of the teacher away from professionalism. This is because professionalism – showing care

and creating caring environments where students' interests and needs are nurtured and promoted seems to have been replaced with a focus on obtaining good results. These professional ideals seem to be under threat and have led to many ethical problems in schools because as PRD illustrates it is challenging to oversee professional practice in schools since it challenges their beliefs about student learning.

5.7.4 Promotion of leaders tied to student performance.

Most of the participants were concerned that the demand for accountability had shifted the criteria for school leaders and teachers' promotion to higher grades and this was considered an unfavourable practice and ethically problematic:

If I want to be promoted to another grade, I have to go through an interview. Part of the interview is I have to come with list[s] of students' performance for the last three years. So that one tends to tell you that if you intend to occupy certain places you must show that there is some performance. [HOD, HDE2]

This expectation failed to take into account the factors that influenced student outcomes in school. Most of all the leaders believed that it was the students' ability to perform and not the school leader that was the basic determinant of performance. This means that blaming the school leaders and teachers for student performance was unrealistic:

The teacher is blamed for the end result and not the student. There is pressure from the parent, the community etc. ... when they bring their children they expect you to automatically give them a grade A, yet some of the students are not good, they believe every child has to go to the university [HOD, HDC2]. Considering that in a school like this one, we admit students who have performed very poorly at primary level some with marks as low as 200 and others who have failed in the subject. You do not expect them to perform miracles at secondary level. You do not expect somebody who got a D to perform a miracle and get an A at form four level. So... the hour of reckoning always comes when the results are released at the end of the cycle...you are told to explain, as the head of department, why the poor performance. [HOD, HDE3]

These HODs' accounts indicated that placing the teacher at the centre of student performance and not attending to the underlying factors of student performance was unrealistic and ethically problematic. They were equally uncomfortable with the

scrutiny by non-professionals especially the requirement for them to explain why the students' grades were poor in staff meetings, to the parents and before the BOG members. This is because as professionals they believed they were in control of their job and did all their best for the students. This demand seemed to be a threat to the school leader's professional or ethical practice.

5.7.5 Limited supervision of education service quality.

Some of the participants mentioned that inadequate supervision and evaluation of the implementation of government policies for quality outcomes of school was a potential source of ethical dilemmas:

As I mentioned earlier there is very little follow up of schools by the quality assurance officers to see how schools are run. [Bursar, BRE]

The reports written from inspection are not followed. Who follows the reports? The education officers have left everything to the board. When there is a crisis they do not come with the force we expect. This is where the dilemmas are. If the chief executive does not tell them what to do and if the education officer who comes to the meeting hardly talks about things and when there is a sensitive issue they keep mum and allow the board members to make decisions, it raises more questions. [Bursar, BRB]

These statements suggest that the Quality Assurance Department did not provide support to the school leaders as required. Participants reported that since the follow-ups made to school were irregular, the quality of service in schools may have been compromised - more so, because as indicated the reports of inspection were rarely implemented. This could indicate that the quality and standards of education provision remain unknown and this can be problematic.

5.8 Conclusion

The findings in this chapter show that the social challenges that secondary school leaders in Kenya face are overwhelming. Policies do not give the school leaders much help; in many cases they seem to be more of a problem than a solution because they are not applicable and in many cases conflict with the cultural beliefs, values and expectations of the context. These together with inadequate resources and unclear roles appear to make ethical leadership untenable. Leaders also have to continually deal with what might be regarded as unethical practice. At the same time

they are accountable for the exercise of their professional roles and are pressured by politicians and others to engage in unethical practice given the demands placed on them. Cultural conflicts remain at the centre of most of the ethical problems the school leaders face in managing the schools. This is because they rely on an imported bureaucratic education and management system, yet as the leaders demonstrate they are also influenced by their Afrocentric beliefs and values as well as the contextual factors in defining what ethical conduct is. In the next chapter I will look more closely at some of the ethical dilemmas they face.

CHAPTER 6

ETHICAL DILEMMAS EXPERIENCED BY SCHOOL LEADERS

Thuol odonjo e koh piny thako, ipuk chak koso itoyo koh
- Luo proverb

Introduction

The above Luo proverb, which closely links to the theme of this chapter, is a framed question and directly translates as “when a snake is in the gourd things are very complex, do you pour the milk or break the gourd?” A bottle gourd or calabash is a dried hollowed shell of a plant, narrow at the mouth and wide at the bottom and is used for storing milk or water. Naturally if this occurred one is presented with a difficult choice, for it would be very hard to get a snake out of this bottle without breaking it and harming oneself and losing the milk in this process. It calls for a lot of care to minimize harm. This can be likened to the role of the school leader in handling the dilemmas they are confronted with.

In this chapter I highlight five major themes that illustrate the ethical dilemmas which emerge from the school leaders’ encounters with the ethically problematic situations described in Chapter five. This chapter explores the participants’ responses to the research question: what ethical dilemmas do the school leaders identify in their school leadership task? I have structured it as follows: first I provide a brief description of how the themes (ethical dilemmas) were arrived at, followed by the participants’ perspective of an ethical dilemma. A description of the major themes that emerged from the data shown in figure 6.1 is given. These are: a clash of cultural values (Afrocentric versus Western values); conflicting interests; justice versus care; truth versus loyalty and/or self-interest; clash of professional values; and policy versus law.

Figure 6.1. Common ethical dilemmas of secondary school leaders in Kenya.

The six themes were identified through a coding process where I merged clusters of common ethical dilemmas identified by the participants. For example in one narrative a participant mentioned:

Sometimes it becomes difficult when the procedural decisions made by the procurement committee are thrown out. One time the procurement committee which I deputize gave a contract to a supplier, but this did not go well with the school principal. He gave his preferred trader the go ahead to supply. This created a lot conflict. [Bursar, BRE]

And in another,

At times when there is recruitment of staff..., a member of the BOG may have an unqualified relative who they want to be considered for employment. They are aware that rules forbid this, but they want you influence this....if you fail to recruit, it can bring bad blood....so you see the dilemma- if you take him you also risk because you are exposing yourself to anything [Principal, PRA]

These participants' examples reflect tension around competing interests or loyalties. Both descriptions were merged under the category conflict of interest because they illustrate a leader's dilemma due to competing interests or loyalties [interest of the school as defined by law, good working relationships, family obligation, business, friendship]. I undertook a similar process for the rest of the sub categories identified and came up with all these themes. I will now look at how the participants defined ethical dilemmas before describing each theme in detail.

6.1 Ethical dilemmas

Most of the participants reported having encountered ethical dilemmas in performing their leadership role. Their descriptions indicated that dilemmas were conflicts of preferences that resulted in tensions, and required leaders to respond through careful thought in order to make decisions that determined the best outcome. The participants showed that ethical dilemmas occurred within relationships:

We have had dilemmas in our relationship with students, with teachers sometimes even with parents, and Board members it affects our decision-making and management. [Principal, PRA]

They also showed that dilemmas were interpersonal and intrapersonal conflicts which challenged their relationships with others, as well as their values and beliefs. These conflicts arose when they experienced a clash between their African cultural knowledge, beliefs and values and the western values they had to engage with in the workplace. In such situations leaders were torn between adhering to their communal obligations, which overrode individual interests, and the workplace demands defined by policy and law. PRE's dilemma below illustrates this:

This teacher came from the neighbourhood just a stone [']s throw away and took things for granted; brings cows to the compound - the school had big land so I allowed him to graze his cows because we do not eat grass but informed him to graze them away from the classroom so that it does not interfere with learning... But he did not follow this and it became a big concern...we get very poor results, a mean score of 1.9 in math and so people say the teacher is of no value to the school. He also stays away from school some days - he is weeding his maize, his vegetables and comes to school late. He is fighting with his wife at the market place near the school and we get concerned about the image he is portraying. I informed the board and they advise me to take action against him. I visit the PDE and he says, "Interdict that teacher how can he behave like that". This was now unusual; the

same people who want this teacher interdicted would be the ones crying foul later. I thought about it and felt that his interdiction would result in the huge loss in the livelihoods of so many people. Some of the students in the school and even the board members are his uncles, cousins and relatives. He was sponsoring about four students in the school, and he had relatives living with him. They would say, “this principal is a bad man, he has killed our son”, so you see how it is. But on the other hand they are saying “interdict him”. I told myself no. He is a young man; I said I would just work it out myself.
[Principal, PRE]

Principal PRE demonstrated the complexity of his intrapersonal conflict, the personal cost and potential for bad relationships that could have resulted from this dilemma. The participant’s goal is to maintain harmony and good relationships, and to arrive at the best solution that is both satisfying to the victim and the school, as well as the community. Ethical dilemmas are thus situations that cause discomfort for decision makers because they threaten to ‘tear apart their consciences’.

In their accounts, participants’ demonstrated their helplessness and powerlessness in the face of ethical dilemmas. This means that the challenges had an emotional effect on them as participant BRD describes his position in an encounter with a new school principal who took up some of his duties:

I feel offended and helpless because my duty has been withdrawn from me there is nothing I can do. [Bursar, BRD]

As Principal PRB indicated ethical dilemmas differed from one locality to another:

You see this is an urban school. In a rural location, the school land may have been donated by the community and so they have more interest in the school. Those who work there come from around the place and any problem affecting the school also affects them because their children learn there. But in an urban school that kind of [sense of] ownership is lacking, the community wants their children to learn and they do not have strong ties with the school. In the rural school you have to handle things differently whether or not their children are in the school because the school belongs to them. If you do not work with them [community] they can sabotage the school in so many ways. So you have to work with them all the time because they’re part of the school. [Principal, PRB]

These differences occurred because rural areas were more community oriented and homogeneous. The community involvement in the school was greater than in schools located in the urban areas where populations were heterogeneous and with different

interests and needs. This means that ethical dilemmas can also be described as contextual because they were influenced by activities within the surrounding school context.

The participants' accounts demonstrated that these problematic experiences differed from one leader to another. For instance, the dilemmas recounted by school bursars differed from those of the school Boards of Governors (BOGs) and vice versa. This was because of their different roles and interactions in the workplace. For instance, school bursars recounted more dilemmas about conflicting interests; truth versus loyalty; clash of cultural values; and occasionally, justice versus care. This is because their role required strict conformity to prescribed procedures, financial rules and policies. Their ethical dilemmas they identified recounted were associated with adherence to rules, policies and law and in their interactions with the school principal, the support workers and the community when implementing functional policy.

However, the school principals cited the following ethical dilemmas: dealing with conflicting interests; clashing professional values; and justice versus care. This was likely to be because their leadership and management task entailed working to ensure that stipulated policies relating to student learning, management of school resources, school workers, teachers, and taking care of stakeholder interests were implemented. These dilemmas emerged when they interacted with stakeholders, other leaders, education officials and the wider community to ensure the implementation of these goals.

The BOGs' accounts showed that they encountered the following ethical dilemmas: conflicting interests; clash of cultural values; and justice versus care. These occurred while performing their role of overseeing the implementation of education policies; handling human resource matters related to school staff; school community relations; and other general school governance issues, which involve interacting with education officials, school principals and parents.

The Heads of Department (HODs) cited conflict of interest; truth versus loyalty; clash of professional values; and justice versus care. These were linked to their role,

and interaction with the school principal, teachers and students over matters of supervision of teachers and requests for procurement of departmental materials with the school principal. The dilemma of justice and care emerged in their interactions with teachers, students and even parents, while the clash of professional values emerged in their interaction with teachers, students, the school principal, and in dealing with the school policies and the law.

As recipients of implemented policies and laws, parents reported that school leaders encountered instances depicting conflicting interests; truth versus loyalty; clash of cultural values; and justice versus care. They confirmed that there were conflicts between self-interest and professional or legal demands and a clash of professional values among school leaders when performing their managerial and professional roles.

6.1.1 Clash of cultural values.

Many of the participants indicated that the demands of the community led to increased tensions for school leaders as participant BRC, recounted:

Controlling them has not been easy because I also come from here and I am working with my uncles and cousins and therefore I am supervising my relatives. When you ask them why they are late or do not report to work, they keep quiet and don't respond but when they go home they talk about it and the community members say "you also know that is the place of work, you know their situation and now you want to spoil [it] for them". They expect that you should assume that they will be coming late and to treat them the way you treat them at home – with a lot of sympathy and the community supports them. They do not draw the line between work and relationships. I know in Africa, specifically in the village context, they believe that the place of work should be protected. So given that I am their supervisor, I should be the one protecting their interest and should not let the board know the bad things they are doing. When I report them I am [considered] bad because I am not protecting them... issues in the workplace therefore extend to the home. [Bursar, BRC]

Participant BRC highlighted the tensions that can emanate from community demands due to his interaction with them as a community member within the school. The community members had many expectations that were in conflict with the demands of the workplace because for them relationships 'know no boundaries'. In other words the school and community are one and cannot be treated separately. In view of

this, BRC illustrated how the support staff, and by extension the community, expected him to protect their jobs and interests (a cultural expectation) which were beyond the limits expected of the workplace contrary to the workplace rules. This participant illustrated this dilemma further:

Sometimes if I find a mistake and I call one of them to ask them why they are late, they will tell you “you know I call you my child, you are my in law you should not talk to me like that” [Bursar, BRC].

Culturally BRC was expected to uphold respect for this staff member because he was a senior member of the community or clan, and a father-in-law. The staff member was offended when asked to explain why he reported late for duty because this demonstrated lack of respect for an elder. Tension emerged for this leader because workplace duties and values, BRC as a leader must uphold, conflicted with the community and family expectations. Drawing a distinct line between relationships at work and the normal day to day relationships and activities in this context was impossible and challenging for this leader who had to abide by western cultural values in the workplace.

Some participants encountered tensions when the community made demands on the teaching staff, as PRC illustrated:

The villagers came to the school and they wanted to physically remove the teacher from the school, claiming that the government had failed to remove him. The deputy called me and I told her to tell them that that was not the procedure. I helped the teacher because it was going to be very embarrassing for him to be removed by the villagers. [Principal, PRE]

PRE shows that even though disciplinary action against teachers was done under stipulation of the law and was the sole responsibility of the TSC, community members treated this like any other community affair and believed they had a say. The interests of the community thus conflicted with that of the school. The communal approach to the matter required the removal of the teacher who in their view had failed to serve the interest of the school and the community. The dilemma interactions in this instance involved the school community, the school principal, the issue at hand, the TSC rules, and the community approach to dealing with issues.

In another encounter, participant PRA showed how a confrontation with community members who insisted on selling their wares in the school compound contrary to the law and school policy led to a similar tension:

What I found here last year was the same scenario. The community members knew that this rule was put [forward] by the former administration, and thought they would try to come in now that a new person had come in. So you find that there were some women who were supplying groundnuts and selling them directly to the students. Some were selling chapatti, which we don't allow - we do not allow food from outside, some were selling fruit, without any consultations with the administration. Yet we have the canteen running parallel, so when I enquired about them, "why are they selling groundnuts for girls?" We were worried that as they bring their wares, it is never just this; students send them out for more things... So it brought a lot of commotion, some board members were related to these people who were also selling these things. [Principal, PRA]

In this scenario conflicting interests were involved. The leader faced complications in defining the best interests of the school amidst the multiple and conflicting interests of the community and some staff members. The tension was linked to identifying activities that promoted the school's interest, adhering to the expectations of the law, while taking into account community interests for the sake of peaceful co-existence.

The findings showed that some of the leaders' ethical dilemmas were culturally based.

Our perspectives are derived from where we come from for example my culture dictates what decisions I should take on a particular issue. For example in a case of the government policy on student pregnancy, your conscience is dictated by your beliefs. In this case I believe that a pregnant student should be secluded, where there is good care and should be treated differently. [Principal, PRA]

PRA showed that when confronted with value conflicts, leaders were torn between adhering to their communal obligations of care, respect for the elderly, community interests and values, as well as adhering to norms as defined by policy and or law. Government policy conflicted with the participant's cultural beliefs and practices.

6.1.2 Conflicting interests.

Most of the participants identified a conflict between self-interest and professional and legal demands as a prominent ethical dilemma in the workplace.

The regulations and the laws are very clear: BOG members should not have an interest in procurement and tenders in the school. However a BOG member can request you to quietly influence the chairperson of the tender committee so that he is allowed a tender for building. As a person you know that this is against the rules, but at the same time you need his goodwill. You will also feel like you can possibly do it and so it becomes very difficult to decide. You might tell him that the rule is very clear and that you do not want to be compromised but he will tell you “you have a way of doing it, you are not using my name... this is the only benefit I can have”. So you find yourself in a dilemma - if you refuse him you are losing his goodwill, it will not even be possible for you to work with him as your chair. At times when there is recruitment of staff, a BOG member can front a relative and yet they also know they are not allowed to bring their relatives to be employees. [Principal, PRA]

PRA reported the tension or conflict that ensued between the leader's obligation to adhere to the stipulated laws, and the desire to have a good working relationship with the BOG chairman. PRA faced the following conflicting interests: school interests; adhering to the law; her own interest in a good working relationship; the business interests of the BOG member; the need for meeting the cultural expectations of respect for leaders (BOG chairman); and helping others. Both parties were aware about the provisions of the procurement rules and the code of ethics governing the conduct of all school leaders. This dilemma also portrayed a cultural conflict due to the value premised on good relationships in the community. The institutional laws seemed to redefine the way relationships occurred, and these led to conflicts with the cultural expectations where relationships occurred without such barriers.

Another challenge presented by some participants related to the employment of support staff in the school:

The board engages school workers but in this case, the worker has not been engaged by the board but could be the boss's friend, or relative. So he is engaged as a casual but once he is here for a long period he automatically changes from being a casual, because casuals are supposed to be engaged for only three months. [Bursar, BRD]

BRD highlighted a case of perceived self-interest because the school principal's act of engaging a relative or friend's relative as a school worker contradicted the legal rules and this became a dilemma because BRD, as school bursar, is responsible for the support staff.

Another parent participant illustrated their own dilemma in seeking to resolve some of the impending issues they had with school leaders:

The Public Officers Ethics Act is applicable but my worry is that the school administration and the Ministry of Education administration mainly the District Education office, and the Provincial Director of Education's office and others (these two bodies work very closely), one would like to scratch the others back so that the other one can equally scratch his back. So it becomes a problem. If I have to report what I do not agree with in school A to a District Officer who also wants his son admitted in the same school, it is a challenge. You can go there and seek audience with him and share everything and you are assured that your sentiments are taken and there will be a follow up - but that marks the end. ...then when you are in the PTA meeting with school authorities, the principal tells us that I am doing my best but some of you only know the route to the ...education office to go and report ABCD. [Parent, PAB2]

PAB2 illustrated that it was challenging to get issues addressed in schools because it was alleged that education officials were compromised because they had interests and interests in schools. Parents reported that that this made it hard for ethical conduct to prevail in school.

6.1.3 Justice versus care.

Many of the participants reported tensions in striving to meet the conflicting demands of school policy or law and the demands of care for the students:

A teacher may be sick and does not want to reveal it, yet he is not performing well but is also not willing to go for treatment. The employer knows the number of teachers in the school and so you cannot ask for more and in this circumstance you have the following options: either to remove him from the timetable but this is not allowed by the employer; you can also choose to recommend him to be retired on medical grounds but the teacher would not want that and so this leaves you [with] a dilemma, because you also want to consider that he has a family but at the same time you also consider the students' needs. [Principal, PRB]

Here PRB highlighted tensions in meeting the demands of policy and the demands of a teacher with health issues. PRB was aware of their obligation to provide care for students and teachers, responsibility to the school for good results, and for implementing policy to meeting the goals of the school. The participant has a conviction that he also has a responsibility of care for the teacher's family, because it is a cultural expectation and from his own personal view this is the right thing to do. These multiple obligations created tension for this leader about the best action. Subsequently this leader was torn between adhering to policy or rules of the code, or to care for the teacher's circumstances.

In another encounter, principal PRC described tension between her duty to protect a student from abuse by a teacher (care for the students' best interests), and her obligation to the student's parents and her employer to protect and report incidences of sexual abuse of students:

Then now I narrowed down my investigation and called the girl and told her "I want you to tell me the truth" and she said, "yeah mwalimu [teacher] I will tell you the truth but do not tell mwalimu, I want to pass mathematics, my grades have now improved, I was a D-student, but I am moving to C- and mwalimu is doing it for me...I am using him to make me pass, he has even promised me marriage - I cannot marry him, all I want is to pass mathematics, he has not even taken me to bed - he cannot. I keep on telling him that it will happen after I am through with exams, but I am using him." And here was the teacher denying his involvement and a student has confessed and pleaded that "mwalimu if you tell him, I am finished; I will not pass this maths." I asked her if her parents knew about this and she said yes. [Principal, PRC]

In this case PRC alluded to challenges of teacher integrity and student discipline. This participant's experience was very challenging because the student confessed to engaging in a love relationship with a staff member with a goal of passing her examinations. It was even more complex because the student confirmed that this relationship had enabled her to improve her scores in mathematics and she wanted the school principal to keep this confession in confidence so that she could benefit from the teacher's support. PRC illustrated that she was torn between adhering to the values of care or of justice, because the teacher was bound by a professional ethos and the law to conform to regulations about conduct. At the same time PRC has to consider the benefits of a good result which was a dream of most schools in this

study because of its potential effect on the status of the school and their own promotion.

In another case, PRA encounters tension when dealing with a conflict between adherence to a school policy and caring for the student's interests:

Our rule is very clear, if you are found with a phone, dismissal - quiet dismissal we do not follow the procedure, we just quietly tell you to pack your things and go. So either way if you leave her in school you might not be sure that you will have assisted her. You send her away there is that possibility that she will be out there acting as a conduit for cheating and aid the ones in school. So now this is the dilemma, this is a very bright girl, if you tell her to go, and she is in form four where will she go? Will she go and come to do her exams from outside the school? This is a girl, is she going to rent a house next to the school? Will it be safe for her? If at all it is safe what about the effect? Would it not be that she uses the same phone and cheat the rest of the students that she has exam materials. So you see the dilemma, we don't want to keep them here even after we have taken away the phone; the punitive action is that you should be sent away. [Principal, PRA]

Principal PRA is torn between breaking away from a school tradition and policy that she authored for the sake of protecting a bright student who has erred. Tension arises because for this case, the school policy is unlikely to take care of the best interest of the student. At the same time she battles with the idea of being viewed as unjust. As a leader it is expected that she adheres to the policy in the spirit of fairness. The dilemma is further heightened by the fact that her decision will set a precedent for similar cases, and the action taken must be seen to be just by all students and the school community.

Most of the cases illuminating this dilemma indicate that the participants are torn between a desire to take care of others and maintain relationships, and a desire to meet obligations such as adhering to policy and law. These leaders believed they had a responsibility to care for those they work with, and that this extends to the need to meet the expectations of the community.

6.1.4 Truth versus loyalty and/or self-interest.

Many participants recounted their experiences with a dilemma of truth versus loyalty, but the school bursars encountered this more and reported this with reference to their relationships with the overall school leadership:

And you see you cannot say no or refuse the boss and say “mwelimu you have an imprest that you have not cleared” he has come he wants money. Also there is a case where the school principal will just come and say “give me 50,000” he signs and goes. And then he comes and accounts for it without you knowing whether it was used for school purposes. You are not supposed to question this. [Bursar, BRD]

BRD alludes to the problem of financial control in their school. As the school bursar or finance officer within the school he faced a challenge of ensuring that accounting policies, laws and rules were adhered to. The bursar faced a challenge adhering to the school principal’s instruction to pay money without regard for the financial rule which required that all funds previously held be accounted for prior to new commitments. In this case, adherence to the principal’s instructions (loyalty) conflicted with his responsibility to report wrong-doing or uphold the rules as required (truth). The leader’s dilemma can also be said to have been culturally linked, because culture demands that he respects leaders and this required him to abide by the principal’s demands. The leader’s tension also emerged due to lack of job security, for bursars were directly employed by the school BOG. The school principal was their employer. BRD was therefore in a difficult situation, because he was likely to lose his job if he went against the boss’ instructions.

The HODs’ experiences differed slightly and showed a tension between telling the truth and fulfilling their own personal interests. One participant illustrates this:

Now the MOE has directed that it is illegal and has specified time, it has stated the working time, that no student should be taught before 8am and no student should be taught after 5pm and that the school should not use any of its facilities or its compound (paid or unpaid to have such activities). These extra classes in schools may run from 5pm to 6pm and sometimes extend to 7 pm in a day school. Now how do you get the teacher to agree to cover up that time? Now you will realize that they use coercion to get the teacher to agree. .. I am imagining, if it requires me to keep quiet I will. Like in the tuition issue, I have been quite vocal about it and there are ways I have been looking at it and giving my suggestions, but I have been taken the wrong way. Now you see when they start sending me some memos that

“I have not done this, I have not done the other”- they are trying to tell me please when it comes to certain issues keep your mouth shut, so when the tuition issue is being discussed my head is down, I do not discuss it. My professional values are [Challenged]. [HOD, HDE2]

HDE2 description illustrated the ethical challenge that arose when school principals extended the student learning time beyond the normal working hours to cater for extra tuition in a day school without consulting staff, student or parents. HDE2 considered this impractical, inconvenient, and an unrealistic expectation placed upon the staff and students. HDE2 is torn between upholding the professional value of serving the students’ best interests, which would involve showing his disapproval for this programme (truth) or, or going ahead with the programme to show his loyalty to the school principal (loyalty) regardless of its effects upon him and the students. Some of the participants’ accounts showed evidence of tension between truth and self-interest as illustrated by one participant who shows how challenging it was to yield to truth:

Some of the audit queries can be genuine and others not but you want to appear clean, so what do you do? You say please I can only raise 10,000 please take and finish this matter, because if it is written in the report that this particular voucher was not rightly transacted and it goes to the head of audit, it is given a lot of attention. Maybe it was half a million or a million. You know these are friends you will buy them lunch. You can give money from the school account and then see how you can correct it but under normal circumstances it is small money - Ksh. 5,000, 10,000 that one you can sacrifice. [Bursar, BRD]

BRD’s case illustrated that whilst some school leaders were interested in adhering to the rules, laws and policies, they got caught up in a web with limited choices when they needed to protect their jobs. This was a source of tension for them because they were unable to perform their ethical leadership role. For instance BRD battled with challenges of whether to engage in corruption or to uphold acceptable moral values, thus his personal interest’s conflict with a desire to uphold moral values.

6.1.5 Clash of professional values.

Some of the participants especially those who interacted directly with students, namely HODs and school principals encountered this dilemma. The dilemma illustrated a conflict between two or more of the professional values:

For example if there is a rumour about a girl suspected to be pregnant, the school asks me to find a way of interviewing the girl to confirm if that is true. So I have to get an approach to face this student ...you know in counselling you need confidentiality but for such cases I have to give my findings to the administration. This is not easy because you feel like you are betraying the agreement with your client. But the administration also wants a report because they gave you the work to do. It's a hard decision. [HOD, HDC3]

HDC3 illustrated how challenging it was to perform her role as a senior teacher and student counsellor because the two roles served different interests and were in conflict. The values in conflict evident were: care for the student; obligation to the administration; integrity and justice. This is because the administrative role required that she takes punitive action against students for whom she was also responsible for as counsellor. The leader found it challenging to meet her obligations to the school principal and still remain true to the students.

6.1.6 Conflict between adherence to policies versus laws.

This dilemma illustrated a conflict between requirements of the law and school policy or ministerial policies. This was instigated by the failure of parents to honour their commitment to make provisions for the education of their children as required in the Children Act of 2001 as illustrated below:

Another one that is a bit contradictory is about school fees; because the policy states that we are not supposed to send children home when they do not pay school fees... when parents learn that the Ministry has a policy that children are not supposed to be sent home, they do not pay. When you are sending the child home you are interfering with the policy, but if you do not send them the parents will not pay for the boarding. [Principal, PRD]

PRD illustrated how conflicts between adhering to policy or the Children Act, and the need for care led to ethical challenges. This is because the school fee policy required school heads to allow students with outstanding debts to remain in school, yet the schools did not have sufficient funds to run its programmes. This policy also led parents into neglecting their responsibility under the Children Act. The leaders were thus torn between keeping students in school and adhering to the requirements of the law which required parents to take responsibility for the students' schooling and learning.

6.2 Conclusion

All the participants reported that dilemmas were widespread in schools and was experienced by all leaders in secondary schools in Kenya. The sorts of dilemmas they were confronted with were different and dependant on the context (including work contexts). A major source of dilemmas seemed to be linked to managing different or clashing values. The school leaders showed that they had to consider the interests of so many different groups. Negotiating between the conflicting demands of justice and care was particularly difficult – and seemed to be related to a clash of cultural values, since it was not always possible to know if the care desired was professional care or Ubuntu. Other challenging values were clashes between truth and loyalty; professional values; and policy and law. There seemed to be a common perception that the conflicts were more about relationships with others and within themselves or intrapersonal conflicts. It can be concluded that leaders strived to do the right thing but the conflicting demands they encountered made it challenging to arrive at the best choice.

CHAPTER 7

DECISION-MAKING ABOUT ETHICAL DILEMMAS

Kama illi ema igwonyo – Luo proverb

Introduction

This Luo proverb can be directly translated as, “you only scratch an itchy area”. We respond impulsively to an itch by scratching. I liken this to the school leaders’ responses to the ‘itch’ or challenges they encounter in their work. This chapter explores the participants’ responses to the question: On what do you base your decisions following ethical challenges? A similar coding process described in the previous chapters was undertaken to identify the major themes in this chapter. In this chapter, I explore the participants’ ethical decision making and meaning by discussing the five dominant themes. The study shows that secondary school leaders in Kenya make their decisions based on the following: i) consideration of African culture; ii) consideration of consequences; iii) consideration of specific situation or context; iv) their own values; v) compliance with laws or regulations; and vi) past experience in confronting ethical dilemmas. I argue that the school leaders’ ethical issues and challenges have emanated from the competing demands of ethical practice drawn from the context and dictated by three broad competing imperatives: a typical African cultural approach; a mix of African-western approaches; and western-derived approaches. Each of these approaches is underpinned by different values and beliefs as I have illustrated in Chapter 2. However the African cultural approach is central for the practice of ethical leadership in this context as Figure 7.1 illustrates. The western approach is not pure or distinct for the leaders continually incorporate their African values within it as they strive to ease their tensions. I will now provide details of how the participants work their way through the above ethical imperatives to manage the dilemmas enumerated in Chapter six.

Figure 7.1. Kenya's secondary school leaders' approaches to ethical decision-making.

7.1 Ethical decision making

The participant's descriptions illustrate that they engage in ethical decision making all the time in their work:

I check the far- reaching effects of whatever we are doing at present because the decisions we make involve learners, parents and other Kenyans and so if something is done here which will affect the future you have not achieved anything. [Principal, PRB]

In another:

In some cases when you are making a decision you may see that if you take this path there is the likelihood of something happening so from that you can know which path is better. You know there are some cases where things will be bad whatever the decision you take but you

look at the one that is going to have less severe effects and mitigate the loss that may arise. [HOD, HDD2]

Both excerpts show that ethical decision making entails making decisions that are morally acceptable by far and large to the community, defined rules/ codes / laws and other ethical standards. My reading of the participants' transcriptions and interpretations, as well as my own observations as an insider made me conclude that even though the leaders are professionally trained, and have a Western-oriented career, the African approach illustrated in Figure 7.1 underlies the ethical decision-making practice of secondary school leaders in Kenya. The African approach as previously referred to in Chapter 2, and confirmed from the participants' responses in this chapter, is characterised by care for the individual, consultation of clan elders and others in decision-making. There was preference for communal care and decision-making, respect for elders, care for an individual's welfare and needs, the value for relationships, and the recognition of cultural beliefs. These responses are not a surprise because they portray who the leaders really are - Africans, a people who continually interact and undertake their tasks within a context that is grounded in an African belief system. They also use a language that propagates their values, beliefs and way of life which influences the way they think and make decisions. The participants' responses to dilemmas are not clearly distinct but overlap, so that for instance consideration of consequences or cultural perspectives is shown to be part of care or goodwill.

The participants also drew from a western, approach to manage their ethical dilemmas. This approach as indicated in Chapters 1 and 2 is associated with the early colonization of Kenya which led to the incorporation of western beliefs and practices and also the current bureaucratization linked to global policies and funding. These have influenced school administrative practices and the conduct of education in Kenya. The approach is characterised by a reliance on policy, law, professional ethics code, consequentialism and the propagation of values such as accountability, individual responsibility, and strict adherence to what is defined as right, western-defined care. The mixed approach includes the practices that are shared within both cultures but which may be understood differently due to context. They include the value for care, the situation and reliance on experience. I will now take each one in turn to illustrate the participants' responses.

7.2 African cultural approach

Most of the participants frequently used an African cultural approach to manage their ethical dilemmas. The Heads of Department (HODs), Boards of Governors (BOGs), school bursars and principals used this approach more than others. They show that African cultural norms, beliefs, practices, cultural expectations and approaches was central to their undertaking and important for managing dilemmas, and this is shown in Figure 7.1 above. This approach seemed to have been common when the leaders were under pressure to adhere to communal obligations of Ubuntu – during which, care, justice, and loyalty, defined from an African perspective, were upheld. The following values were illuminated in this approach: the African-based care, Afrocentric value of good will, considering the cultural perspectives of care, and reflecting on the effects of their decisions on the individual's wellbeing. Goodwill here refers to the African cultural value of generosity and providing care for humanity regardless of who they are.

7.2.1 African care.

Most of the participants indicated that African-based care was the best alternative for managing their ethical dilemmas:

I think problem solving should not just be policy driven because some issues do not require policy, you have to look for softer ways; traditional approaches looked for peace. A school worker had a drinking problem. I held a small meeting with some of the welfare group members. All of them called him and each one cautioned him. They also went to his home and spoke to his wife and this helped drive some sense in[to] the man and he changed...solving problems a policy way would have resulted in pain for the drunkard and the problem would not have ended, he would have had a grudge forever. The problem [for] the school would have been solved but the person is not helped [in the process]. [Bursar, BRC]

Here BRC recognized two available approaches for resolving dilemmas: the African approach, a policy way or western approach. He showed preference for an African approach because it is underpinned by care, enhances relationships and provides a more favourable outcome that reconciles conflicting parties to enhance a peaceful co-existence with others. The desire for harmony in the community was evident in this approach as the welfare group sent emissaries to the victim so that the dilemma was

resolved amicably and in a just manner. An action that had negative effects on others is avoided at all costs.

In the case below, PRB illustrates how he confronted a dilemma involving a staff member and student. He demonstrated that care for both the culprit and the student was an important consideration when seeking to resolve a problem because this problem was likely to have far reaching effects on the affected teacher's family:

I had a case involving a student and teacher love affair – one of its kind – a madam teacher and a boy... coincidently this teacher's husband was a staff member here. This was very delicate because if we made it public it was likely to affect the family. You also have to consider the learner because he was distressed he said it was the teacher who had an interest in him...I called the student and spoke to him like a father and cautioned him that he had a right to say no even if it was the teacher who pushed him into the relationship.... I reminded him that she was married and it was unacceptable. I then talked to senior female staff members to talk to the teacher and inform her that I was aware of this... and it worked because she changed.
[Principal, PRB]

PRB's case further illustrates how care is understood in the African perspective. It does suggest that justice in this context was underpinned by love. So that in as much as the school leader erred, care must be taken to avoid decisions that could disrupt harmony in the society.

The participants showed their preference for care when they drew from decisions made in consultation with elderly staff or community members such as chiefs:

Sometimes when I encounter a problem I use the members of the community to sort it out. For example when I wanted to transform the school when it was in a bad state, I used the local people. I called the chief and said "the provincial administration must come in" and I was introduced to the village elders, youth wingers and we all agreed on how to work together. [Principal, PRB]

I tend to refer cases and seek for advice from my older staff members because African people believe they have more experience to draw from – "old is gold." [Principal, PRA]

Both the PRA and PRB show that school leaders draw on communal care to resolve their challenges. These include consulting with elderly members of the school or community to draw from their wisdom and vast experience on account of their age.

These findings show that this practice was incorporated into school management practices in a few schools.

In another example, BRC, a school bursar solicited for the support of a welfare group to intervene in a case involving a school worker. He showed how the welfare group went to great lengths and engaged the family members in an effort to deal with the ethically challenging case involving a support staff member. This shows how this resolution went beyond consideration of the issue at hand to include the individual, the family and their relationship with others in the community:

I believe that putting people together to share is an African way of solving problems because they come together, discuss their views, and criticize them. This approach has helped me bring harmony amongst workers especially in a case where two staff members belonging to separate clans were up in arms against each other among the school workers; the issue was so serious that I became shaken. The village elders came in and talked to them. Sometimes I also use the area chief to keep the tempers cool and he sometimes comes to school ha[ve] a discussion with clans. [Bursar, BRC]

BRC demonstrated his belief that some dilemma encounters were best managed by clan elders through communally held consultations with all the parties affected. Clan elders and chiefs were highly respected because they had a special position in the community as custodians of African values. They were known for their wisdom and therefore best placed to identify the right action for resolving conflicts in the community. In this way, the conflict between the two support workers extended to the whole clan and community, which meant that conflicts and differences in African contexts were not just an individual matter, but a concern of the community. These consultations and open discussions were an assurance to BRC and those involved that a satisfactory and just deliberation can be arrived at because the discussions took into account each party's interest and needs. Justice was therefore a value that was enhanced in African contexts through communal deliberations. But it was also considered to be a means of expressing care for the individual or community. This is because through it individuals were reconciled with each other and the community, and thus harmony restored.

7.2.2 Afrocentric value of goodwill.

Most participants illustrated that the African value of goodwill was important for the resolution of their dilemmas. This approach was reflected in the leaders' efforts to go beyond the call of duty to ensure care for the welfare of others. This went beyond the immediate concern of the individual as a student or teacher but as a human being who must be shown love and care:

I tell the teachers that, "I have a case that needs your assistance; this student has passed well but has no place to go and he can only learn in this school, so let us see what we can do to admit him in school; here are the requirements." And they all respond; someone can offer to buy the box, another mattress and by the end of the day some will give money. It's very good; some go out of their way. Another student lost his only parent, the mother and the relatives scrambled for the property, and the teachers got this information and reported it to me and we followed up on this and brought the student back to school. [Principal, PRB]

In another case, a leader reported the efforts made by the school leaders to ensure that needy students received their basic provisions:

The Guidance and Counselling department established a programme where students donate something for other needy students and this has been very positive. [HOD, HDD1]

As can be seen from these examples, PRB and HDD1 show how they rallied the support of staff and students to provide for others in order to resolve their dilemma of ensuring that needy students cope within the school environment. This response is tied to a belief in the value of African unity/ togetherness [brotherhood], a caring perspective where unity in the face of strife by community members is encouraged, honoured and considered a responsibility of every member of the society. Sharing resources with the needy is culturally acceptable and demonstrates care for the welfare of others.

Most participants showed that they took care to reflect on the effects of their decisions on the individuals' wellbeing and the stability of their relationships with others in the community because this was a communal value that formed the core of their interactions. They showed that they reflected on what was culturally acceptable:

Localism [the community ideals] forces you to hold back to reflect on each decision. [Bursar, BRC]

This was equally evident in PRA's encounter with a BOG member who requested a favour from the school principal to allow him a tender to supply goods to the school even though this was not allowed by the school policy and the law:

So you find yourself in a dilemma - if you refuse him you are losing his goodwill, it will not even be possible for you to work with him as your chair. When you allow him you are also breaking the tender rules so it also forces you to try and convince the chairperson who is the school deputy and it will mean now you have to be very frank with him on the repercussions of refusing and accepting so that the two of you will share that responsibility and when you weigh it you find that the disadvantages are less and the advantages are more. And so you are forced to an understanding between the two of you that she is going to convince her team to accept to give him the tender but it will not appear in his name. [Principal, PRA]

In both cases, the participants show that consideration for the consequences of their decisions on their relationships with others was important because harmonious relationships and goodwill were highly valued and encouraged in the community. It is for this reason that PRA undertook an assessment of the particulars of the case to see how it would affect their relationship with the BOG member and her work. PRA yielded to this request in favour of the BOG member even though it is forbidden by regulation because it was important for their relationship and her success as a leader.

The preference for and value of relationships was also evident among some of the HODs. For instance HDD2 showed how he resolved a complexity involving staff competition within his department. Competition created tension because it was a foreign concept that conflicted with the African cultural beliefs. The leader chose to deny the staff members in conflict the chance to engage in what they competed for because he believed it neutralized the conflict. It also eased the tension and discouraged them from engaging in this further because of its potential for destroying harmony and good working relationships among the staff in his department:

You can have two teachers who have disagreed over something professionally and they are both your friends and each one of them is right. If you say that one person is right you... of course immediately, you side with one, you become the enemy of the other one. At the same time if you remain neutral things can go bad. So you can mitigate the effect of that by simply giving the task they are competing for to somebody else, so at the end of the day they have both lost. When you

are dealing with people and you take sides, you lose others but because you want to work with all of them you must stay with them.
[HOD, HDD2]

In resolving this challenge HDD2 demonstrated the value of collegial relationships and how this enabled him to manage the tensions or ethical dilemmas among colleagues and to endear trust in him as a leader.

A relational approach was also evident in HDA2's approach to his ethical dilemma involving an errant teacher who failed to perform their duty to the expected standard:

Like you have a colleague in the department, he is lazy or is a drunkard. You consider that if I reported him and he loses his job what I am doing to his family... because you have to feel for the family. All you can do is to bear with them and engage them in talk.
[HOD, HDA2]

This participant hesitated to take action against the errant teacher as required by policy and rules, because he felt obliged to take responsibility for the perceived drastic effects of the policy decision likely to befall the teacher's family. This case identifies the western policy approach to ethical decision-making as a source of tension because its effects contradict the African expectation of care. Instead an approach that enhances relationships was preferred.

Participant HDC3 also demonstrates their precaution and disregard for adhering to the expectations of the code because they were technical and seemed not to allow room for consideration of other pertinent issues within a case:

Sometimes if you just decided to apply the code it may be too harsh there are times when you feel that you have balance between...being human and looking at the code because you want to guide and build them up as teachers so that they can also become administrators. Some of the mistakes they are doing may be out of ignorance you cannot just crack the code on them straight away you can destroy a teacher whom you would have helped grow. Codes are not really effective, sometimes you have to just look and see how best to go about it you cannot just say I have the code here, ethics and I have to put them in place at times it is quite technical. [HOD, HDC3]

HDC3 shows that by relying on professional codes one failed to consider other moral factors associated with ethical tensions such as the fact that ethical malpractice can

arise out of ignorance and is not always intended. From the participants excerpt, he shows that professional codes could be destructive and unfriendly and potentially create more tensions than resolutions. HOD illustrates his preference for a situational approach and reliance on one's own judgement for managing ethical dilemmas. Resolution of ethical tension requires some balance and not a one-sided approach as presented in use of codes or rules.

Some of the participants mentioned that they eased their ethical tensions by considering the cultural perspective of each dilemma. This way they were able to tell how complex an issue it was and how it could be viewed:

When handling issues the cultural perspectives has [ve] to be considered, for instance when a worker is absent from work without permission because he has got a funeral [to attend], you have to assume that in the African context, this is an issue that has to be attended to. [Bursar, BRE]

In this case, BRE shows that the cultural perspectives and implications of a situation were given weight because it directed one as to what to consider when handling a case such as the absenteeism of a staff member. Funerals in this context were understood to be important events that took precedence over the demands of duty. Understanding the cultural attachments and beliefs of the dilemma was important. Once this was done a leader did not rush to take action against a staff member who was absent from school without permission because there was an assumption that this understanding was common knowledge because of the importance accorded to it by the community. Adherence to this was likely to be misconstrued to be an ethical malpractice because it was not recognised within the school leaders' ethical practice within codes.

Some of the participants chose to stand and abide by their cultural beliefs to resolve dilemmas or tensions that emerged when policies negated their strong cultural beliefs and practices. PRA finds this contradiction in her encounter with the policy on the re-admission of students to school following pregnancy:

Our perspectives are derived from where we come from, for example my culture dictates what decisions I should take on a particular issue. One's conscience is also dictated by their beliefs. In a case of the government policy on student pregnancy, I believe that a pregnant

student should be secluded and confined where there is good care and should be treated differently. When I identify a pregnant student in school, I discuss the issue with the parent and the student and we go through the disadvantages and advantages of staying in school until their due [date]. If the girl is comfortable with coming back to the school we allow but in many cases they do not come back. [Principal, PRA]

PRA drew from her cultural values to resolve her dilemma with this policy requirement because she believed her cultural values and beliefs were more important for this challenge. This participant made decisions after reflecting on the context, the consequences of the policy on the student and the school and on the community values and expectations. She concluded that her decision was made in the best interest of the student and the school because of the widespread belief and perceptions about pregnancy before marriage within this context.

In using the African approach these participants have shown that leaders reflected on the effects of each decision on the African cultural values because they strived to ensure that the approaches they use for resolving the tensions promoted general harmony, cohesiveness, the value of care and strengthened community ties.

7.3 Consideration of non-communal approaches from a western perspective

A more westernised approach to decision-making was also evident from the participants' responses. This approach was underlain by more individualistic values and relied on clearly defined principled values and approaches for managing ethical dilemmas. It was exemplified in the use of the law, policies and professional codes of ethics or the COR in this study. Given its nature and differences with the African cultural approach, the school leaders encountered ethical tensions enumerated in Chapters 5 and 6.

7.3.1 Consequences as an approach.

This more westernised approach was evident from some of the participants' responses. This was closely related to the consideration of consequences for the community referred to in the previous section. By considering the effects of their decisions on policy, the school, stakeholders, and the individual, the school leaders

showed that they drew from a consequential approach other than the communal values. This is because for them minimising harm and maximising good was a better way for managing ethical dilemmas. The following examples show that consequences other than the community values were considered as a measure for minimising harm and maximising good. The participants' responses showed that they reflected on the outcome of their options and decisions before taking action, especially in their encounters with the following dilemmas: justice versus care; truth versus loyalty; and conflict of interest (referred to in Chapter 6). The HODs, school principals and bursars recounted more experiences with this approach than the BOG members and parents.

Many of the participants showed that they considered their obligations towards policy prior to making decisions:

At times when you are making your decisions you have to look over your shoulder, is it going to interfere with the policies? [Principal, PRC]

PRC shows that taking precautions to ensure that they adhered to policy was another important consideration for this leader's ethical decision-making. This showed that PRC had awareness about their obligations to policy.

Most of the participants considered the effects of their decisions on the school and its stakeholders, particularly the students' interests:

I check the far-reaching effects of whatever we are doing at present because the decisions we make involve learners, parents and other Kenyans and so if something is done here which will affect the future you have not achieved anything. [Principal, PRB]

As [a] manager you start weighing ... I had to look at avenues available, which measures can I take to assist this teacher so that he does not lose his job and my students do not miss out? At the same time my teachers are also watching what am I doing to this teacher. [Principal, PRA]

Both PRB and PRA explained that weighing the effects of their decisions on others was an important consideration because their goal was to arrive at decisions that were fair and had a positive outcome for all.

Many of the participants showed how that they exercised caution when adhering to policy because of its wider repercussions for the school:

The principal informed me that an administrator has to take time to act. He explained that had he acted immediately, the students would have suffered because of the current teacher shortage in the humanities department. He opted to engage another person to take over the class. [HOD, HDB2]

In this case HDB2 reported how the principal identified a more neutral approach for managing the tension. By refraining from adhering to the Teachers Service Commission (TSC) Code of Regulations (COR), and being tolerant of the errant staff member, the leader weighed between the students interest and the effects of adhering to the policy in view of the impending staff shortage. Consideration of the good for many was the driving factor in making this decision.

Similarly HDD2 and PRC indicated that:

In some cases when you are making a decision you will know that if you take a certain path there is a likelihood of a certain outcome, so from that you can know which path is better. You have to be aware that in some cases things will always be bad whatever the decision you take, but you have to look at the one that is going to have less severe effects and mitigate the loss that can arise. [HOD, HDD2]

At times when you are making your decisions you have to look over your shoulders, is it going to sort of interfere with the policies, the parent, the board, community, you have to think of the staff. [Principal, PRC]

Both participants in this case demonstrated that they made consideration of the effects of their decisions on policy, the victim, the community and other stakeholders likely to be affected by their decisions. They acknowledged that this reflection helped them to identify the best outcome, or, as HDD2 indicated, to minimize harm when all the options available would create harm in some form.

Many of the participants showed that they considered how their actions or decisions would affect them personally, in terms of gains and losses. This illustrated a tension between the dominant communal culture and a western ideal that promoted thoughts about an individual's needs:

When the systems do not support me it is very difficult for me to have the courage of doing the right thing. I have to choose between my job and expressing the decisions openly. My burning desire to initiate change dies within my heart because I dread the consequences. I mean, when you see something wrong happening and you know that when you report this you will be in more trouble. I would rather remain quiet and take care of my job. [Bursar, BRE]

I tend to be guided by the question, "to what extent would I suffer? [HOD, HDE2]

In both cases, BRE and HDE2 took a consequentialist approach, but preferred self-interest to bringing about the greatest good. The effects of their decisions on others, or on the organization, were not a priority. They show that they were driven by self-interest, and thus protecting their job and happiness was a priority. However BRE's approach was dictated by the situation or context. His response is driven by a desire for self-preservation he was aware of the limited support he was likely to get if he adhered to the right course. His response suggested that he would act otherwise if the situation or circumstances were different.

7.3.2 Complying with laws and regulations.

Many of the participants showed that they complied with laws and regulations in resolving some of their dilemmas, particularly where impartiality was considered the best option for dealing with conflicting encounters. They did not, however, use them when they thought that they did not augur well with what they believed to be good decisions. The participants drew from the law, school and national education policies and the COR. The school principals, BOGs and Bursars cited more instances with this approach while parents did not have any examples to confirm that this approach was used by leaders. The participant's accounts demonstrated adherence to the following:

Some participants' accounts showed that they drew from the Employment Act and the Public Officers Ethics Act to carry out the recruitment of staff:

We advertised for the post of an accountant in the school and only two people applied for the job, one of them was my son. The other candidate beat my son by far and I bowed down because we were after quality work. My son is still looking for a job. This sort of decision needs someone who is mature, knows the nature of the work

and what it entails. You need to have an understanding of the qualities needed for the school. [BOG, BGC]

BGC illustrates how the law or policy on recruitment of school workers ensured his impartiality and allowed him to manage his dilemma. This allowed him to ensure fairness for all candidates in the recruitment.

In another case, PRE shows how the law and policy on teachers saved the day in handling a conflict with the community:

The villagers came to the school and they wanted to physically remove the teacher from the school because the government had refused to remove him... The deputy called me and I told her to tell them that that was not the procedure. [Principal, PRE]

PRE drew from the Teachers Service Commission (TSC) Act governing the conduct of schools as a justification for retaining the teacher in the school and to challenge the community's demands.

Similarly BGC illustrated this in the following case:

We made a recommendation to interdict him based on rules governing teachers conduct as per the TSC code on desertion of duty, which states among others that if a teacher is away from his station for more than 8 consecutive days without ...[alerting] the school authority he is to be interdicted. [BOG, BGC]

BGC illustrates how as a board they drew from the disciplinary procedure outlined by the COR to manage their dilemma involving a teacher who had been absent from school.

Some participants also drew from school policy to handle their dilemmas. These policies differed from one school to another but served to deal with student related challenges within school:

We decided to let her miss the whole of the trial exam - the mock but we will allow her to come back to revise the same exam paper. When she comes back she must be accompanied by her parents. This is a punishment - it is painful to be denied a chance to do the exam because she has prepared for it and paid for. It is a deterrent to others too. [Principal, PRA]

This Principal chose to interpret the school policy to identify the best action in a circumstance where a bright student was caught with a mobile phone, an act that was contrary to the school policy, and was punishable by expulsion. The leader chose to adhere to the school policy for fairness and to deter other students from engaging in the same behaviour but at the same time punish the student's wrongdoing.

Some of the participants drew from the Children Act to manage their dilemmas. For instance, PRD used the Act to justify his action against teachers who denied students their rights:

The principle we use here is... education is the right of a child. So the child has a right over this, to pick his choice because it is not the grade that will determine what these children are going to become. At the same time we look at the principle of denying a child a subject, which means that you are dictating his choice in life. [Principal, PRD]

Here PRD recognized that every student had a right to education and to make subject choices without inhibition as indicated in the Act. The leader champions the right of the child and uses the Act to resolve his challenge with teachers who threatened to deny students their right of choice for subjects.

Many of the participants made reference to the COR to justify their decisions and actions in relation to teachers' conduct and practice. The school bursars did not make reference to this code because it did not directly involve them. The following statements illustrate this:

I quietly dropped a teacher from the GC department using the code...in the counselling department you have to take care about what you say and how you carry yourself because the clients will only come to you if they see some characteristics in you, and this teacher apparently had none of those characteristics. But the teacher had been in that department for some time. I had observed and seen from his talk and character ...I also realised that a lot of information in counselling would leak out through the same source. [HOD, HDD2]

HDD2 illustrated that he drew from the code to dismiss one the members of the counselling team. This code defined the characteristics and practice of teacher professionals and thus provided a justifiable reason for his dismissal.

All the responses in this section indicated leaders' valuing of compliance with standards of professional conduct and integrity identified by the code of regulations. The participants' references to these regulations demonstrated their reliance on a western perspective for ethics which relies on clearly defined modes of practice exemplified in policy, law, and professional codes.

7.4 Consideration of the particular situation or context

Many of the participants, especially school principals, HODs; parents showed that the situation or context of the dilemma determined the approach taken to resolve their ethical dilemmas. The situation or context refers to an event, its magnitude, who and what is involved, and where it occurs. In responding to different contexts, participants showed that they were open to multiple approaches. This is because the context of the matter directed them to the most appropriate action at the time. In this case the school leader's responses were not predictable as was evident from bursar, BRC's statement below:

There are workers who come late but it all depends on how one handles oneself. That is what matters. [Bursar BRC]

This participant relied on the worker's response to determine the best approach for handling the matter. This is similarly shown in HDE2's response:

I have different values at different times. So ... I have nothing fixed it is fluid, it would occupy the shape of the object that [it] has been put in. [HOD, HDE2].

HDE2 showed flexibility in his approach in handling dilemmas indicating that his responses depended on the situation. Taking on another perspective, participant HDD2 states:

As I make my decision first, I need to know who my school principal is so that when it fails or backfires I need somebody to stand with me. I have to know what the head of the institution wants as this affects the way I make a decision, this way I will know that if I make this decision it will be in line with what he wants. If I had another leader I would have another approach. [HOD, HDD2]

HDD2 argued that knowledge of the situation including the values of the school principal with whom he worked was important for determining his approach and decision-making. This means that this leader's actions conformed to the values and beliefs of the school principal; if the school principal's values changed, his would too. This response seemed to be bent on serving a superior leader's interest more than doing what they personally believed to be good or right.

For some participants, the circumstances surrounding an act determined their decisions, for PRE, a school principal stated "it depends on the gravity of the matter"

BGA continued to show this:

Decisions made depend on the situation. For example when a worker dies we may consider a member of the family, daughter or son to employ because... it depends on the situation. You bend it for the benefit of the school. [BOG, BGA]

In this case, BOG shows that leaders found it necessary to ease their ethical tensions by bending the rules to meet the desired effect and address a given situation. This occurred where laws, policies and other rules were found to be too rigid to attend to care, a cultural and ethical expectation. This showed that some situations did not call for the rigid application of rules because they would elicit acts that can be deemed unethical or immoral. This shows that ethical acts such as care were inhibited by rules or laws. If the participants adhered to the rules, the family member would not have been absorbed in the workforce. By bending the rule, tension created by its presence was eased and the dilemma resolved. Providing care is a cultural expectation and this can only be applied in the workplace where rules or a law inhibiting this are absent. The employment of a family member in the workplace was understood in this context to be a way of expressing care for a family following the death of their bread winner. The family's situation, the circumstances of death and its effects on the family form the basis for making such a decision. This was to be beneficial to the school and the immediate family but interpreted as illegal according to western rules.

Some participants' responses also showed that the financial circumstances of the school influenced their approach to resolving tensions caused by limited funds:

We give tender to someone because he will help the school during financial difficulties, it should be someone who can wait for long before he is paid because the government takes too long to remit funds to the school, it also takes time before the parents can pay the fees so we need people who are patient with the school; people who will understand that the school has challenges and cannot sue it. [Bursar, BRB]

BRB illustrated how the school's financial position dictated the approach they used for tendering, even though the participants were well aware of the legal requirement to provide open tenders. They were pushed to this approach by the delay in funding school programmes. The leader used this approach in order to sustain the school programmes and activities.

All the examples in this section show that school leaders also subscribe to a flexible, pluralistic approach for managing ethical dilemmas, an approach that draws parallels with those advanced by postmodern theorists.

7.5 Following personal values

Most of the participants show that they draw from their own values and beliefs when making ethical decisions. These include their principled beliefs exemplified in their attitudes and approach to ethical decision-making. These appear to be derived from several sources including their cultural beliefs, upbringing and experiences.

7.5.1 Care.

Care was one of the most common values illustrated in the entire data set, and influenced all participants' decision-making in this study. It was identified as a humane concern for others and for maintaining and promoting good relationships, the worth and good of others. Care was both a personal value and a communal value or cultural obligation for all members of the community. It was also evidently a professional value and requirement for ensuring that the interests of students, the support staff and staff members was taken care of by school leaders. It was presented as the value that was most subject to tension due to the demand for justice, and to some extent with other significant interests (See Chapter 6). Leaders used care to minimize harm on the individual, the school or community:

When the board sat, they resolved not to expel the students because they were also parents and they empathised with them. We sent the

students back home and resolved to convince the rest of the school to allow the girls back because the students had resolved to 'burn them' up if they were allowed back in school because they did not like their behaviour. [Principal, PRA]

The board made a decision to keep him because his performance in school was good; they decided to give him time even though the rule requires that he should be interdicted. But because we are also considerate, we chose to explore if we can rehabilitate him. We did not want to act harshly; we want to be forgiving. You have to become human... so you will want to know what is happening in the family to solve the problem. [Bursar, BRA]

The two leaders, PRA and BOA demonstrated care when they took caution against taking drastic action against the student culprits and instead opted to pardon them and to plead with the rest of the school to accept them. In the latter case, BOA's decision shows that leaders were considerate, forgiving and willing to go to great lengths to rehabilitate a teacher with an alcohol problem instead of interdicting him because of the likely negative effects on his family. The two illustrate that an adherence to the rules can lead to more harm.

In another example, BGB explains how he perceives the people he interacts with:

When I am dealing with people, I deal with them as people. We do not want to harm them because some of them have families...For school workers we go an extra mile with them, and somehow the two or three cases I have handled have been successful, I have managed to talk, convinced them and we ended up being friends. You know the subordinate staff cannot be transferred and when we give them termination letters you have to consider that they are fathers and mothers and so you want to take action when it is very clear that they cannot reform... I believe in the power of persuasion. [Board Member, BGB]

BOB illustrates how he used a humane approach to deal with errant workers. He gave the staff a hearing and also drew their attention to some of the negative acts they engage in as well as its repercussions. He gave them a second chance before a more serious and final step would have been taken; being friendly, also demonstrated a caring attitude. These accounts demonstrate that school leaders preferred a more humane approach in confronting their dilemmas. They demonstrated care by exploring conflicting values, reflecting on each situation, and showing understanding, considering peoples' welfare, being friendly, and using non-

confrontational approaches. Through this the leaders were able to develop and maintain working relationships and adhere to their cultural expectations. Care was also exemplified in their desire to discuss the issues at hand, in the use of persuasion, forgiveness and friendship.

7.5.2 A mix of values.

Many participants identified several important values and beliefs that they drew from in managing their dilemmas and to direct their ethical leadership task. Some drew from both African and western oriented values:

I believe I have an obligation to deal with negligence, lateness, and laziness amongst workers. Naturally I believe in four things and these have helped me. I believe in accountability - things must be done in the right way; secondly openness - I want the school workers to tell me everything and put everything on the table so that we can help. Thirdly, I believe in honesty, in fact the workers believe I am very strict with my rules. People should do things from their heart. Fourthly, respect. I believe in respecting people and institutions and I know that getting this from others is not very easy. This has helped me so much in dealing with my colleagues, staff and non-teaching staff.
[Bursar, BRC]

BRC's preference for western derived workplace values influenced his decision-making. However these were more likely to come into conflict with the Afrocentric cultural values that the support staff who he directly supervised espoused because they came from the community (this was evident in some of the dilemmas this participant identified see also 6.2.1).

In another account HDD2 showed his preference for a values approach and indicated that some of the values enhance good relationships and make the resolution of conflicts and work easier:

You see if you are dishonest people cannot trust you, you cannot be friends with them because they will be cheating you all the time. So you must be honest and competent. If you are going to tell people to go and do something and you cannot do it, it becomes a challenge so you must start by leading from the front. [HOD, HDD2]

Both BRC and HDD2 identified the values and beliefs that influenced their approach to issues. They also identified the attitudes that influenced their relationships, and how they dealt with the tensions they encountered. The values they cherished defined

their expectations in dealing with others, for instance, for HDD2 the fundamental principles and values that influenced him to direct the ethical conduct of his followers were honesty, trust and friendliness.

Conversely some of the participants indicated that reliance on values for resolution of ethical dilemmas was subjective and limiting:

Yeah I would draw on them, but there is an extent to which you can draw on your values because they are ill defined and so if it is on my values or someone else's values - there is no standard value as it would be difficult because they are not harmonious across the board and so people would just want to do things the way they want. [HOD, HDE2]

HDE2 indicated his preference for generalised principles because they were consensually agreed upon. The participant believed that reliance on one's own values created conflicts and were not suitable for managing ethical problems.

7.5.3 Drawing on experience.

Many participants drew from their experience to make ethical decisions. This included past occurrences or encounters, and the approach they used previously to manage their dilemmas:

When I am dealing with people, experience is very important because after you have gone through something, there are things you have learnt. This case added to my knowledge, I can be able to recall how I solved it. You will not be 100% up to it, but you will see the loopholes ... We were talking about experience. It helps you because sometimes when you handle an issue the steps you have taken can backfire and you learn from that. [Principal, PRB]

For some decisions such as those regarding vote heads and expenditure, I draw from experience that is what worked last year and this is often applicable... experience directs you to the challenges and consequences of the decision. [Bursar, BRC]

Both PRB and BRC show that reliance on what worked previously formed the basis for handling some of their conflicts. They indicate that experience enabled them to identify the consequences of an approach. They also relied upon experience as a learning experience for similar situations. By drawing on experience the leaders drew from several approaches such as care, the African communal approach, context or

situation, and reference to regulations as well as from the experiences of their own colleagues.

7.6 Conclusion

The Afrocentric approach is the central approach secondary school leaders in this study have been using for managing their ethical dilemmas. The leaders indicated that they also draw on other approaches. There seems to be a strong preference for selecting different approaches in different situations because a consideration of the situation or context was very important. In view of this the leaders draw from both a Western and African approach in managing their dilemmas. People also appear to value experience, whether it is their own or the experience of elders or colleagues. Leaders also have to look after their own interests and protect themselves in difficult situations. Identifying the right action and ethical decision-making are complex processes characterised by conflicting demands either from culture, situation, leaders' experience or personal values. In every situation there appears to be an imbalance and the school leader's task is to assess all aspects to arrive at the best course of action possible, while taking care to minimise the negative effects on those concerned.

CHAPTER 8

DISCUSSION OF THE ETHICAL ISSUES AND CHALLENGES OF SCHOOL LEADERS

*Tuk Goyo odumbu mit ni nyithindo to joka ogwal to en kuyo – Luo
proverb*

Introduction

The above Luo proverb closely links to the theme of this chapter. It translates as, “while children enjoy throwing stones in the water, it makes frogs unhappy”. This means that as children engage in innocent play they are unaware of the harm it does to the frogs living in the water. I liken this to the systems and practices that secondary school leaders in Kenya have acquired to manage education practice, which although articulated as good practice have also contributed to some of the myriad ethical challenges that they encounter in their work. In this chapter I discuss salient themes emerging from the previous three chapters in relation to the reviewed literature and questions that guided the research:

- i) What key ethical issues do school principals and BOGs, HODs, school bursars, and key stakeholders identify?
- ii) On what do school principals, BOGs, and school, bursars in Kenya base their decisions?
- iii) What challenges do they face in making ethical decisions?
- iv) How can we improve ethical governance in public secondary schools in Kenya? That is, what are the implications for improving practice and policy?
- v) What does the study tell us about ethical issues and decision-making in African contexts?

The first three questions were addressed in the three previous chapters. They represent the participants’ perceptions and experiences with policy, culture, and economic and contextual factors. These meanings were obtained using a social

constructivist and interpretivist framework for analysis while drawing from both Afrocentric and Eurocentric perspectives. This is because the research context is located in a postcolonial state, which engages with both perspectives. I will now use the same theoretical lens to identify and discuss cross-cutting themes that are apparent across all three findings chapters while linking them with the literature. Figure 8.1 (see p. 201) provides a summary of the two salient cross-cutting themes that emerged from this study and which will be discussed. They show that school leaders in Kenya encounter ethical difficulties in (i) dealing with the realities of the context, and ii) meeting the conflicting demands for ethical conduct. As the figure illustrates, the two factors interact to influence ethical conduct of school leaders as well as the challenges identified in the findings section (see Chapters 5 and 6). This is because the social realities in the context influence the demands of ethical conduct and vice versa. Both themes identify the issues and challenges that secondary school leaders face as they navigate the realities of their everyday lives as school leaders.

As shown in Figure 8.1 this study indicates that contextual challenges make the work of secondary school leaders in Kenya ethically problematic. These overwhelming ethical challenges are associated with the realities of the social-cultural and economic context in which they work. These include confrontations with health issues, challenges associated with poverty, family and social breakdown, and violence. The leaders often have to make quick and life-changing decisions with very little and sometimes no guidance. As Figure 8.1 illustrates, they draw from community values and expectations to attend to these issues but the community demands are also a source of challenge because they conflict with the official expectations for dealing with these challenges. This theme shows that it is important to take contextual issues into account when defining expectations for ethical and moral conduct for school leaders because these realities or experiences influence what the community and school leaders defines as good conduct.

Secondly, leaders demonstrate that their ethical issues and challenges also emanate from the conflicting demands for ethical conduct placed upon them. Figure 8.1 illustrates that these demands are drawn from their own personal values and beliefs about moral and ethical conduct, the communal Afrocentric ethical expectations drawn from their culture. They include the administrative systems, policy regulations

including the professional demands that form the defined ethical systems drawn from Western perspectives adopted into the workplace. These demands circulate and conflict with each other and contribute to the ethical dilemmas and challenges the school leaders face. This theme makes it reasonable to conclude that ethical conduct can be understood in a variety of ways and an insistence on a single approach as is evident from the reliance on a codified approach results in more ethical challenges for secondary school leaders in Kenya. The theme illustrates that leaders struggle to conform to professional requirements in order to arrive at the best decisions when confronted with ethical dilemmas. This is in part because the expectation for ethical conduct is highly regulated through policies, rules, laws, and codes which represent a codified and principled approach, which according to the literature (see Chapter 3) is associated with approaches of the modernist era. These approaches were premised on two major ethical theories: deontology and utilitarianism.

8.1 Dealing with realities of contextual factors

This study indicates that contextual challenges largely make the work of secondary school leaders in Kenya ethically problematic. This situation is associated with the influence of five factors. These are dealing with the challenges associated with i) poverty; ii) the effects of the HIV/Aids pandemic; iii) low financial resource bases iv) staff shortages; v) political issues; and vii) flawed policy.

8.1.1 Poverty.

Secondary school leaders are finding it ethically challenging to meet the needs of the growing population of students living in poverty in their schools. Most of the participants reported that the number of orphans was increasing (see 5.1.2). They report that it was particularly difficult to provide care for needy students who were left out of the government bursary scheme or whose sponsors pulled out without warning. This was because they lacked the financial resources. They found it more difficult because they were aware that these students did not have anyone to turn to. This finding was consistent with Kamper's (2008) study which showed that school leaders in South Africa reported on children's increasing lack of resources, their emotional deprivation and that most children lived with caregivers due to poverty. Kamper, like most of the participants in this study, explained that the leaders chose

to provide for the needy out of care and commitment and respect for their human dignity.

8.1.2 The effects of the HIV/AIDS pandemic.

The school leaders find it ethically problematic to handle HIV/AIDS related challenges, which affect both students and school staff. This was demonstrated in the participants' descriptions which show how difficult it was for them to adhere to their professional obligations of care. In particular some of them found it hard to accept that some of their orphaned students headed households, and that others took care of sick parents. They revealed that some students had to be absent from school to work because they were the breadwinners of their families. Some participants even reported dealing with cases of child abuse by guardians who took care of orphans. This find resonated with Bennell, Hyde and Swainson's (2002) study of the impact of HIV/Aids on orphans in Malawi, Uganda and Botswana which similarly revealed that orphaned children were having challenges with education due to a number of issues including: increased absenteeism; non-payment of school fees and school materials; lack of basic necessities such as food and clothing; and physical and sexual abuse from their caregivers. This situation created a serious challenge for the school leaders because they had limited options for dealing with such issues in an ethical manner.

This study has also revealed that the secondary school leaders in Kenya have been finding it ethically problematic to manage students, and school staff infected with HIV/Aids. For instance most of the participants' accounts showed that it was challenging to continue to provide care and support for the ailing teachers when they could not attend to their duty as stipulated (See 5.1.1). Leaders thus encountered a dilemma of care versus justice where they had to strive to make a decision to balance the need for care and professional obligations to the students. This is because a teacher's absence from class and school would mean that the school could not meet its goals and the interests of the students. This finding corroborated with the findings of a number of studies in the literature (Bennell et al, 2002; Mfusi & Steyn, 2012) which explored the effects of the HIV/AIDS pandemic on education.

Figure 8.1. *Summary of two cross-cutting themes: The issues and challenges of ethical decision-making.*

Mfusi and Steyn's study, like this one, revealed that school principals encountered difficulties arising from managing educators with HIV/AIDS, including confusions in managing the problem – absenteeism, which affected curriculum delivery and disrupted learning. They also found that teachers were unable to provide quality learning environments for students and thus educators were forced to overload other staff with teaching responsibilities because they had no substitute teachers. My study goes beyond this to show that managing HIV/AIDS infected staff creates ethical tensions and dilemmas as the leaders battle to provide care for the teachers while seeking to ensure that they fulfil their obligation under the policies and laws. It was evident that they were forced to compromise the policies and laws to protect the teachers at the expense of the school.

8.1.3 Low financial resource base.

The study shows that the insufficiency of funds creates ethically problematic situations for school leaders who have to strive to manage the schools. Most of the participants revealed that their schools were in deficit, a condition that was attributed to delays in the disbursement of government grants. Some participants also attributed it to a debt accrued in schools following the government's withdrawal of financial support to schools in the 1980s without notice. Most of the participants showed that because of this, they were unable to service their debts and were also finding it difficult to uphold the requirements of the procurement law. The leaders explained that since they were forever in debt they were forced to rely on traders for credit to support the school activities. This finding corroborated with Chabari's (2010) study which revealed that school leaders in Kenya were working on constrained budgets and chose to rely on credit, or left certain tasks or programmes unattended as a coping mechanism. My study goes beyond highlighting the insufficiency of funds and illustrates that secondary school leaders have a much bigger challenge in managing the debt problem, because this situation has forced them to engage in flawed practices. This means that contextual circumstance rendered adherence to provisions of the law and policy, and thus ethical conduct, untenable.

8.1.4 Staff shortages.

Secondary school leaders in Kenya are forced to disregard the requirements of policies, the Code of Regulations (COR) and the law to contain the effects of staff shortages in schools. The participants' accounts illustrated that some leaders had to be tolerant of errant staff to curb the effects of teacher shortage on the school. Others went as far as denying the support staff their legal right for annual leave, and denying teachers their transfer requests to other stations as required by policy, due to the fear that they would not be replaced and the school would suffer. Some participants revealed that the leaders knowingly engaged the available staff for longer hours or gave them extra duties beyond the requirements of the staff norms. The Review of the Education Sector by the Taskforce for Re-alignment of the Education Sector to the New Constitution (MOE, 2012) confirmed that teacher shortage and distribution were major challenges that many schools were experiencing. My study goes beyond this to show that teacher shortage was an ethical issue in schools because it prevented the school leaders from adhering to their professional obligations as leaders because they were forced by these circumstances to compromise the standards of education provision in their schools.

8.1.5 The influence of political issues.

The demands of politicians create ethical challenges for school leaders. This is because as many of the participants revealed, some politicians defied ministerial policies and directives and even laws when handling school matters. Some indicated that some of the politicians were biased when allocating devolved funds to schools because they chose to provide funds such as bursary funds and school development funds to their political cronies. This meant that many students who deserved bursary support were denied the fund and this created more challenges for school leaders. Likewise schools that needed development funds were left out or funds withdrawn if they disagreed with the politicians. This is confirmed by studies in the literature (Amutabi, 2003; Harber & Davies, 1998; Schultz, 2011). Amutabi's review of education policy making in Kenya acknowledged that the influence of politics upon education policy and practice was prominent and had overshadowed the influence of professionals and policy makers in charting the direction of education practice at a higher level. Harber and Davies study of school leaders in Africa confirmed that politicians and dignitaries made the work of school leaders difficult because they placed demands on them. Schultz confirmed that political interference steered leaders

away from ethical actions. My study goes beyond acknowledging this fact and shows that political interference has implications for the ethical conduct of education within schools and impacts on achieving education goals as well.

The study also shows that school leaders in Kenya encounter ethical problems because they have to manage the effects of political unrest, and ethnic strife within their schools. From the participants' points of view, the challenges included reconciling staff and students divided by ethnic strife and their political stance. They show that leaders found it equally challenging to reconcile themselves to the fact that some of their own students had participated in tribal wars during the post-election violence in 2007, which resulted in the loss of life. This revelation was consistent with the Women Educational Researchers of Kenya (WERK) study undertaken in collaboration with Vision and Empowerment Trust (VET) 2008. Their study showed that the post-election violence in Kenya in 2007 led to increased psychological trauma, ethnic labelling, propensity to truancy and hooliganism, orphaned students, and poverty. They indicated that the school leaders found it challenging because they did not know how to tackle the challenges associated with political conflicts and unrest. My findings go further than this to expose the ethical dilemmas and moral distress that the school leaders have to endure due to political disturbances and which also challenge their professional obligations.

8.1.6 Flawed policies.

It is evident from the study that secondary school leaders in Kenya encounter ethical problems because they rely on flawed policy. This is evident from most of the participants' accounts which showed that the demands of many of the policies, codes of regulation and law were impractical because they did not relate to their experiences in the context. They revealed that the codes or laws failed to take into account their cultural-based ethical expectations, beliefs and values as well as the realities of the context. Some leaders even claimed that some of the policies were inapplicable because they were underlain by values that did not align with their Afrocentric values. In view of all this, they found it hard to conform to these requirements of ethical practice. This finding was supported by studies in the literature (Dimmock & Walker, 2005; Walker & Dimmock, 2000; Walker, 2007), which have reported that contextual factors play an important role in influencing and

determining the effectiveness of policy and the work of school leaders. This is also confirmed by the views of renowned scholars such as Noddings (1984) and Blum (1989) who emphasised the importance of paying attention to the particularities of a context, because the practice of ethics was dependent on the particularities of a context.

School leaders in Kenya encountered challenges because some of the policies they were relying on failed to address their challenges. Some participants indicated that some policies do not offer the best action that they would deem ethical. For example one leader shows how reliance on the COR and law is likely to lead to more problems when dealing with conflict between support staff (see 7.2.1) or for resolving teachers' personal and discipline issues (see 6.1.3). This demonstrates tension between the need to care for the staff member and to conform to the expectations of duty ethics. This finding conforms to Noddings, (1994) and Blum (1988) who contend that care and relationships also constitute moral actions and cannot be ignored through reliance on rules. The study shows that school leaders in Kenya also encounter ethical issues because they work without clearly defined roles. Some of the participants especially school principals and bursars as well of Heads of Department (HODs) and BOGs encountered conflict because their roles were not clearly defined. For instance the bursars complained that school principals encroached on their function and this made it difficult for them as finance officers to ensure that the management of school finances was undertaken according to the law. This occurred because they had limited control over their jurisdiction. This is consistent with the findings of several studies in the literature (Kiboiy, 1998; Mobegi, Ondigi & Simatwa, 2012), which revealed that the school principals lacked knowledge in finance but still doubled up as administrative and financial officials in schools. This signified a lack of control systems in these schools. Kiboiy revealed that even though the school bursars had the knowledge of finance, the regulations did not allow them to take charge of finances and they instead remained subordinate to the school principals on financial matters.

In this section the study has demonstrated that the school leaders' ethical challenges are multiple and emanate from their experiences and interaction with the context. Secondary school leaders in Kenya are finding it ethically challenging to meet the

needs of the growing population of students living in poverty. They also find it ethically challenging to handle HIV/AIDS related issues, which affect both students and school staff. The insufficient funds across all the schools create ethically problematic situations for school leaders who have to strive to manage the schools amid few resources. The school leaders are forced to disregard the requirements of policies, the COR and the law to contain the effects of staff shortages in schools. The demands of politicians also create ethical challenges for school leaders. The school leaders' ethical challenges largely emanate from dealing with the contextual challenges.

8.2 Conflicting demands for ethical leadership

The study shows that even though most of the school leaders are committed to a moral course, they encounter issues and challenges in their endeavour to ensure ethical practice. The challenges evident from their experiences reported in Chapters 5 and 6 reveal that they encounter numerous tensions or value conflicts. In resolving these challenges they draw on several ethical paradigms, namely: a) a personal value-based ethic, b) a principled professional ethic within a bureaucratic system defined from a Western perspective; and (c) the requirements of culture or Afrocentric values. This was consistent with the literature (Cranston et al., 2006; Greenfield, 2004; Hester, 2003; House et al., 2004; McNamara & O'Hara, 2009). Cranston et al.'s study indicated that school principals drew from their own personal values among others including school values and professional values in mitigating their dilemmas. However, the underlying principle the leaders used was the professional ethic underpinned by care. The leaders were also drawing from their past experiences and those of their colleagues to determine their ethical action in a given situation. However, to a large extent this study differs from the studies mentioned above because the school leaders in this study were also drawing from Afrocentric communal values.

The school leaders found it very hard to identify the best course of action when they encountered tensions due to competing ethical perspectives. This was evident from some of the participants' responses to ethical dilemmas. In one encounter a participant illustrated their challenges in making decisions about teachers suffering from HIV/AIDS. This was because they had a choice of adhering to the expectations

of the Teachers Service Commission (TSC) COR which required that sick teachers be disengaged or retired if absent for over three months. The school leaders' discomfort with this regulation was evident because of its negative repercussions on the teacher and their families. It also conflicted with their personal and cultural values which required that sick people should be cared for. This finding was consistent with some studies (Ruto, Chege & Wawire, 2009; Republic of Kenya, 2006) which showed that there were challenges in handling the effects of HIV/AIDS within schools. Ruto et al. confirmed that school principals encountered dilemmas in handling matters of teacher absenteeism. Unlike my study, this study found that the expectations of COR conflicted with the education sector's HIV/AIDS policy which encouraged the school leaders to freely make decisions that were humane. They also revealed that there was no policy provision for the care of students infected with HIV/AIDS which suggests a gap in the HIV/AIDS policy.

Furthermore other studies in the literature (Denig & Quinn, 2001; Duignan, 2006; Frick, 2009) corroborated the findings of this study. This is because they also revealed that it was difficult for leaders to identify the best course of action when they encountered several competing choices as it became very difficult for them to identify the best course of action. Frick's (2009) study showed that when a school principal encountered a dilemma they experienced internal wrangles within themselves especially when they were exposed to a clash between the personal and professional codes and policies during decision-making.

The school leaders also found it ethically challenging to adhere to ethical expectations when the imperatives they are exposed to made different demands upon them, especially when each imperative is underpinned by different value sets - western and African. This is prominent when considering the conflicts caused by the differences in perspectives between western professional care and duty in the workplace and Afrocentric ethical expectations.

The participants' illustrations showed that some of their ethical conflicts arose because the understanding and expectations for ethical practice in some situations differed. For example the demand for care and justice was understood differently within the COR and Afrocentric or communal care. Where an ethic of care was

required, leaders found themselves drawing from conflicting perspectives. For instance, one participant discussed their attempt to resolve a case involving a teacher's sexual misconduct with a student (see PRB 7.2.1). This leader had two options: one was to conform to the COR which required them to report this matter to the employer for disciplinary action as part of ensuring justice and protection for the student. The second option was to draw from an Afrocentric ethics to resolve this. (See 7.2). The leader chose the latter option and thus cautioned the student against their involvement and used much older staff members to caution the staff member.

The COR provides mechanisms for care for the student and punishment for the teacher. The Afrocentric approach seeks to provide care for both student and the teacher. The ethic of care in the African perspective is premised on the need for enhancing communal relationships and harmony. The perspective of COR could be interpreted to mean that emphasis is placed on care for the student alone but excludes the teacher who has to be separated from the student. In view of these differences, the school leaders encountered ethical tensions in this context. This is because from a western perspective some of the actions they understood to be ethical were misconstrued to be a conflict of interest, favouritism or disorder as defined within the COR, laws or policies. From an African perspective punishment must be meted on the culprit but harmony must also be maintained. These affirmed Eyal et al.'s (2011) study which although not premised on the different understanding of care given above, showed that school principals undertake multiple ethical considerations. Their study also revealed that contradictions and tensions occurred because the perspectives of ethics they drew from were premised on a different understanding. For instance the demand for fairness, community, care and community ethics placed different and often contradictory demands upon school principals. This was because the ethic of utilitarianism and fairness on which they depended had a different definition and understanding about common good. Likewise the ethic of community, profession and critique required of the leaders in Eyal et al.'s study was underpinned by a universal principle which assumed that one defined approach was right. This explains the underlying reason for the ethical challenges of the school leaders' reliance on ethical systems underlain by different meanings in this study.

Further, the western perspective of care evident from the western derived TSC code of regulations and ethics in this study is the professional ethic of care theorised and supported by evidence from the western literature (Gilligan, 1982; Held, 2003; Noddings, 1984). Here care was seen to be limitless but was understood and practiced within defined boundaries or rules because of the desire to maintain safe boundaries. Afrocentric care as understood and practiced by the school leaders in this context was similarly a limitless expectation, but differed from the Western perspective because it had no boundaries. This is because as the literature indicates (Gyekye, 2010; Mbiti, 1990; Nafukho, 2006; Nussbaum, 2003), care was the foundation of ethics and the basis for harmonious communal living.

This study has revealed that many of the secondary school leaders in Kenya encounter ethical issues and challenges because the codified approach is rigid and does not take cognisance of Afrocentric ethics in the workplace. This is because some of the expectations of duty defined by the policies, law and the COR were sometimes considered unrealistic and incompatible with the leaders' local knowledge and/or cultural beliefs held as ethical acts. For instance, a leader's desire to employ their relatives or to help their close associates secure a contract to tender for supplies in the school was culturally appropriate but considered unethical within the code, policies, and law (see PRA, 6.2.2). Yet for such a leader, demonstrating characteristics or virtues such as care, compassion, generosity, and hospitality was a duty as confirmed in the literature (Gyekye, 2010, Kigongo, 2002; Nussbaum, 2003) which emphasised that character ethics and virtues such as generosity and compassion that enhanced communal living were obligatory for all members. Africans must demonstrate their care for others because ethics is social within African contexts (Gyekye, 2011; Jegede, 2009; Kigongo, 2002).

Furthermore some participants found it difficult to implement some of the policies established such as the policy of re-entry of girls to school following pregnancy because it appears to conflict with their cultural beliefs and ethics. It was also challenging because in the wider context, the traditional African norms and perceptions, which abhor pregnancy before marriage are still prevalent within the community. This seemed to be challenging because there has been a breakdown in the African moral beliefs and practices and thus all of these factors created

conflicting situations for the school leaders. This corroborated with some studies in the literature (Hofstede's, 2000; House et al., 2004; Walker & Dimmock, 2000; Walker, 2007), which showed that culture had a great influence on leadership practice and workplace interactions. Walker and Dimmock's study of school principals in Hong Kong was particularly relevant as it revealed how school leaders encountered dilemmas due to a mix or clash of cultural values with structural, professional, personal and [relational] values. Walker added that clashes were related to the hybridity and the blurred cultural values the school principals had to work through. It also confirmed MacIntyre, (1991) and Walzer's (1990) contention that consensually derived definitions of good and moral acts were important for gauging ethical acts and needed to be recognised.

The school leaders encountered conflicts and challenges when the codified approach, which they were relying on did not take cognisance of other factors that have bearing on defining moral conduct. These include the context, situation, relationships and other particularities. One participant described the expectations of the COR as harsh because they failed to take cognisance of the context of each challenge and were not always effective. From the participants' descriptions, there was a general perception that codes were punitive (see BRC 7.2.1). This conformed to the arguments of postmodern ethicists (Bauman, 1993; Foucault, 1979; Noddings, 1984; Levinas, 1979; MacIntyre, 1981) who revealed that reliance on universal codified ethics was challenging because it did not take into account other important aspects of morality such as context, relationships and culture. This omission is likely to account for the numerous challenges the leaders encountered in this study.

Another significant finding is that school leaders in Kenya have been encountering ethical challenges because a codified approach or reliance on policies, laws and codes is insufficient and unreliable for identifying ethical decisions. Many of the participants alleged that it was challenging to adhere to professional ethics and the COR when they did not offer the best ethical outcome or failed to promote ethical conduct. One participant showed how it was difficult to rely on the code when faced with the challenge of dealing with an alcoholic staff member. The leader revealed that adhering to the COR was likely to lead to behaviour deemed to be an unethical because it did not provide care or go into finer details to understand the teacher's

situation or problem. The participant found that the COR did not offer the most appropriate way of dealing with the dilemma at hand. This conformed to some of the studies in the literature (Campbell, 2008, Gilman, 2005; Terhart, 1998), which revealed that adherence to a code does not always represent the best moral action. Terhart's (1998) study found that codes were not necessarily adapted to deal with the continued dynamic changes within educational contexts.

This was also consistent with the literature on an ethics of care (Held, 2005; Noddings, 1994; 2007), which emphasized that moral acts cannot be defined by rules alone. Held argued that context, culture, situations, emotions, interests and personal experiences were equally important in determining ethical action. Noddings contended that rules prevent one from doing good things to others because they encourage one to be detached.

The study showed that the school leaders' ethical conduct was not limited to the expectations of the COR, the policies or laws. This is because many of the participants indicated that they relied on other mechanisms to define their conduct. For instance, Figure 7.1 shows that secondary school leaders in this study draw from the following approaches: the African approach, personal values, and experience and they consider the situation or contexts to determine ethical action. This is consistent with Crib (2009) who argued that professional conduct cannot be limited to defined codes or rules. This is because professional roles and ethics keep shifting as professionals are continually shaped by changing policy and contexts. This supports the view that the context is an important determinant of professional conduct.

Building on the prominence of African cultural practices, this study shows that whereas Mungwini (2009) sees that modernity overrides the African values system, this study reveals otherwise, that school leaders draw from their African culture alongside the modern western cultural ways in the workplace. The African ways stand out distinctly from the western ways even though there are challenges resulting from the strong clash in values evident in the study. Whereas Mungwini dissuades us from considering a revival of the African cultural systems, this study shows that the African values are still predominant and need to be nurtured and given recognition

within policies. This is because as Africans they continually engage and interact within their environments where the values and norms are at play.

Furthermore, this finding is also inconsistent with previous studies (Bourke & O'Neill, 2008; Mckelvie & Poisson, 2011). Mckelvie and Poisson's international survey of teachers' codes in 25 countries including Kenya revealed that professional codes were sufficient in content and were capable of minimizing staff misconduct, and that ignorance was the only factor limiting their use. Bourke and O'Neill's study conducted in New Zealand found that when users of the code had knowledge and familiarity with codes, they were more confident and committed to use them for ethical decisions. Bourke and O'Neill's findings do not reveal the challenges encountered in drawing from codes as my study does. This is because the study was conducted in a western context and the participants shared common values because they came from the same cultural background. The conflicts identified by the participants in my study arose because they relied on a western derived regulatory professional code, policies and laws which did not resonate with the larger Afrocentric values and experiences in this context. This suggests that professional ethics and values work better in western contexts where codes are more aspirational than regulatory but would work better in non-western contexts if they were contextually derived or drawn from the experiences and values of the people.

This section has shown that school leaders in Kenya encounter the following challenges, which make it difficult for them to adhere to the demands for ethical conduct. First, the school leaders find it very hard to identify the best course of action when they encounter tensions due to competing ethical perspectives. Second, school leaders encounter conflicts due to the differences in perspectives between the western professional care and duty in the workplace and the Afrocentric ethical expectations.

Third, ethical challenges emerge because the codified approach is rigid and does not take cognisance of Afrocentric ethics in the workplace. Fourth, school leaders' conflicts and challenges come about because the codified approach they rely on does not take cognisance of other factors which have a bearing on defining moral conduct such as relationships, situation, culture, emotions, interests and personal experiences.

The challenges also emerge because reliance on policies, laws and codes is insufficient and unreliable for identifying ethical decisions. Lastly, the challenges emerge when both the expectations of the code and Afrocentric ethics or beliefs conflict with a leader's own personal beliefs about what is good.

Leaders encounter ethical issues and challenges linked to varied demands for ethical conduct. In view of this finding, it can be argued that the ethical approaches the leaders rely on may not be aligned to their understanding of ethical practice. This has led to ethical conflicts when their reliance on policy, laws and codes assume a universalist perspective and fail to take into account the influence of context and the realities of the school leaders on ethical practice. The lack of recognition of Afrocentric values and beliefs in the practice of ethics in secondary schools makes it challenging for school leaders to fully adhere to ethical practice. The study shows that the school leaders encounter ethical dilemmas in their attempts to adhere to the requirements for ethical leadership. The leaders illustrate how they engage in unethical acts consciously or unconsciously because this is sometimes the only option they have for managing their dilemmas.

8.3 Conclusion

This chapter has shown that there is a complex interaction between culture, policy, law and context on the ethical leadership role of secondary school leaders in Kenya. It identifies the issue and challenges the school leader's face in their endeavour to promote ethical conduct. Two main issues are evident from this discussion, first the social challenges that secondary school leaders encounter in their contexts are extreme as seen in the three findings chapters (see Chapters 5, 6 and 7) and as discussed here. The existing policies do not help the leaders deal with some of the contextual problems instead they cause more problems than solutions. Secondly, the school leaders encounter ethical problems because they face conflicting and inconsistent demands for ethical conduct. Leaders have to find creative solutions to the issues they are confronted with and make decisions that might be considered unethical but are at the same time made accountable for the exercise of their professional roles. These two main issues make ethical leadership as defined in the codes and laws untenable even though the nuances evident from their descriptions show that the leaders are not unethical. The leader's task is also shown to be very

complex because Afrocentric norms and values co-exist alongside the modernist norms linked to professional codes, laws and policies on which they have to rely for their work. It demonstrates the challenges of working within hybrid cultural contexts where leaders have to draw from numerous conflicting demands of their environment that are also constantly shifting. The complexity of the school leader's task in this context emanates from the fact that most of the challenges they deal with seem to be a replica of larger Kenyan societal problems. This indicates that the school leaders' ethical leadership problems can only be eased if the larger societal challenges such as poverty, HIV/AIDS pandemic are addressed.

It is obvious from this study that the wholesale adoption of Western management systems in the education sector in Kenya at independence and the lack of incorporation of the African cultural values and beliefs within these systems have led to ethical tensions within secondary schools which make the work of school leaders challenging.

CHAPTER 9

A FOUCAULDIAN ANALYSIS AND INTERPRETATION

‘Adiera onge ngama nyalo umo’ – Luo proverb

Introduction

The Luo proverb translated as ‘truth cannot be hidden’ fits well with the purpose of this chapter which explores the underlying factors that explain the issues and challenges the school leaders had identified as discussed in the previous chapter. The term ‘truth’ is used here not as a specific truth because the Luo language has no plural form for the word truth. This does not rule out the fact that there can be many truths because truth is also considered context bound; what is true in one community context can be contested in another.

In this chapter I use a Foucauldian lens, specifically Foucault’s conceptual tools of subjectivity, discourse, power/knowledge and governmentality as a framework to further interrogate and analyse secondary school leaders’ ethical issues and challenges identified in the findings (Chapter 5, 6, and 7). This is done to provide further insight into the challenges of ethical leadership in secondary schools in Kenya. This differs from the analysis in Chapter 8 which showed the individual meaning making of the participants. The Foucauldian analysis subjects the data to a different level of scrutiny that takes into account the conditions of its formation.

I have structured this chapter as follows: first, I begin with a brief reflection on my research journey, followed by an exploration of each of the Foucauldian tools: subjectivity, discourse, power/knowledge and governmentality. I then reflect on the discourses that possibly inform school leadership practice in Kenya. These show how regimes of discursive truth and relationships of power work to position leaders as unethical. Next I examine some of the techniques of governmentality that are likely to compound the ethical difficulties leaders face. Lastly, I conclude by considering how leaders currently resist the discursive positioning and regulation imposed by global organizations.

9.1 A reflection on my research journey

When I began this thesis, I was tempted to assume that secondary school leaders in Kenya were unethical and did not perform their tasks to the standards expected. I also thought that the Ministry of Education (MOE) was to blame for the myriad challenges in secondary schools because it had failed to enforce and supervise the implementation of policies, laws and even regulations that it instituted and was thus responsible for the chaotic scene in the education sub-sector. It was inconceivable that highly trained professionals could simply choose to turn a blind eye to the expectations of their calling and abdicate their caring role.

The reports of Transparency International (2010) furthered my conception about the weaknesses of ethical governance in the sector. In my view adherence to the stipulated rules was a sure answer to these challenges. It was alarming to listen to some of the tales given by the school leaders, particularly those illustrating their frustrated attempts to make things work for them. The descriptions about bright but very poor students and the school leader's attempts to get members of the staff to contribute financially to support students and the staff's wholehearted response portrayed them as leaders dedicated to the care of their students. A description of a leader's endless effort to rehabilitate a good teacher with a drinking problem further confirmed this. Their descriptions of the challenges of handling health related problems with students and teachers affected and infected with HIV/Aids depicted a caring and dedicated leadership keen to ensure resolution for all those involved. The leaders' descriptions of frustrations with political interference; and of their frustration and determination to handle the school debt problem when they knew there was no permanent solution made me change my earlier perceptions about the school leaders. In fact I could not believe that they could still manage to hold their head high as leaders because these revelations were unbearable in some instances.

My analysis of the leaders' situation changed when I delved deeper to understand the underlying factors that had given rise to these ethical challenges and it became evident that the school leaders' challenges were beyond their making. Some challenges were associated with a history of intervention from global institutions and colonisation and the contextual factors they encountered, while others were merely effects of the policies they had to implement. The leaders indicated that these

policies did not adequately address the challenges and at the same time did not support them in seeking good solutions.

I felt very uncomfortable with the situation the schools leaders seemed to have found themselves in, and am convinced that they are not aware of the undercurrents associated with these challenges. I thought that highlighting these factors from an interpretivist and social constructivist view was insufficient. My conclusion in Chapter eight was that the school leaders' challenges recounted in chapter eight arose because of the failure of policy makers to recognize that ethical decision making was undertaken through a social interaction between people and their meaning making through interaction with the context. This meant that the context had a great influence on the school leaders' ethical decision making than the code, laws and policies.

I sought to engage further with the methodological literature and found that postcolonial theory, critical theory and post-structuralism were appropriate options to use for further analysis of this data. I chose to submit my data to a Foucauldian analysis for the following reasons: Foucault's concepts of discourse, subjectivity and power move beyond the individual meaning making in social constructivist frameworks to consider the way language and text and power offer certain subject positions. His insights allow me to view the ethical leadership and ethical decision making as social constructs dependant on language, history, context and consensus.

I found Foucault's work useful and his ideas so compelling for the following reasons: first his discomfort with forces of domination and arguments about ways of resisting them was relevant to the argument of my study, that school leaders encounter numerous issue and challenges in trying to adhere to ethics. Secondly, Foucault's discussions problematize structures that have constructed who we are (Popkewitz & Fendler, 1999). By problematization, I mean the process which he engages with the questions of truth, and encouraged people to question them so they could transform their thinking and think about their self (Burchell, 1993). Third, Foucault urges us to go beyond stating that things are wrong and to explore the underlying assumptions that influence the way we think and act. The practices or norms that have been accepted by the school leaders and by the Kenyan State need further interrogation to

identify where the issues and challenges lie. A Foucauldian analysis disturbs the habits, the familiar practices and generally opens up the space to think broadly about the issues and challenges enumerated in Chapters 5, 6 and 7 of this study. Lastly, Foucault underscores the need to interrogate all truths and practices that are taken for granted (Kendall & Wickham, 1999). This is because truths are mere fictions (Foucault, 1994a). His perspectives gave me space to think differently about the school leaders' problematic situations. I was able to ask questions such as: What discourses and power relationships are involved? What is excluded? Who benefits? Who loses from all these actions?

I have therefore used Foucauldian tools to illuminate the underlying truths and discourses that define the identities of school leaders in this study, and to show how power manifests itself within the education setting and specifically in schools in Kenya. I have used them to engage with the truths about ethical conduct, ethical decision making and ethical leadership based on the evidence in this study in order to get a different and deeper understanding about the leaders' experiences and challenges illustrated in chapter five, six and seven. This exploration is intended to strengthen the argument of my research and makes the claim that the imposition and indiscriminate adaptation of Western education practices and values has led to numerous ethical issues and challenges for school leaders who are charged with the responsibility of their implementation.

9.2 A Foucauldian analysis

Foucault's ideas have been influential in education (Ball, 1994; Niesche, 2011; Olssen, 2003; Popekewitz & Brennan, 1998) in considering how people/subjects are framed in certain ways as educatable persons or as school leaders. I chose to draw on the Foucauldian tools of subject and subjectivity, discourse, power/knowledge and governmentality to explore and gather a deeper understanding of how the identity of ethical leaders could have been produced, and how the secondary school leaders' issues and challenges of ethical leadership have possibly emerged. These interconnected concepts provided a foundation for understanding how the school leaders in Kenya are governed or how in a Foucauldian sense their field of possible actions, or "the several ways of behaving, several reactions and diverse comportments" could have been structured (Foucault, 1982, p.221).

In view of the findings in the previous chapter, I will explore the context of governing secondary school leaders in Kenya based on the situations described by the school leaders. I will then use Foucauldian concepts to problematize and critique the work of school leaders in Kenya and by extension the State. The Foucauldian perspectives make it possible to identify the historical events and practices that have made the State and school leaders' roles the way they are or how they have become subjects (Danaher, Schirato, & Webb, 2000). This offers me an opportunity to get an in depth understanding of the challenges of ethical leadership in this study.

9.2.1 Subjectivity.

Foucault was opposed to the practice of “systematizing and universalizing political and scientific theory which turned people [subjects] into objects [things]” (Maddigan, 1992, p. 266). Foucault used the term “subject” to mean “being subject to someone else by control and dependence or tied to his own identity by conscience or self-knowledge” (Foucault, 1982, p. 212). Foucault explored the issue of subjectivity because “man was an invention” and thus a product of “discourse, institutions and relations” (Danaher et al., 2000, p. 123). By this he meant that human beings were not free or autonomous, but were formed in different institutional contexts as objects of knowledge. He contended that subjects were constructions, a product of social practices undertaken through power relations (Foucault, 1982). He believed that understanding people's constructions, for instance, as ethical leaders or professionalism could not just be undertaken by relying on their experiences alone. An exploration of the cultural ways and scientific truths underpinning these constructions as well as the mechanisms that constituted them was crucial (Oksala, 2007). In his studies Foucault thus explored the practices and techniques used for the production of truth and how eventually ‘a truth willing subject’ was constituted (Foucault, 1985). In other words Foucault wanted to know how subjects were perceived and enacted in particular ways.

Foucault (1982) argued that historically people have been made subjects through: (i) objectification or scientific inquiry ii) dividing practices; and iii) subjectification. Each of these had an influence or constitutive effect in either shaping new identities, actions or creating a new awareness (Oksala, 2007). In this sense the school leaders’

challenges in this study could be linked to the way they have been transformed as subjects and how this transformation limits the number of positions available for them to act as school leaders.

Foucault contended that human and social sciences also defined and shaped the way man is understood for a long time. In his books *The history of sexuality* and *Discipline and punishment*, Foucault illustrated how people's subjectivity was shaped through disciplinary power often through social institutions such as prisons and defined norms which made people to think in given ways. In *The history of madness*, Foucault also revealed that one's subjectivity can be shaped through divisions and labels such as illness and madness (Foucault, 1994a). Taking this view, school leaders in this study have been constructed as subjects in a developing, undeveloped or poor country (Mugambi, 2007). This separates them from Western leaders and possibly shapes the way they are perceived by others and how they think about themselves. Foucault further explained that people can also choose to be subjects when they take the initiative to have a "relation with oneself" by working through techniques of the self to transform or maintain their identity and to achieve identified goals (Foucault, 1994a, p. 88).

Foucault's concept and perspectives on the subject allows me to examine ethical leadership or conduct as performed by truth-willing or not so truth-willing subjects (i.e. school leaders) who are caught up in the truth claims of certain bodies of knowledge that are at odds with the truth claims of the cultural context in which they are performed. The tool provided me with the means of identifying how a school leader, who conforms to ethical codes, rules or policy, as well as one who conforms to global and neo liberal policies of development, is produced.

9.2.2 Discourse.

Foucault was also interested in how the social world was defined and particularly how these perceptions changed that way people understood themselves and reality. He argued that language more specifically discourses influenced people's perceptions about things. Foucault defined discourse as "a group of statements that provide a language for talking about – a way of representing knowledge about – a particular topic at a particular historical moment" (Hall, 2003, p. 72). Danaher, et al.

(2000) saw them as events that emerged at a particular point in time and were underpinned by assumptions which define what is true or false in a given social - cultural context. They were also considered “practices that systematically form the objects of which they speak” (Foucault, 1972, p. 49), meaning that discourse created the reality or truth that was spoken about objects. Discourse produced “knowledge, objects and subjects and practices of knowledge” (Hall, 2003, p. 74).

Foucault (1980c) contended that the construction of discourse was dependant on a set of rules which regulated what can be counted as truth at a particular time and place, and this determined who could speak, what could be said about it and how it was said. Foucault referred to the process and the mechanisms that select what is truth as ‘regimes of truth’ (p. 131). With this Foucault (1980) acknowledged that discourses exist everywhere. He stated:

Each society has its regime of truth, its “general politics” of truth: that is the type of discourse which it accepts and makes functions as true: mechanisms and instances which enable one to distinguish true and false statements, the means by which each is sanctioned; the techniques and procedures accorded value in the acquisition of truth. (p. 131).

This suggests that knowledge is socially constructed and its understanding is contingent on a given context and social processes. This means that an objective definition of truth and knowledge is likely to be problematic. Drawing on Foucault’s thinking therefore, the idea that ethical leadership, ethical conduct and professionalism will always be defined by Western codes is open to critique.

Hall (2003) added that regimes of truth influenced how people interact with and conduct themselves in the world but at the same time also ruled out other knowledge. On the same note Turkell (1990) argued that restrictions and controls on discourse render certain discourses, knowledge, and subsequently objects, insignificant. For example the Afrocentric ethics in this study is marginalised and other forms of ethics privileged. Turkell stated:

That which is marginalised is divided off from other objects of enquiry so that they can be rejected as either unreasonable or as having peculiar magical power... moreover that which is marginalised, divided off and rejected becomes excluded from determining the criteria of what is true and false. (p. 177)

Foucault (1972) explained that discourse imposed discursive practices upon people. These were replicated in texts and institutional practices such as policies and laws (Clegg, 1998). They were also “embodied in technical processes, in institutions, in patterns for general behaviour” and pedagogical forms which at once, impose and maintain them” (Foucault, 1980c, p. 200). Discourse thus produces standards, rules or mechanisms for defining truth and knowledge and regulates conduct at the same time (Foucault, 1991). Consequently discourses were assumed to be norms or desired conduct for subjects to aspire to and operated as instruments of power because they create reality and generate truth.

Kendall and Wickham (1999) contend that a “subjects’ actions take place in discourse, and subjects themselves are produced through discourse... subjects provide the bodies on and through which discourses may act” (p. 53). Kendall and Wickham add that discourse also assigns subjects to positions and thus “human action within discourse is always positional” (p. 53). Davis and Harre (1990) add that discourses have a constitutive force, which positions subjects to speak and act in various ways. Taking this view, ethical leaders and ethical subjects in Kenya have possibly been produced within discourses, which influence and guide their activities.

Foucault explained that one became a subject of discourse when they position themselves in a way that discourse made sense to them through a process known as subjectivation, in this case one took on the discourse and abided by its power; this means that discourse and power are connected (Kendall & Wickham, 1999). Discourses can thus produce docile bodies and in this way make subjects disciplined and governable. One’s subjectivity is thus established within discourses which they are familiar with and these influence and guide their activities. This could be taken to mean that school leaders’ ethical conduct is likely to be governed through discourses which they have been disciplined to or become familiar with.

In this study there is an indication that the World Bank definitions of ethical conduct, good education and good education management and their influence on development possibly influences the work of secondary school leaders in Kenya since, in a Foucauldian sense, they have been drawn from the truth claims of contributing discourses. It is likely that the discourses of ethics and good governance, EFA, and

neoliberalism identified in this study are drawn from a Western context and perspective. Foucault would argue that these define the truths, position the leaders in various ways, set the standards and regulate the conduct of secondary school leaders in this study.

Foucault's concept of discourse allows me to explore the underlying truths in the discourses identified in this study and how these contribute to an understanding of the ethical problems enumerated in chapter five and six.

9.2.3 Power and power/knowledge.

Foucault's exploration of how power and power/knowledge contributed to the production of subjects is also pertinent for understanding the ethical challenges identified in this study. Foucault clarified that his theory of power differed from the conceptions of power linked to a structure or person (Foucault, 1990). This was illustrated in his statement:

Power is everywhere not because it embraces everything, but because it comes from everywhere... power is not an institution, and not a structure, neither is it a certain strength that we are endowed with, it is the name that one attributes to a complex strategical situation in a particular society. (p. 93)

By this Foucault meant that power was omnipresent and not embodied in a person and structure, the state, a domineering system, or linked to repression (Lemke, 2010). He argued that power cannot be easily located; it is decentralized, relational and embedded in all action (Foucault, 1980a). Power is also circular and operates as a system that influences the social world (Gallagher, 2008), meaning that once people get constituted through it, it influences them to conform to given practices, norms or realities, and become constituted as subjects and also to continue to subject them to conform to the influence of power (Kendall & Wickmann, 1999). Power also has the ability to reproduce itself and its influence can only be established through its effects (Foucault, 2003).

Foucault argued that power exists within relationships, in institutions, with people and it makes them conform to given practices or realities when they subject themselves to its influence (Kendall & Wickmann, 1999). Power was productive because it produced regimes of truth and knowledge (Foucault, 1977). He maintained

that power exists when it is put into action but “does not act directly and immediately on others” (Foucault, 1982, p.219) but acts upon their actions to modify their actions. Power also operates where there is freedom, meaning that it operates if those it acts upon are capable of acting.

Foucault (1990) described the characteristics of power. He claimed that power is not hierarchical, because it can come from “below” (p.94), meaning that everyone within a power network or relationship holds and exercises power and can influence the direction of action within a power relationship. This suggests that the school leaders and State in this study have the power to influence the activities of global organizations and policy just as they also influence their own actions because power works and circulates as a network. School leaders should therefore not remain docile.

Foucault (1980) further explained that power has been exercised in three ways in the history of western societies: sovereign power, bio power and disciplinary power and through governmentality. Sovereign power, the earliest form of power was held by kings over their subjects in the classical era. This was a juridical, discursive form of power that was used by Kings who had exclusive power over life and death, the state and its entire people (Foucault, 1990). Power was exercised over individuals and the population through prohibitions, laws, suppression and punishments and established institutions.

Bio power, or the power over life, emerged in the 17th century having been derived from “pastoral power” (Foucault, 1982, p.215) through which an individual’s conduct was directed by Christian pastors to conform to predetermined acts. Bio power operated in two ways, as power over people’s body, and as power to regulate the population (Foucault, 1990) who were “shaped in a new form, and submitted to a set of very specific patterns” Foucault, 1982, p.214). In this way population was administered to ensure that they operated within defined standards. This was done by collecting statistics about the population to supervise its performance on a range of issues such health and other measures for governing life. Bio power thus produced knowledge-power and truths which was used to institute mechanisms for regulation of individuals and to transform their lives. For through it regulations over the body were developed and this gave rise to bio politics (Foucault, 1990). According to

Foucault (1990) this knowledge was used to produce discourses which were used to devise techniques to objectify, subjugate and control the population. These became strategies for transforming life or for disciplining individuals. Foucault adds that people were subjected to these truths through normalization and coercion. Bio politics and bio power thus served as “instruments of the state” or “institutions or techniques of power” (Foucault, 1995, p. 141) and formed the basis for governing populations.

Disciplinary power, a form of bio power emerged when the totalitarian power of the King was rejected. Foucault (1980c) explains that unlike Bio power which was concerned with the regulation of the population, disciplinary power was the regulation of the individuals’ body. This power was “instituted so that it reaches into the grain of individuals ...and inserts itself into their action and attitudes, their discourses and everyday lives” (p. 39). The body underwent a normalization process using various mechanisms or techniques of power such as surveillance, hierarchical observation and examination (Foucault, 1995) to make it efficient. This was an indirect approach for influencing individuals’ actions which occurred invisibly and anonymously and, was instituted everywhere. The goal was to transform people internally so that they controlled their actions and conformed to the expectations of the state to make them governable.

Using the metaphor of the panopticon Foucault (1995), demonstrated how disciplinary power worked within social practices such as a prison setting and how they resulted in power relations. He showed how the architectural design of prisons was purposely structured to make it possible for the prison wardens to observe the prisoners conduct. By keeping a record of each prisoner observed they gathered knowledge, which was used to develop further mechanisms for controlling them. This constant gaze or surveillance and examination ensured that prisoners were regulated, but also reminded them of their incapacity and about the power over them. This constant observation made the prisoners’ to work on themselves to conform to the norms.

In this metaphor the prisoners are like everyone else and the prison warden are the rules of the discourse within which we have taken up subject positions. Discourses

are used to construct people as subjects through disciplinary power, which operates invisibly to control their activities as prisoners. We become aware of the rules or gaze and internalize them and then conform for fear of the repercussions of non-conformity. With time we begin to develop our own internalized rules which act like a prison warden sitting at a central tower and observing the prisoners constantly through surveillance. This means we begin to monitor ourselves just like the warden so that we conform to the expectations without being coerced.

Through the panopticon metaphor, Foucault shows that power is exercised to influence conduct for a specific outcome. This means that power relationships are always targeted for knowledge and to meet certain interests. Foucault (1990) confirms this when he states, “every power relationship is imbued through and through with calculation, there is no power relationship that is exercised without a series of aims or objectives” (p. 95). Any exercise of power leads to an accumulation of knowledge and power relations and when knowledge is linked to power it assumes certain truths (Hall, 2003).

The metaphor also shows that there is a relationship between power and knowledge on one’s action, and power and knowledge are inseparable. Foucault (1995) statement “power and knowledge directly imply one another, meaning that there is no power relation without the correlative constitution of a field of knowledge, nor any knowledge that does not presuppose and constitute at the same time power relations” (p. 27) confirms this. It implies that discourse produces knowledge and subjects, and this is an effect of power (Hall, 1997) this is because power influences the discourses that people take in and are shaped by (Niesche, 2011). The influence of power is also evident when discursive truths, practices and disciplinary techniques regulate discourse and the conduct of man (Hall, 2003). It shows that Knowledge is often infused with power which is used to ‘regulate and normalize’ people (Danaher et al., 2000, p. 26).

A Foucauldian analysis reveals the influence of power and power/knowledge upon the work of secondary school leaders in Kenya. It shows that knowledge, represented as discourse about Kenya, could have been circulated as truth claims and used to design mechanisms for controlling the conduct of the State, the education sector and

secondary school leaders. Foucault (1984) has cautioned that, all truth claims were mere assumptions and should be examined; he states “my point is not that everything is bad but that everything is dangerous which is not exactly the same as bad. If everything is dangerous, then we always have something to do” (p. 343). This suggested that discourses and disciplinary practices instituted were not inherently bad or good. Here Foucault means that people have an ethical obligation to be highly skeptical and critical about the effects of all discourses and ways in which they shape what is possible to think, say or do. It is on this strength that the possible assumptions, knowledge and discourses and disciplinary practices and norms associated with the school leaders’ work in this study are being examined to understand how they influence the ethical challenges the school leaders have identified in the previous chapters.

Foucault’s’ concepts of power and power/knowledge thus offer the possibility of problematizing the power relationships, the discourses and disciplinary practices instituted by global organizations to influence policy direction in secondary schools in Kenya. It is also relevant for exploring the interests and targets of power relationships in this study.

9.2.4 Governmentality.

Foucault (1991) claimed that people were also shaped to align with the objectives of political governments and other institutions through governmentality. This was a breakaway from his focus on how power worked at an individual level to a macro-level with a new interest in population (Gordon, 1991).

Foucault used the term governmentality, as a neologism for government rationality, which links both ‘govern’ and ‘mentality’ (Besley, 2009, p. 39). The term was used closely with the art of government or political thought – liberalism or neo liberalism (Gordon, 1991). Government is the “conduct of conduct” or self-government and government of others (Dean, 2010, p. 26), where conduct relates to how one is governed, how people govern themselves and others, and how one relates to institutions and with political sovereignty (Gordon, 1991).

Dean explains that government consists of “the calculated and rational activities undertaken by a multiplicity of authorities and agencies employing ... techniques and forms of knowledge that seeks to shape conduct by working through the desires, aspirations, interest and beliefs of various actors” for defined purposes (p. 18). These tactics, calculations and rational activities were used to shape the activities and identities of people so that goals beneficial to populations were met. The aim was to structure the field of possibilities of actions (Lemke, 2002). This view sees several discourses, tactics and other techniques being used to order the work of secondary school leader’s in this study and influence their work and conduct.

Foucault used the term ‘mentality’ to mean government rationality and suggested that governmentality relies on knowledge, a particular way of thinking, a mentality or rationality deliberately set up to direct and influence conduct of the governed (Doherty, 2007). Governmentality is thus both a rationality, and technique or form of power for managing the population (Olssen, 2006). Its aim is to shape and constitute the mentalities of those governed so that they modify their own behaviour and reduce the need for external imposition of power (Gallagher, 2008).

Foucault affirmed that three rationalities of power have been used to constitute subjects in Western contexts: state power, liberal power and neo liberalism (Olsen, 2006). Sovereignty or state power was prominent in the classical era when the security of the state and population was taken care of through laws and coercion. Liberalism which followed closely was marked by a separation of the state and society and led to the incorporation of disciplinary power. Under a neoliberal rationality government is undertaken through technologies to minimize excessive state influence upon the population, while allowing them freedom (Rose et al. 2006). This has been in place since the beginning of the 20th century when, advanced liberalism or neo-liberalism emerged.

Dean (2010), described neoliberalism as:

Problematization of the welfare state and its features of bureaucracy, rigidity and dependency formation. They recommend the reform of the individual and institutional conduct so that it becomes more competitive and efficient. They seek to affect this reform by the extension of market rationality to all spheres, by the focus on choices

of individuals and collectives and by the establishment of a culture of enterprises and responsible autonomy. (p. 268)

As Dean indicates, under neo-liberalism, the market formed the basis for regulating economic and social activity and the State's role in provision of welfare services was limited. He explained that the role of professions became insignificant because clients determine the quality of professional service and not the professionals. The economy or enterprise constitutes the approach for governing every aspect of life including conduct (Gordon, 1991). The populations' conduct is shaped to ensure that they meet the objectives of government but the main objective has been to produce rational and responsible persons who are efficient, competitive and capable of regulating themselves (Dean, 2010). This is done by installing technologies that enhance entrepreneurship, individualism and responsabilization to direct individuals towards entrepreneurial goals (Joseph, 2010b). Governmentality thus works within a liberal environment and governs population through freedom, and minimizes excessive state influence upon them (Lemke, 2002). However it incorporates the rationality of sovereign power, discipline and government (Best, 2007).

Rose and Miller (2010), contended that governmentality relied on "a proliferation of a whole range of apparatuses pertaining to government and a complex body of knowledge and 'know-how' about government, the means of its exercise and the nature of those over whom it was to be exercised" (p. 272) to govern a population. The apparatuses included what Foucault (1980) defined as a network of "discourses, institutions, architectural arrangements, policy decisions, laws, administrative measures, scientific statements, and philosophic, moral and philanthropic propositions" (pp. 194-195). These were relied upon to manage issues of governing as they arose but shifted from time (Rose & Miller, 2010).

Governmentality was also linked to bio power, or the power exercised at the "level of life" (Rabinow & Rose, 2006, p. 196). This is because like bio power, governmentality intervened in vital aspects of human life with a goal of training the population for positive outcomes. According to Rabinow and Rose (2006) bio power and government power encompasses the following actions: i) a discourse about a characteristic of life; (ii) a set of strategies or action for intervening upon the vital characteristics; and (iii) as well as "modes of subjectification" (197) through which

persons are made to discipline themselves in relation to the discourse for their own benefit and for the benefit of others and the state. In this study we would say that the interventions on matters related to poverty, development, and education by the International Finance Institutions (IFI) and other global bodies in Kenya is governmentality. These have relied on discourses and various strategies to discipline the State and school leaders' to incorporate actions to enact governance upon them.

Foucault's concept of governmentality allows for the illumination of the tactics, rational activities and governing practices that are possibly used to shape the activities and identities of the state and secondary school leaders in this study. This includes the disciplinary technologies that shape people's subjectivities and actions. In the next section, I will explore how the four Foucauldian concepts work in different discursive contexts to influence the practice of ethical leadership in Kenya.

9.3 Influential discourses

This Foucauldian analysis uncovers the assemblage of discourses, institutions and technologies that possibly influence the conduct of conduct by the Kenyan State and school leaders. Drawing on Foucault, Rose and Miller (1990) affirm that in order to govern, "[o]bjects such as the economy, the enterprise, the social field and the family are rendered in a particular conceptual form and made amenable for intervention and regulation" (p. 5). This is done by assembling discourses to influence conduct.

The school leaders' accounts in this study suggest that some global organizations, especially the World Bank, are influential in the production of theories, knowledge and truths about economic development in Kenya through the discourse of development which also defines how truth and knowledge about education and how it should be conducted in this context. These discourses seek to produce desirable leaders by shaping their conduct and their practices in order to achieve development in Kenya. This confirms Foucault's contention that "truth is produced and transmitted under the control, dominant if not exclusive, of a few great political and economic apparatuses" (Foucault as cited in Danaher et al., 2000, p. 41). Governance of education in Kenya is thus premised on the theories, knowledge and truths propagated by them as experts and authors of the discourses on development.

These discourses assume that development can be achieved by pursuing universal education, instituting good governance and ethics, and by instituting performativity to make school leaders more efficient in their work. The goal is to produce an effective workforce or human capital needed for development. These constructed discourses and truths present a view about the State's standing with regard to education governance, ethical conduct and development. Foucault (1980) would indicate that these truths are laced within power, because truth is produced under the influence of power and that power can only be exercised where there is truth. The global policies of SAPS, EFA, and good governance and ethics evident in this study could be mechanisms constructed to "shape, normalize and instrumentalize the conduct, thought, decisions and aspirations of others in order to achieve [these] the objectives" (Rose & Miller, 1990, p. 8). As Foucault would suggest, they are an attempt by these bodies to direct the conduct of Kenya's population and her economic development which according to Foucault (1990) is governmentality.

In a Foucauldian sense therefore, when the State and school leaders' in Kenya adopt and engage with these discourses certain subjectivities are created in them. The goal to produce ethical subjects or ethical persons, person's conscious of development, and educated neoliberal subjects capable of spurring economic development in Kenya. The challenge or conflict this is likely to present as evident from my study, arises from the fact that these truths are premised on a Western view of knowledge and not the experiences within the school context. In view of this, the global policies imposed upon Kenya seem problematic, and this could explain why for example the Western principled ethical discourse rubs against the cultural ethics discourse.

The influence of power/knowledge seems evident in the State and school leader's activities as seen from the implementation of education and economic policies. This power circulates as a network between the global institutions, the State and school leaders and the school community. Drawing from Foucault, it could be that as the leaders take part in the discourses, they ensure its circulation, because as they undergo its influence they exercise it at the same time. This might explain their adoption of most of the global economic and educational norms and policies.

Foucault's concept of discourse enables us to explore and understand the school leaders' issues and challenges enumerated in the previous chapter. Since Foucault (1994b) emphasized the importance of scrutiny and critical reflection on discourse for the meanings they portray, I will now focus on major discourses that influence education in Kenya and critically examine each to see how each of these might challenge school leaders' professionalism and ethical obligations, and argue that as long as State and secondary school leaders in Kenya uncritically implement global policies, linked to discourses that are Western-derived, education practice will remain delinked from the contextual needs and values, and ethical issues and challenges will remain and hinder progress in education.

Given that a discourse is a set of statements about an object, I explored the data for repeated statements and looked at how they were articulated and treated as truth and the effects of their articulation on subjects. For the purposes of this thesis, I have identified seven discourses more likely to have been used "to structure the field of possible action" (Foucault, 1982, p.221) of the State and secondary school leaders in this study. They include i) the discourse of development; ii) the discourse of neo-liberalism and structural adjustment programmes; (iii) the discourse of poverty; (iv) the discourse of Education For All (EFA); (v) the discourse of performativity; (vi) the discourse of good governance, ethics and professionalism; and (vii) the emerging discourse of Afrocentric ethics. From a Foucauldian perspective, these discourses have created knowledge that guides the understanding of what it means to be an ethical person and ethical conduct for secondary school leaders in this study. Their influence extends to the conduct of education and ethical leadership practice in secondary schools in Kenya.

9.3.1 Discourse of development

The study illustrates the possible influence of the discourse of development on the work of school leaders in Kenya. This as Robertson et al. 2007) indicates, legitimises global intervention in education practice and the State's activity in Kenya. This study shows that a number of policy interventions are drawn by the World Bank, IMF and other United Nations (UN) bodies and this influence the conduct of education and of secondary school leaders in this study.

This discourse propagates the view that development, a Western construct, can only be achieved in non-Western contexts such as Kenya through the successful incorporation of neo-liberalism – through the adoption of economic policies such as Structural Adjustment Programmes (SAPs) and the incorporation of defined ethical values or good governance policies (Gathii, 1999). Other associated policies include the EFA policies propagated from a human rights' perspective (UNESCO, 2000), for poverty alleviation and economic development (Brown, 2011), and good governance policies. It is assumed that the pursuit of these 'right policies' drawn from the experts and the experience of Western countries will enable developing countries to achieve social and economic development (Brycesson & Bank, 2001, p. 8).

While considering the history of this construct, Escobar (1995) contended that development and underdevelopment are Eurocentric constructions that emerged after World War II when problems in non-Western contexts were subjected to scientific inquiry and a regime of truth produced about them. Underdevelopment then became constructed as a condition that needed to be addressed in these countries through defined interventions such as foreign aid and industrialization.

Brycesson and Bank (2001) explained that development represented truths premised on scientific knowledge framed on a Western ideology to change African economies to become modern. Several theories emerged, for instance the modernisation theory emphasized that poor and low income countries can attain development through a set of stages pursued by Western countries, particularly through rigorous education (Robertson et al. 2007). These constructions were based on the knowledge derived from the western experiences and propagated as truths; which have been established as a norm to differentiate between developed and undeveloped countries (Brycesson & Bank, 2001).

This discourse is also premised on the assumption that knowledge transferred from the West can easily fit into other contexts regardless of the socio-economic and cultural conditions, because these policies and knowledge are regarded as universal. The ability and success of a universal development agenda to address the contextual challenges identified in Chapters 5 and 6 of this study dispute this fact. It shows that economic factors and people's cultural beliefs cannot be disregarded in policy transfer or development.

A Foucauldian reading suggests that the universal truths propagated by the World Bank and IMF and other global institutions are constructions based on their perceived notions about developing countries such as Kenya. These institutions appear to have positioned themselves as experts, and their knowledge, is regarded as best practice a move that can be construed to mean that the knowledge of Kenyan policy makers on economic development drawn from their own contextual needs and experiences are irrelevant. These institutions thus create the truth and reality about what development is, set the rules about what can be discussed about development, what it is not and how development can be achieved (Hall, 2003). These truths position the State and school leaders as objects and implementers of market driven policies in pursuit of economic growth and development. It is likely that they are also positioned as lacking in economic rationality (Gathii, 1999, p. 70), expertise and funding, and thus remain recipients of technical expertise and funding for development. It suggests that development in countries such as Kenya can only be attained through direction and intervention (financial and technical) from the West. This possibly excludes other options knowledge such as that of the school leaders, and their culture from being acted upon and is thus is problematic.

A Foucauldian reading suggests that the influence of power/ knowledge in governing the action of the State and school leaders is evident. Foucault would argue that the State and school leaders have become normalised, and dependent on the expertise and policies derived from global organisations through disciplinary power. In a Foucauldian sense this is likely to have constrained and marginalised other viewpoints and knowledge including the views of stakeholders and local knowledge about secondary education and development in Kenya. This suggests that the authority of the Kenyan state and the school leaders to define their own education practices in line with its contextual needs may have been discredited and usurped by these global institutions. This can explain the presence of contextual issues and challenges illustrated in Chapters 5 and 6 and suggest that, reliance on this discourse is problematic

The study provides evidence that these policies are often tied with conditions which therefore restrain the freedom of the state and school leaders to take action on development in ways they understand. It can be construed that this avenue of

achieving development has led to a domination, and subjugation of the Kenyan State as well as school leaders who are not given a chance to define their own development. This is likely to be a source of the ethical challenges identified in this study.

The incompatibility of these policies with the contextual needs and knowledge seems evident and illustrate this problem further. This corroborates the findings of the reassessment of the impact of SAPs, under the World Bank/Civil Society/government Structural Adjustment Participatory Review Initiative (SAPRIN, 2002, as cited in Robertson et al. 2007, p. 43). This review revealed that non-economic factors were essential for creating a suitable environment for sustainable development. Robertson et al. (2007) add that this could be attained through recognition of 'social capital' or the idea that societal values, norms, and cultural aspects of the society were central for achieving development (p. 60). Ethical challenges can be minimised if the contextual needs and knowledge are incorporated in any goals for development.

Escobar (1995) argued that global interventions have the effect of maintaining a dualism. Taking this view, and from a Foucauldian perspective, it can be construed that the continued perception of Kenya as undeveloped and the West as developed. Possibly contributes to the constitution of their subjectivities - as recipients of technical expertise, funding, less developed among others. This may have also influenced the way the State and its population including leaders perceive themselves and how they are perceived by others (see also Kinchloe, 2011; Said, 1993). There could be an assumption that the State lacks an awareness of solutions to their own school contextual challenges.

9.3.2 The discourse of neoliberalism.

The discourse of neoliberalism is evident in this study. This is a discursive truth which, emphasises that economic growth can only be achieved where there is a free market and when individuals are free to pursue their own interests without state inhibition. The discourse advances the market as a tool for planning and regulating every economic activity (Rose & Miller, 2010). This includes people's lives, family life, and profession all of which are considered a pursuit of enterprise (Fitzsimons,

2011). The free market and freedom of the individual is seen to be the answer to the well-being of all (Harvey, 2005).

Neoliberalism (as defined on p. 216) is a set of liberal market economic policies that emerged in the 1970s and 1980s in response to the global financial crisis after World War II. This saw the rejection of the state welfare systems and its replacement with reliance on the market in Western countries. Foucault would argue that neoliberalism is one of the ways in which people are made subjects and thus does not just refer to how a state is governed but how individuals are made to conduct themselves (Read, 2009).

Neoliberalism has defined man as *homoeconomicus* - a competitive man, with a capacity to identify economic interests, because all their engagements are driven by economics (Read, 2009). Read adds that, it regards people as human capital, an investment that is essential for economic growth. In view of this, the discourse emphasised that every effort should be undertaken to influence peoples conduct to make them efficient and competitive and more autonomous (Dean, 2010). Technologies of government were necessary to enhance their entrepreneurship, individualisation, responsabilisation, and self-conduct to direct individuals towards an entrepreneurial goal (Joseph, 2010b). States like Kenya were urged to pursue economic development to become globally competitive by allowing the free flow of the market to boost economic growth.

The study shows minimal government involvement in the management of schools which suggests that the State may have taken in the discourse which advanced a truth that the individuals and schools have the capacity to meet their own interests. These ideals undermine the welfare state (and thus the potential for Ubuntu values) because government intervention in the interest of the population is not considered important for achieving development (Tamatea, 2005). This challenges the African values of communalism and is a possibly explanation for the ethical conflicts in the study..

Some of school leaders' ethical challenges identified in the study could be linked to the State's incorporation of neoliberal policies in the 1980s after the adoption of the SAPs, and later EFA and the good governance global policies. The SAPs were a set

of economic reform policies designed by the Washington Consensus, a group of economists, and the IFIs to spur rapid and sustainable economic growth by increasing efficiency in developing countries (Gore, 2000) like Kenya in the 80s and 90s. Foucault would indicate that these were an apparatus for managing the economy for the neoliberal restructuring of education and other sectors of Kenya's economy. Under the influence of SAPs, as indicated in this study, the State took action to limit expenditure on education by freezing the employment of teachers and support staff, and withdrawing its support for salaries for support staff in secondary schools. It can be assumed that all these mechanisms were aimed at limiting state influence upon its population.

The study findings suggest that the neoliberal policies implemented through SAPs could have led to increased poverty levels, an increased population of needy students in schools, loss of school revenue, and more challenging situations for school leaders. These could have contributed to the economic hardships identified by the school leaders in this study (see for instance 5.5).

Considering this as a source of the ethical tensions identified in this study, it can be concluded that the conflicts arise because neo-liberal policies advocate for individual efforts (Rose & Miller, 2010), such as the expectation that the school leaders manage these economic challenges in their schools with minimal involvement from the government. This is challenging because the context operates and values Afrocentric communal involvements. By giving prominence to the place of the individual and encouraging individuals to pursue self-interest at all cost, this discourse creates tensions with the Afrocentric value system and its beliefs about the place of the individual within the African community.

9.3.3 The discourse of poverty.

The discourse of poverty is also evident in this study. Poverty is "a conceptual abstract that groups together several material states of deprivation such as hunger, homelessness, ill health" (Yap, 1996, p. 717). The study shows that matters related to poverty are a source of ethical problems for the school leaders.

The discourse of poverty came to the fore following the failure of the SAPs policies to spur economic development in the 1990s (Oberdabernig, 2010; Robertson et al. 2007; Ruto, 2002). Following this, the International Finance Institutions (IFIs) began to champion the fight for poverty alleviation (Brycesson & Bank, 2001). This in effect seems to have overlooked the effects of the incorporation of the SAPS as a source of challenge (Konings, 2004). In view of this, it is likely as Hindess (2005) contends that “the problem of poverty is used ... to legitimate reforms which serve altogether a different purpose” (p. 1396).

Foucault would argue that the challenges identified in this study emerge because the state and school leaders have taken in the position of this discourse which constructs the Kenya State as poor and lacking in resources. This confirms Dubois’s (1991) statement, “the perception of poverty (the construct) induces poverty (the conditions)” (Du Bois, 1991, p. 26). It is possible that the discourse has further objectified the State and its people and devalued its local cultural knowledge. This discourse may have also reinforced and legitimised the discourse of development and Kenya’s dependence upon global institutions for support. Foucault would argue that this is a dividing practice that serves to create subjects, for it has created a global divide of the so-called “world’s poorest” (Brown, 2011, p. 11) and the richest. The discourse thus positions the State and the school leaders as objects; in need of support and intervention in the form of aid and expertise from the West. This has thus legitimized global intervention into Kenya’s economy and the implementation of Western derived policies to enhance development.

A Foucauldian analysis indicates that the poverty challenge persists in this context because Global institutions like the World Bank propagate the truth claim that poverty can only be defined through economic terms and reduced if there is development, education or EFA (Brown, 2011) and good governance (Hindess, 2005). It is thus positioned as an economic problem that can only be resolved through external aid and by achieving enumerated goals as outlined in the Millennium Development Goals (MDGs). Yap (1996) has argued that it is problematic to define poverty as a phenomenon that only emanates from lack of resources or an economic problem which can only be resolved when economic growth and development is attained. Yap explains that when poverty is narrowed

down to economics, “we are prevented from seeing how the scarcity of basic goods is socially constructed” (p. 718).

In view of these truths, it is possible that the knowledge for managing lack of resources has been marginalised. The responses of the school leaders in this study to poverty related challenges illustrate that the school leaders’ draw from their African beliefs and cultural knowledge to manage the poverty related challenges they encounter. Their responses (see also 7.2.2 on p. 171) demonstrate that African goodwill and other support mechanisms, is an approach for tackling poverty, an approach founded on good will and communal efforts. The failure to neither give recognition nor incorporate this knowledge into societal practices and even policy is a likely reason for some of the ethical challenges school leaders enumerate in this study. It can also be construed that the disruption of the welfare systems through neoliberal discourse and the continued negation of the communal systems and knowledge can be a reason for poverty’s looming presence in this context. From the study it is evident that there are many reasons why poverty exists and it cannot just be limited to an economic and education discourse. For some it could be the result of a lack of happiness, social connection or social bonds as some of the precepts of this study show (see.7.2.2).

9.3.4 The discourse of Education For All (EFA).

Another discourse evident in this study was the discourse of EFA which imposes a truth fiction in Western contexts on the Kenyan State, premised on a claim that education will enhance development and an individual’s self-actualisation and moral development. Through it development will be achieved because it is believed that education will lead to “good governance, democracy and human rights”, and poverty reduction (Mundy, 2007, p. 2).

The EFA discourse gained more traction following the failure of the SAPs to spur economic growth and development, and the resultant increase in poverty in Kenya and other developing nations. Building on the SAPs, the EFA discourse propagates the view that lack of education is the cause of poverty, and thus the EFA policies, tied to the MDGs can help meet key poverty reduction targets identified within a new framework by 2015 (Colclough & Webb, 2010). Like EFA, the MDGs list goals to

be achieved to attain development. They include: eradication of poverty and hunger, achieve EFA, gender equality, addressing HIV/Aids, child mortality, agricultural expansion, environmental stability and global partnerships among others. The discourse claims that if poor countries meet these goals, then the high poverty levels being witnessed today as defined by global agencies, will be eradicated and economic development attained (United Nations Conference on Trade and Development, 2011).

EFA is founded on the human capital theory advanced by the World Bank, a theory that is in line with its own priorities and interests (Jones, 2007). It is underpinned by a neoliberal rationality aimed at meeting global education needs (Klees, 2008). In this sense, it propagates the view that education is the source of human capital, and must be pursued to spur economic development (Robertson et al., 2007) and to alleviate poverty (Brown, 2011).

A Foucauldian analysis indicates that to legitimate EFA, education was constructed as a human right to be pursued by all poor nations, at the conference in Jomtein, Thailand by EFA coordinators namely key global agencies: the World Bank, United Nations Educational and Scientific Organization (UNESCO), United Nations International Children's Education Fund (UNICEF), and United Nations Development Programme (UNDP) (UNESCO, 1990). It also came following a realization that education must be prioritised and safeguarded from the effects of the SAPs (Robertson et al., 2007). In a later conference at Dakar, education was identified as one of the MDGs to be achieved by 2015 and mechanisms for monitoring its achievement or progress instituted (UNESCO, 2000). These organisations thus produce and control the EFA discourse.

Although the literature shows that EFA was established through the coordination of the World Bank and UNESCO, and arrived at through a consensus with all developing nations, it still enacts the interests of Western countries (Stromquist, 2002), and their agenda (Mundy, 2007). This means the State and school leaders in Kenya could be subject to a discourse and discursive practices in which they are marginally positioned. Their participation in defining and originating its meaning

seems marginal, and they could merely be acting upon the positions of its originators (Danaher et al., 2000), and this is problematic.

Foucault might argue that global institutions like World Bank and others have positioned themselves as experts, resource financiers and evaluators of education in countries like Kenya, introducing new forms of governmentality. The implementation of EFA thus constitutes a power relationship between the Kenyan State and these global bodies, as well as between the State and the school leaders, and the school leaders and their staff members. Subsequently, countries such as Kenya have been funded to institute free learning programmes.

From a Foucauldian perspective, this discourse positions the state and school leaders as subjects to be governed, lacking their own education strategies, knowledge, and resources for education development. Education is also positioned as a global issue requiring the concerted effort of the world, and the intervention of global organizations, particularly the World Bank. Education is also viewed as an economic policy necessary for achieving development. Education must thus be defined from a Western paradigm because it offers the best policies for educational practice.

It can also be construed that the Dakar framework (UNESCO, 1990), the regional framework for Sub-Saharan Africa, assumes that education development in countries such as Kenya can only take place in partnership with global agencies who oversee its implementation and monitor it through statistics to further objectify them. This field of possibility is constraining as it could mean that the role of the State in charting their own education systems according to their needs has been usurped, and this is problematic. It suggests that the State could be over relying on external intervention rather than locally derived contextually-focussed policies.

Another likely problematic issue is that although EFA is implemented within the Dakar framework, a regional framework that should recognize the importance of an education grounded in the cultural and social realities of its context, this policy and intervention is drawn from a Western paradigm, which seemingly assumes that a universal approach to education is the way to address the injustices within education (UNESCO, 1990). Merlingen (2007) might refer to EFA, as a globalization of

universal norms aimed at standardization. It seems that the school leaders and the State implement standard policies meant to create homogeneity across several cultural understandings of education. This is problematic because it assumes that all contexts are similar and education provides a solution to all the contextual challenges in every State. A Foucauldian perspective would view this policy as having a totalizing effect upon the State and school leaders and this could have possibly led to the tensions identified in this study.

A Foucauldian analysis indicates that the EFA discourse marginalizes contextual knowledge, perspectives and influences on education practice in Kenya, as well as the needs identified by the participants in Chapters 5 and 6. This suggests that the ethical challenges of implementing EFA emerge because its policies fail to take into account the knowledge, the needs, values and culture of the Kenyan context. It is likely that the school leaders encounter ethical challenges because the pressing contextual challenges that impede educational practice and ethical leadership remain unattended, possibly because the State has shifted its attention to the truths and policies propagated by this discourse. Hall (1997) would argue that the school leaders and the State “have submitted to the rules of this discourse, and become the bearers of the knowledge which the discourse produced” (p. 55). Both have become subjected to its discursive truths and regulatory practices, and thus become subjects of discourse. This is problematic because they may not be critically evaluating the policies they engage with to identify how useful they are to the school contexts.

9.3.5 The discourse of ‘good’ governance, ethics and professionalism.

This discourse fictions a ‘fact’ that when transparent and accountable frameworks and Western values were created in government, these provided a suitable, and ethical, environment for the exercise of the market (Weiss, 2000), poverty reduction and economic development (Gathii, 1999). The rule of law and integral systems that promote ethical practice and prohibit conflict of interest and corruption were discursive practices presumed to enhance development. The discourse positioned States without such governance structures as “corrupt and inefficient, with poor legal systems” (Gathii, 1999, p. 77).

The literature (World Bank, 1989; 1994; Santiso, 2001; Stein, 2009) confirms that this discourse emerged following the failure of the SAPs to overcome the economic

crisis in many developing countries. The World Bank blamed this failure on the “crisis of governance” in developing countries (World Bank, 1989, p. 60). Global institutions have emphasised that good governance was a recipe for economic development. The World Bank (1994) defined good governance as “the manner in which power is exercised in the management of a country’s economic and social resources for development” (World Bank, 1994, p. xiv). The IMF (2003) described it as a country’s regulatory framework that ensures that the public sector is accountable and efficient.

Stein (2009) explained that this discourse required developing countries to undertake “fiscal and public sector reform, legal and judicial reforms, transparency and accountability...banking and financial sector reforms and informational reforms” (p. 12). This study confirms the possible influence of this discourse on the work of secondary school leaders in Kenya particularly the governance reforms Kenya undertook to incorporate structures and values to minimise corruption, and to promote transparency and accountability in all sectors including education. This includes the review of its constitutional framework and laws and the enactment of new ones such as the Public Officers Ethics Act (2003) (POEA). The enactment of the POEA led to the incorporation of a code of professional ethics for all practicing teachers and school leaders. This was to be used alongside the Code of Regulations (COR) (TSC, 2003) established earlier. It also led to the enactment of the Procurement Act in 2003 to influence the conduct of school leaders in the school tendering process. The study confirms that the school leaders make reference to these Acts in their ethical decision making because there is an emphasis on the importance of ethical conduct in the school leaders’ practice.

Like the other discourses previously mentioned, it privileges the knowledge, values and ethics of the West and marginalizes the same from the context and the school leaders. Following Hindess (2005) argument, it can be construed that this could be an attempt by global institutions to indirectly oversee the implementation of, and adherence to, a common value system and practices derived from Western structures in all nations. If this is true then it seems like the Western definition of ethics is given prominence and is assumed to be superior, universal and transferable to non-Western contexts. This is problematic and likely to create ethical tensions.

From a Foucauldian perspective, this discourse positions the Kenyan State, her people and school leaders as corrupt and lacking in knowledge about values and ethics necessary for ensuring progress in life. It can also be assumed that both the leaders and the State are positioned as objects for the implementation of the defined values, laws, ethics structures presumed to be good for ensuring that poverty is eradicated and achieving development.

It is possible that the global organizations use this discourse to legitimate their efforts to discipline states such as Kenya to improve public sector management and governance structures (African Development Bank, 2006). Good governance has thus become a new condition for aid pursued by many global organisations including the World Bank and IMF, and the goal is to enhance the structural adjustment process (Stein, 2009).

9.3.6 Discourse on performativity.

This study provides evidence that the discourse of performativity, which ensures that technologies of governmentality are in place, has been installed in secondary schools in Kenya. The discourse is premised on the view that when accountability is ingrained as a norm for performance within education, it leads to efficiency and effective work practice from school leaders and teachers in the workplace (Biesta, 2004). Performativity is “the concern for what is produced, observed and measured” (Codd, 2005, p. 201). Ball (2003) defines it as “a technology, a culture and mode of regulation that employs judgement, comparisons and displays as means of incentive control...the performances (of individual subjects or organizations) serves as measures of productivity or output” (p. 216). The discourse is underpinned by the discourse of development, for its emphasis on performance is undertaken so that effective persons are produced through education (human capital) to meet the demands of the globally competitive market.

This study suggests that the discourse requires leaders and their staff to be accountable to the code of ethics, laws, and policies and all the expectations of the professional code, COR and the professional knowledge at their disposal. This means they must be effective and efficient and all of these requirements seem to be ingrained into their activities and work system. This finding resonates with the

literature (Tamatea, 2005, Nguyen, 2010), which confirms that performativity is integrated within the EFA discourse discussed previously. Nguyen shows that EFA is accompanied by “discourses of effectiveness, efficiency and management,” and is supported by an emphasis on the “professionalism of teachers, standardization and performativity” (pp. 347-348). Others authors (Ball, 2003; 2012; Codd, 2005; Evetts, 2011) confirm that performance accountability is today used for determining leaders and teachers’ professional competence.

Webb (2011) considers the demand for performativity as a neoliberal technology established to minimize state control over education and which in the end requires schools and school leaders to be accountable to the market. Davies and Bansel (2007) explain that through performativity neoliberalism has reconfigured the school to become part of the market. For them performativity works alongside other technologies namely performance contracting and competition to promote entrepreneurship in schools, and has transformed education to become a commodity. The authors conclude that through performativity, schools have become avenues for developing human capital needed for economic growth.

Drawing from Foucault we can say that it is possible that performativity has been installed as a technology of control upon secondary school leaders in Kenya and their staff. This has been done through examination, one of the disciplinary mechanisms) used for installing governmentality and subjectivities (Foucault, 1995). This is evident in the requirement for the school leaders and their staff to account for their performance to education stakeholders (see 5.8.1). Observation and monitoring of school leaders’ activities by the BOGs, parents, and their employers seems to have been legitimised because they make judgements about the school leaders, staff and classify them as performers or non-performers. The study shows that those deemed as good performers were rewarded. The school leaders in this study equally seem to have subjected themselves to self-examination, to scrutinize teachers’ performance and establish rigorous learning programmes to comply with the norm of performance. To ensure further compliance, the employer, The Teachers Service Commission (TSC), has tied this expectation to rewards, so that those who comply were awarded promotion. This is evident in the annual reviews of school leaders’ performances taking place at different levels (see 5.8.2). Foucault would argue that

this ensures that performativity is installed into the lives of the school leaders and their staff.

The school leaders may have found meeting these demands ethically problematic because this discourse seems to have positioned them as objects for the implementation of performativity. A Foucauldian analysis reveals that the requirement for school leaders to account for their performance positions them as inefficient, incompetent and untrustworthy, and in need of supervision to carry out their responsibilities, a situation they consider problematic. Performativity also positions policy makers and employers as experts who administer the conduct of school leaders and teachers. The school leaders on the other hand appear to position themselves as caring professionals, knowledgeable, trustworthy and competent. In view of these different positions, it can be construed that the school leaders' ethical tensions or challenges emerge because of the likely conflicting perceptions about the role of school leaders and the new demands performativity creates upon the school leaders.

Whereas the goal of performativity was to make the school leaders work knowable and to responsibilize them to be self-reflective and disciplined in their practice (Dean, 2010) and more productive (Ball, 2012), this study shows that the demand seems to have only focused on examination performance in schools. It is possible that this could have made school leaders to opt for an examination oriented approach to learning which is contradicts professional expectations and is thus problematic.

The study shows that the demand for performativity possibly shifted the focus of the professionals away from the values of care and integrity on which the teaching profession is premised (see 5.8.3). School leaders report that they increasingly dealt with cases of examination cheating and teachers engaging in what could be interpreted as unprofessional conduct. Some of these include cases of teachers refusing to handle poor students (see 5.6, HDDI), or scrambling for better performing students to take their subjects, and others denying students a chance to enrol in their courses out of fear that they will have to account for any poor performance. It was revealed that some students were being denied a chance to sit examinations because they were likely to bring the school mean down. All of these were ethically

problematic because there was less regard for the students' needs which is ethically problematic

The study illustrates that examination performance had become the criteria for gauging the school performance. The pressure for good performance could have led to disregard for the law and rules on student learning and teacher professionalism such as commercialised tuition, despite the requirements of policy and the COR (see 5.3.4). There is evidence that students were engaged in crowded learning programmes some extending beyond the normal working time. The discourse may have also led to the increased competition among schools which in turn led to an increased demand for places in better performing schools while threatening the closure of small, newly created schools and non performing schools (see 5.3.3).

From a Foucauldian perspective we can see that performativity privileges a given subjectivity by it works to create and maintain work identities in the leaders, which enhance efficiency and effectiveness needed for human capital and the market, in order to conform to the ideals of neoliberalism. It is possible that this has contributed to the dismantling of the old welfare or social structures of professionalism and bureaucracy inherited by Kenya from the British at independence. These inherited values were more likely to have been drawn from the Keynesian welfare system which Foucault might consider this to have been a pastoral form of government that took an interest in the welfare of citizens (Codd, 2005; Olssen, 2006) in this case of students, but was rejected in favor of neoliberalism. In this system professionals had the authority in their field and were autonomous. It can be concluded that these earlier practices and beliefs resonated with the local cultural values renowned by leaders in this study. Performativity may have shifted the way education was viewed and conducted and led to the challenges identified in this study.

It is possible, therefore, that this discourse counters professionalism in schools. This is because school leaders, teachers and schools have limited autonomy in charting the education path for their students' performance. By demanding performance, there appears to be a misconception that teaching and learning are equated with other economic activities as items that can be processed and measured through student outcomes. The findings seem to suggest that teacher professionalism and the value of

care are no longer pre-requisites for making judgements or decisions concerning schooling and student learning. In view of its integration, the logic of professionalism, premised on the value of care for students seems to be slowly disappearing and being replaced with a value of efficiency and effectiveness. There appears to be a tendency for this new norm to obscure the focus away from the real challenges that face education and student performance such as those identified in Chapter 5 of this study. Instead it seems to blame the leaders for the problems affecting performance yet there are myriad challenges that impact on student performance evident in this study. This is ethically problematic because it suggests that the real challenges are shielded from debates and not attended to.

Drawing on Foucault's (1982) arguments it is possible that the school leaders encounter ethical challenges because they have embraced this discourse and its norms and embedded it in their work practices and conform to its expectations. He would argue that school leaders in this study continue to reinforce and reproduce the truths and expectations of performativity. They have become subjects of the discourse, are regulated, docile and more governable because they have submitted to its rules. It appears that they have not challenged and questioned these norms enough nor critically reflected upon them to see how they relate to their knowledge and beliefs about what is good or right. Their discomfort with the effects of this discourse on their work (see 5.8.1) shows that the discourse challenges their position and conduct as professionals and creates ethical tensions.

The school leaders' challenge with this discourse possibly represents a clash between two perspectives and ideals of professionalism in the workplace; the traditional professionalism premised on the value of care where the authority and knowledge of the professional was sufficient to warrant trust for service delivery in schools. The other one is a professionalism defined by so-called external experts mostly employers and global institutions who define ethical conduct and design mechanisms to ensure that professionals abide by them. This relationship is not bound by trust but by a contract. The demands for performance also clash with the underlying cultural perspectives which influence the perceptions of the school leaders in their conduct of work. This seems to indicate that it is problematic for education and professionalism to be determined by market ideals, as defined by economists who are not experts in

education. The management of education cannot only be defined from the perspective of the market and ignore other non-economic factors that are equally important. As for all the other discourses described in this section, performativity has produced in the school leaders what it purports to describe. It has oriented the leaders to its logic and the leaders have reproduced it again and again and this has formed their identity or subjectivities through the influence of power and knowledge.

In this section the study suggests that the discourses and activities of global organizations, especially the World Bank, have implications for the work of secondary school leaders in Kenya. Crotty (1998) would argue that their social constructions and interventions limit the school leaders' engagement with their social cultural environments and how to make sense of them (Crotty, 1998). This discussion confirms Foucault (1977) view that discourse labels subjects as objects masks their involvement in their subjectivity thereby subjecting them to discipline. This is because they may be relying on the meaning and truths provided by global institutions. Given this, it is possible that the State's power and authority to make broad improvements in the secondary school sector is limited. The State and school leaders possibly have lost their agency to institute practical education policies that would otherwise resonate with the challenges in this context. This omission may have contributed to the ethical challenges identified by the school leaders in this study.

I have shown how discourses, constructed by global organizations, could have shaped school leaders' identities and subjectivity and how they are constituted by them (Foucault, 1982). These discourses appear to serve as legitimacy to shape and guide the conduct of the State and the school leaders in Kenya. Drawing on Foucault (1977) it is likely that the material effects of these discourses operate as instrumental power whose influence, as shown in this study, was productive and led to the production of knowledge and regimes of truth. These include truths about development and how education can be governed to meet this goal. I have shown that the reforms associated with global policies could have led to numerous ethical issues and challenges for the work of school leaders. This is because the Western discourses, often imposed on the State and school, seem to assume that the leaders are unethical if they do not abide by their expectations. This is problematic because

there is a possible assumption that the leaders have no knowledge of what constitutes good conduct or governance, yet from this study it is evident that leaders have knowledge about ethical values and conduct, but their understanding possibly differs and conflicts with the Western knowledge imposed upon them.

The Foucauldian concepts of the subject, discourse, governmentality and power/knowledge have allowed me to problematize how school leaders could be influenced by discourses, power/knowledge and disciplinary power. These might have created the social reality that the Kenyan State and school leaders engage with within the education sector. It has been possible to illustrate that the many discursive 'truths' they engage with are Western impositions. It is likely that these discourses have the power of keeping the State and its school leaders in Kenya active or passive depending on how the State and school leaders make meaning of their experiences or resist them. This may have contributed to the ethical challenges the school leaders' encounter in trying to remain true to their professional beliefs. This is largely because these discourses have a strong influence upon the State's role in the conduct of its education sector as well as on the school leaders. This leaves them very little room to attend to contextual needs and creates conflicts with leaders' own values and beliefs. Bureaucratic and continued colonial imposition may have contributed to the negative effect on the conduct of schooling in Kenya.

Beyond the findings of this study, the literature shows that other invisible activities such as the scrutiny of the State's progress towards the implementation of EFA goals, the MDGs, the SAPs and good governance, result in the classification of Kenya. Other classifications include population, economic growth rate, development, and poverty levels (UNESCO, 2000) and good governance (Economic Commission for Africa, 2003; Transparency International, 2010b). Knowledge from this is possibly used to target further interventions, for correction or training (Foucault, 1995) for further control of the Kenyan State and its education sector. The focus of the IFIs on ensuring that defined targets are met by the State means that education progress is defined according to Westernized frameworks identified norms and not necessarily from the perspectives and needs of the Kenyan context. This excludes other aspects including crucial contextual factors that determine educational progress. This represents a narrow vision of education, and this is likely to account

for the ethical issues and challenges the school leaders enumerate in Chapters 5 and 6 of this study.

9.4 Resistance

Even though Foucault was preoccupied with mechanisms that led to the subjection of people, there is evidence that he also explored ways of breaking away from the rigid impositions made upon them (Thompson, 2003) to show that subjects were not merely passive. Foucault, (1990) explained that whereas discourses had the power to constitute subjects, subjects also had the power to resist the influence of power premised on discourse. This is because “power comes from below” (Foucault, 1990, p. 94) and this means people having a choice to accept or resist the positions imposed upon them (Ryan & Morgan, 2011).

Foucault (1990) considered resistance as a contestation of the status quo, which was not linked to violence, because power was not aggressive. Resistance in his view was a reversal of power relationship that only takes place within power relationships because that is where change occurs. This is further confirmed by his statement “one escapes from domination of truth not by playing a game that was totally different from the game of truth but by playing the same game differently” (Foucault, 1994, p.295). Foucault argued that resistance was directed at power techniques which influenced action and not power because power was everywhere. This calls for a critical awareness of the tactics employed to influence peoples action (McHoul & Grace, 1998) and could include a reversal of discourses (Foucault as cited in Jon Heller, 1996, p.101), for example the incorporation of the African discourse in the professional codes in this study.

Foucault (1990) argued that resistance was possible because “points of resistance are present everywhere in the power network” (p. 95), implying that power and resistance work closely to an extent that they were indistinguishable and inseparable (Jon Heller, 1996). Foucault (1982) also contended that power operated only where there was freedom and thus when under the influence of power “individuals or collective subjects are faced with a field of possibilities in which several ways of behaving, several reactions... may be realized” (p. 221). This indicated that no complete domination occurs in power relationships because the potential for

resistance was always imminent. Taking this view, it suggests that the power relationship between the State and school leaders and global institutions is underpinned by freedom and each party, can make choices within the power networks about how much far they can be influenced. Foucault (as cited in Jon Heller, 1996, p. 101) contends that, dominant groups cannot control all mechanisms of power, because the dominated group would always resist. He thus concluded that counter-hegemonic discourses and subject positions exist alongside dominant discourses.

Thompson (2003) explored Foucault's work and concluded that two modes of resistance dominated his discussions: "tactical reversal of the mechanisms of power" (p.114). Here Foucault recognised that conflicts were ingrained in all power relationships and thus resistance to power relationship happened all the time. The "aesthetics of existence or the care of the self" (p.114) was another form of resistance. Foucault (1982) explained that the self was a form of power unto oneself, and one needed to resist by reflecting on the influence of power upon oneself, to resist subjugation. In this sense resistance allowed one to become creative and visible. This as indicated in Chapter three allowed one undertake a critique of actions and to become conscious, autonomous, and have control of how one is influenced by power to achieve ethical goals. This gives power of self-determination without being aggressive towards power relationships

In all, Foucault contends that that a reversal of discourses and power which modifies and constrains the "possible field of action" (Foucault, 1982, p. 212) of the State and school leaders in this study is possible. This can occur when the leaders choose to resist the truths imposed upon them including all forms of power "which makes [them] individuals subjects" (p. 212). This would involve being critical of those influences upon them, caring for oneself and for the self and also being on the lookout for points of resistance that occur within the power relations. This suggest that the State and school leaders in this study have the liberty to make choices about the influence of power upon them because they also have power. They can do this by being critical of the discourses they possibly engage with, and power relations therein. I will now consider acts of resistance portrayed by school leaders in my study.

Although the previous section suggests that the State and school leaders in this study have been subjectified through discourses, power/knowledge and discursive practices (Foucault, 1972), there is some evidence of resistance. The leaders seem to reject some of the education policies established to govern their conduct. For instance, some school leaders contest the policy requirement that students can be allowed back into their schools following pregnancy, because this conflicts with their personal and cultural beliefs, and make alternative arrangements for them. Some leaders also detest having adult learners sharing classrooms with students under the EFA and free secondary education policy.

The study shows that the school leaders do take counter positions for dealing with errant teachers, school support workers, especially those with drinking problems or who are absent, or those who are sick. Some chose not to adhere to policy or the COR choosing to draw from their own experiences, personal and cultural values instead. Even though the school leaders complied with the demand for performativity as a measure for targeting good student outputs, they chose to ignore the ban on extra tuition, a policy that seeks to counter the increased and excessive learning programmes. Instead they actively designed their own learning programmes within school policy or as they deemed appropriate (see 5.8.2).

Some leaders have shown resistance to the procurement law because it was not practical for them in view of the financial deficit problem in their schools. Instead they chose to make direct contact with traders who could bail them out when they had limited funds, (see BRB, p. 184) because this seemed to be the most practical alternative for them in view of the circumstances.

Some of the school leaders did show resistance to the policy on school fee payment, which required that students be allowed to attend school without payment (see 5.3.1). They chose to use a number of tactics such as summoning parents to school; sending students home; providing meal cards only for those who pay; or denying students their school leaving certificates to have payments made. The study shows that leaders counter the policy which required them to desist from withholding student certificates in exchange for payment; by giving students' only one certificate and

denying them the rest of the certificates until all payments were made. These examples suggest that the school leaders exercised control and self-power as a mechanism for coping with the ethical challenges they encountered. There is evidence that by resisting the constraints made upon them the leaders felt free and this had a gratifying effect upon them and their relationship with others.

From the study it is evident that resistance came at a cost for the leaders who were at times emotional, frustrated, or afraid of losing their jobs or engaging in confrontation with those in authority. Some acknowledged that resistance was a risk and required that they be armed and ready to deal with the consequences.

The school leaders' resistance confirms Foucault's (as cited in Jon Heller's 1996, p. 95) contention that "the existence of conflict presupposes the existence of hegemonic and counter hegemonic subject positions." The leaders showed that they sometimes resist conforming to external expectations. Often they did this after reflecting upon the action and situation, drawing on their own Afrocentric ethics, and professional values, to arrive at the best decision (see also Chapter seven).

My perception about the school leaders in Kenya shifted after engaging with the Foucauldian concepts. Although these school leaders could be assumed to be unethical they have identified many of these supposedly unethical acts and demonstrated that they care for their students, staff and community relationships. By Western standards, these leaders might be seen as failing in their duty because they do not necessarily conform to universal defined principles of ethical conduct, but these leaders show that they respond to challenging and demanding complex situations within their context but at the same time struggle to reflect on the Western derived policies, laws and rules, their own Afrocentric values and the nature of the demands placed upon them and dictated by the context.

9.5 The Afrocentric ethics discourse

The cultural discourse on Afrocentric ethics evident in this study is a separate discourse that possibly influences the conduct of school leaders in Kenya because it is derived from the school context. It defines an ethical person as one who meets his or her obligations to the community by showing a value for care and concern for

others. According to this discourse, as Nussbaum (2003) contends, it illustrates an African perspective of ethics and good conduct premised on the pursuit of moral obligation for the community due to its value of others.

This discourse is premised on the view that ethical persons strive to meet their moral obligations to the community and humanity by demonstrating the value for care expressed such as that in Ubuntu ethics. As illustrated in Chapter two and confirmed by the findings of this study, it privileges communal values and marginalises individualism. It defines and regulates what counts as ethical practice, an activity or relationship for leaders in their conduct with others in the community. The discourse conveys the traditional practices, values and conduct to be upheld by every community member to create harmony and enhance communal relationships. It is rooted in the traditions of the community and places great emphasis on the values for love, care, goodwill and humanity as defined in Africa. Drawing from Foucault we can argue that the discourse defines the subjectivities needed to reinforce and ensure these values, for every aspect of the leaders' practice is embedded in communal relationships. The leaders' goal is also to produce caring, loving and humane students who can continue to foster communal relationships.

The discourse conveys the practices, values and conduct to be upheld by every community member. It positions school leaders as exemplary leaders of African values, the custodians of ethical practice and community values. It does position the school leaders as custodians of African community values who should be exemplary role models because leadership places them at a higher level. This means they must strive to uphold the African community values and to oversee it practiced by others around them. The study shows that the leaders value their positions within this discourse and strive to uphold the communal values. This is more likely to be because the values are drawn from their experiences and it is what they know and believe in.

This section has shown that the discourse of Afrocentric ethics is silenced, devalued, suppressed and overlooked or marginalised for these values rarely feature in dominant policy documents that govern the conduct of education or schooling. The marginalization of African cultural values and knowledge is based on a perception

that African values are repugnant and responsible for the failures and slow growth and development in many states (Gathii, 1999). Many of the participants encounter ethical challenges because Afrocentric values, beliefs and practices, are not given prominence or articulated in the management and administrative practice, laws, policies and codes. Cultural conflicts seem to be a common dilemma for the leaders in this study. The cultural discourse on Afrocentric ethics has been able to withstand the imposition of dominant Western ethics despite being marginalised. The discourse has support and offers leaders a place from which to resist other Western discourses. This indicates that African values and ethics remain very strong among the school leaders in Kenya.

9.6 Conclusion

The Foucauldian concepts of subject, discourse, power/knowledge and Governmentality have provided a possible understanding of the power relations inherent between the state and school leaders and between the State and global organizations in this study. The influence of power/knowledge is evident in the constructed discourses and regimes of truth that have constructed the State, and the school leaders' values and identities and could have also influenced their understanding of their role as ethical leaders. These truths appear to form the basis for the global institutions policy interventions which subjugate the state and the work of school leaders' in this study. In a Foucauldian sense, the influence of power/knowledge allows these institutions to control and discipline the State and school leaders so that they conform to the truths. This has had the probable effect of causing the conflicts and contradictions identified by the participants in this study. Foucault would argue that the truths about ethical conduct in this context are influenced by the truths propagated in discourses and power relations all intended to create specific subjectivities. These contradict contextual knowledge and values. Afrocentric ethics appears to have been marginalised but it is itself a strong force that has a major influence in defining ethical values and conduct in secondary schools in this context.

A Foucauldian reading of this study suggests that many ethical challenges encountered by secondary school leaders in Kenya emerge because the Afrocentric ethics and discourse has been juxtaposed with discourses of neoliberalism,

performativity, and Western defined discourse of good governance and ethics. As Foucault would indicate, each of these discourses is premised on different truths about ethics and what is important. The school leaders are possibly faced with competing imperatives that define appropriate conduct often in different ways. to These also appear threaten the leaders' adherence to professional values which conflict with the market values inherent in these discourses. It is also likely that the challenges emerge because these truths are premised on experiences within Western contexts imposed upon the African (Kenyan) context as best practice. These discourses are likely to be at odds with the conventional knowledge ingrained within the Afrocentric discourse, which as the study indicates, is more embedded within the school leaders' experiences. All of these factors could be interacting to contribute to the complexities identified in this Chapter five, six, and seven.

CHAPTER 10

THE END

“Wich turo wuon” –Luo proverb

Introduction

This Luo proverb translates as “the owner of the head feels its weight” and alludes to the fact that whoever has the burden carries the weight. The proverb refers to the role of the state and school leaders as heads who carry the heaviest responsibility for charting a way forward and coping with the myriad of challenges identified in this study. This is a heavy responsibility. In this chapter I outline the objectives of this study, and a summary of its key findings. I then provide my final thoughts about the study followed by a brief discussion about its contribution, limitations, and implications for future research, policy and practice.

10.1 Research objectives

This study investigated the issues and challenges secondary school leaders in Kenya encountered in ethical decision-making. My intention was to identify the ethical dilemmas or challenges leaders’ face in undertaking their leadership role. The study also sought to know the underlying factors behind the challenges recounted by the school leaders as well as investigating how they arrived at ethical decisions. Another objective was to identify what was unique about these experiences. Finally my research findings were supposed to inform policy practice for improving ethical governance in secondary schools in Kenya.

10.2 The study findings

The study illustrated the school leaders’ experiences in conforming to the expectations for ethical conduct. This study found that secondary school leaders in Kenya face numerous ethical challenges in trying to adhere to the expectations for ethical conduct. I have dismissed my own conclusive view that Kenyan secondary school leaders engaged in ethical malpractice and were to blame for the chaos to date

in the secondary education sector in Kenya. This supports the view indicated in the opening proverb of this thesis translated as “the hyena does not laugh for nothing.”

My Foucauldian reading suggests a possible link between the school leaders’ ethical challenges to the discursive practices associated with the discourse of development, neoliberalism, EFA, and good governance advanced by global institutions. These have been established and instituted by global institutions mainly the World Bank and International Monetary Fund (IMF) and United Nations Educational, Scientific and Cultural Organization (UNESCO) with a view to establishing a neoliberal economy. Even though these were considered to be best suited to manage the challenges within Kenya’s education sector and economy, policies associated with them namely: Structural Adjustment Programmes (SAPs), Education For All (EFA) and to some extent the demand for good governance. They have possibly contributed to the myriad of ethical problems the school leaders are faced with at the time of this research. One likely explanation for this is that these policies are founded in neoliberal discourse, which encourages minimal state intervention in welfare. This promotes the view that values of competition, individualisation and market are important for achieving and sustaining development. A closer look at Afrocentric values suggests a conflict with these neoliberal goals and values which is a likely cause of the ethical problems identified by for school leaders in this study. This suggests that many of Kenya’s secondary school leaders’ ethical challenges could be construed as the effects of well-intentioned global policy reforms established in Kenya.

In considering this further, these changes, suggest that the demands to fulfil the global policies is likely to have overshadowed the role of the State. It could be that even though they aim to protect the agency of the state, while giving support, some of their interventions cannot clearly be distinguished from their continued demand for subservience of the state. It is possible that very minimal efforts are being made by the State to address the pressing contextual issues, especially the welfare related challenges, prevalent in schools. The school leaders may be overburdened with responsibility for care and welfare and this could explain why the school leaders in this study illustrate that their roles have been extended to include managing the

effects of HIV/AIDS and poverty, resolving the financial crisis in schools, taking care of the needy students, and support staff who do not receive sufficient wages.

The school leaders' possibly encounter challenges because the state relies on externally derived policies, which the school leaders describe as flawed and inapplicable in their contexts. It is likely that being externally driven; the policies do not resonate with the leaders' experiences, values and contexts. For instance, the demand for good governance has led to the establishment of new legal systems that have little regard for African values and ethics and this has led to increasing conflicts in the workplace, often between Western and African derived ethical values. This is evidently a clash between the different perspectives of care required of them in, the professional ethics code and the Afrocentric communal value system and the new values propagated in global policies. This suggests that the contextual needs, the leaders' input and that of other stakeholders in the development of educational policies have possibly not been incorporated in the policy making process.

Another significant finding in this study is that the school leaders cannot wholly be blamed for the prevalence of what might be deemed to be ethical malpractice in secondary schools. This is because many of the experiences the school leaders have recounted in this study seem to indicate that they are forced by circumstances to make difficult and sometimes controversial choices which were sometimes construed to be ethical malpractice. The leaders' experiences suggest that school leaders in Kenya sometimes have very limited choices when making ethical decisions. This has made me shift my earlier contention that school leaders are unethical and are to blame for the myriad problems prevalent in secondary schools in Kenya. This also makes me reconsider what the western conception of ethical entails.

The results of this study show that several contextual factors contribute to the school leaders' ethical issues and challenges. They include poverty, managing staff and students infected with HIV/Aids and dealing with the effects of such on school goals. The low economic base in schools, the shift in societal morals and values and the subsequent cultural conflicts prevalent in schools are also ethically problematic and likewise the demands of the community and politicians. The effects of shifting political climates are also evident in secondary schools in Kenya and the school

leaders have to manage them as well. All of these create a hostile environment for moral and ethical conduct to thrive.

The study reveals that secondary school leaders in Kenya encounter ethical issues and challenges because they have to conform to competing ethical imperatives. The leaders show that on many occasions they are confronted with conflicting choices often requiring them to draw from their own personal values, a principled approach or the professional and bureaucratic Western derived ethics premised in codes of ethics, a code of regulations (COR), laws and policies. The school leaders are also exposed to the demands of Afrocentric culture and ethics which are communal. In view of this, secondary school leaders in Kenya find it very challenging to identify the best action for most encounters because each ethical imperative is underlain by different demands.

A Foucauldian reading of the study shows that the influence of Afrocentric ethics as a discourse is prominent and influences the approach and reflections of the school leaders when making ethical decisions. This is because most of the participants' provide evidence of their interaction with their rich indigenous cultural knowledge, beliefs and practices and its relevance to their situations and needs. The discourse challenges the values of the neoliberal discourse and offers an alternative way for dealing with ethics in this context. This is because it advocates for more humane and communal values ignored by neoliberal policies. This suggests that this discourse needs to be given recognition within definitions of governance and ethics in secondary schools in Kenya as a measure to manage the ethical tensions faced by school leaders.

Lastly, a Foucauldian reading of the study suggests that the school leaders ethical challenges persist because the State and school leaders have not been critical of the external influences through policies and other interventions represented as truths which limit the number of subject positions available for them. Thus, as Foucault indicated, both need to be wary of the motives and power relations behind these truth claims which they ought to interrogate, negotiate and foster counter truths in order to manage the ethical problems within secondary school contexts.

10.3 Contribution of the research

This study links with the broader literature on ethical dilemmas in the following ways. First, it has broken new ground for future studies on ethical decision-making by school leaders in the Kenyan and in African contexts where there is a dearth of research on ethical leadership.

Second, the study has provided the perspectives of several categories of school leaders: school principals, bursars, boards of governors, heads of department as well as parents as stakeholders affected by the decisions of school leaders. This assists our understanding of ethics, ethical dilemmas and ethical decision making in Kenya and African contexts and thus adds to the growing body of literature on ethics which has been dominated by studies on the perspectives of school principals and other school administrators such as superintendents in Western contexts. Third, the study provides a Kenyan (African) perspective of ethics and ethical dilemmas in schools outside the Western context that otherwise dominates the literature. This study has demonstrated that within African contexts, a complex mix of socio-cultural, economic and global factors influence school leaders' ethical decisions but this has also contributed to ethical challenges they face in their work as school leaders.

Third, the research demonstrates that within post-colonial states such as Kenya, the ethical expectations for school leaders are broadly defined. This is because they draw from both Western ethics (acquired following colonization) and African perspective and ethics (drawn from their context and experiences). The leaders have to constantly shift their world views as professionals by conforming to some extent to Western ethical perspectives such as professional codes, some policies and laws in the workplace. They also have to draw from their own cultural or Afrocentric value systems and beliefs and the bureaucrats managing education may not be aware of this. Alongside this, school leaders in this context have to contend with numerous and sometimes conflicting imperatives from the Afrocentric ethics and Western ethics, but also the cultural conflicts, which sometimes occur within their own contexts to meet the demand for ethics unlike leaders in Western contexts. Even though research demonstrates that school leaders in Western contexts also face intra-cultural conflicts, their experiences of multiculturalism differ from the experiences of postcolonial states like Kenya due to the history of colonization.

Fourth, this research shows that there is convergence in ethical values articulated in both Western and African perspectives with regard to care and justice. However the illustrations and applications of these two values are also subject to contextual interpretations due to the varied experiences in each context. In this study an ethic of care is understood and commonly applied within a communal context by school leaders in Kenya.

Fifth, the study builds on the literature on the plurality of ethics by confirming that the African perspective of ethics is an emerging discourse because of its influence predominantly on school leadership practice. This occurs in spite of the presence of Western derived ethics. The study has shown that ethics can be defined in multiple ways: from a contextual perspective, an individual's experiences, influence of culture and the nature of each situation as illustrated from the school leaders' responses to their ethical dilemmas (see Chapter 7). It illustrates that situational ethics is the most predominant approach used by school leaders who draw from an African cultural approach when managing ethical dilemmas and thus confirms Foucault, and many other postmodern ethics scholars, who contend that truth is relative and contingent on the context and how it is interpreted.

The Foucauldian reading undertaken in this study has challenged the truths propagated by the global policies advanced by the World Bank and other global organizations and their influence on the ethical conduct of school leaders in Kenya. It confirms that truths advanced by these bodies are imbued with power but are not necessarily true. The analysis suggests shows that what is advocated for could also serve other interests and these need to be interrogated by the school leaders, education policy makers and the State as well as all those who engage with them. I make this conclusion based on the effects of the policies and the discourses that accompany them on the work and conduct of ethics and education practice in Kenya. The ethical problems that the school leaders identified in this study are associated with the State's adoption of foreign policies without scrutiny to identify how they can improve the conduct of education in Kenya.

Lastly, this study confirms and illustrates that Foucault's concepts are applicable outside his initial sphere of investigation. It shows that the influence of power/knowledge, discourse and governmentality continue to subjectify people in non-Western contexts along the lines he has described. This has been possible due to the influence of colonialism and globalization.

10.4 Limitations of the study

One major limitation of this study arose due to the potential effect of my identity in the research. I wore several hats when undertaking this study; an education official, a school administrator, a teacher and student. This raised three potential issues for me during the research: first it was very hard to win the participants' trust to engage in this research. Upon realising that I was an education official, some potential participants felt that the study was an investigation into their own activities as school leaders. I worked hard to build their trust and to assure them of the purpose of the research. This is likely to have an effect in the way they responded and in the data collected.

Second, this research was very sensitive; I had a feeling that the school principals and the BOGs felt insecure during the research process because I was interrogating some of their followers. At the conclusion of the data collection in each station, I had a sense that they would have liked to know what I had gathered and how much I knew about them. I worked hard to ensure confidentiality of the sessions with my participants by engaging them in different discussions during our conversations. I concealed the identity of my participants. Making a decision about revealing the location of the study was equally a challenge. I have only given a hint about the location of the study without providing a lot of detail.

Third, there was a potential challenge linked to my preconceived ideas and experiences as an education official and teacher, which may have influenced my interpretation of this study. Even though I used bracketing and reflexive methods to separate my own thinking from my participants' stories during data collection and interpretation, this influence cannot be completely ruled out because in qualitative research, a complete separation is unlikely.

I encountered a few ‘hiccups’ during the data collection process due to the sensitive nature of this study. I had to change my data collection approach after the focus groups, which I valued for their richness and relevancy in exploring and engaging with the participants, did not yield sufficient data. The participants seemed to avoid the discussions and I interpreted this to mean that the approach did not offer them a sufficiently open atmosphere to discuss sensitive issues, which may have touched on their leaders and possibly themselves. I opted for semi-structured interviews and these were more successful in yielding data.

During the period of my research, the Kenyan government undertook a review of its constitution and subsequently a review of its education policy. This led to an overhaul of the old governance structures. The education sector is now governed at two levels; at the national level and the county level. The County Directors of Education have replaced the Provincial Directors of Education referred to in this study. These changes could have implications for the interpretation of these findings. These changes could also mean that some of the challenges identified in this study may have been addressed.

This being a case study, my research was limited to a sample of public provincial schools in one region. Caution must be applied as the findings may not be transferable to private schools or national and district secondary schools excluded from this study. Comprehensive studies are needed from these categories of schools to determine points of similarity and difference. Moreover the region in which the study was undertaken consisted of a more or less homogenous ethnic group. These two factors mean that the results may differ in other regions. This study cannot be generalised to other regions or schools due to the variation of culture or contextual experiences. The findings can however still apply to many post-colonial regions.

10.5 Implications for future research

Further work needs to be undertaken in the following areas to complement the findings of this study:

(a) An investigation of the experiences of school leaders in national secondary schools and private schools could be explored to determine if the findings suggested in this study are consistent.

- (b) More exploration of Afrocentric ethics and the diversity of viewpoints within it are necessary to further the findings of this study. This would strengthen the discourse and to make it more available for use within schools.
- c) It would be worthwhile to explore the views of other stakeholders excluded from this research in order to get a comprehensive picture and understanding about the challenges of ethical leadership in secondary schools in Kenya.
- d) Lastly, further exploration of the influence of global policies on the work of school leaders would further complement the Foucauldian readings in this study.

10.6 Implications for practice: Addressing ethical dilemmas

The findings of this study suggest several courses of action for the State, policy makers, school leaders, and all stakeholders involved in secondary education in Kenya in order to address and minimise the ethical challenges identified in this study.

First, the State in collaboration with the Ministry of Education should take cognisance of its fundamental responsibility for ensuring that sound policies are in place in education to minimise the ethical problematic situations identified in this study. They have an ethical responsibility for carrying out a scrutiny of externally derived policies for their value, compatibility with the values of the Kenyan people and their overall effects on the education sector and other sectors of the economy.

Unless the State and policy makers move away from the assumption that global policies provide all the right answers to the needs of the Kenyan context the challenges identified above may not be minimised. They should heed Foucault's caution about the dangers of taking for granted what seems to be self-evident, universal and necessary in relation to some of the discourses applied today in the Kenyan education context. To do this they need to identify the underlying discourse or knowledge linked to each external policy and to engage with its underlying truths. This will allow them to identify how they are positioned and how they position themselves within the discourse. They also need to interrogate the underlying interests within policies, to ascertain whether their interests are being served. This is because some of them could be mere conceptualizations and may not necessarily represent truth.

The State and, by extension, the education policy makers and school leaders should treat discourse as social constructions that can be negotiated or even overruled. This means that truths claims propagated in discourses such as those evident in this study namely the discourses of development, neoliberalism, EFA, and good governance ought to be interrogated, negotiated and counter truths fostered. They should challenge the truths and lay strategies for engaging with them to the advantage of the State and the education sector in Kenya.³ In this way they will resist being dominated by them and avoid solely relying on their associated policies for defining the conduct of education in Kenya. They can also look for other possibilities or counter discourses so that they remove the constraints and ethical tensions that have emerged following their engagement with these policies and practices. In this way the values and needs of the Kenyan people could form the basis for enactment of policy. Kenyans' agency and control over the education sector would be restored and sound policies that benefit students would be made available to ensure an ethical conduct of education is in place.

The appropriacy of Afrocentric ethics and knowledge for tackling the challenges within the context need to be recognized. This is because African values are still vibrant and useful for confronting some of the challenges encountered within the school contexts in Kenya. These can be incorporated into the school leadership training programmes and in open discussion forums of school leaders' experiences with challenging values and ethics, which are sometimes held. A common value system needs to be established from forums where on-going dialogue and negotiation are held in order to enhance better ethical practice within the education sector. This could be held at national, regional and local levels, to disseminate common values, but care should be taken to ensure that a rigid or codified approach is not the predominant approach. In this way what is valuable for the community would be identified and enhanced and the ethical conflicts identified in this study minimized.

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³ The largest teachers union in Kenya recently voiced their objection to the World Bank's influence on prioritizing government education policy on e-teaching with a view to limit the engagement of teachers. This move is likely to create conflict in the sector ("KNUT: World Bank behind our woes," 2013).

The Ministry of Education should review its general approach for gauging ethical conduct. This could entail recognizing that other approaches are equally valuable for defining ethical conduct outside the Western principled codified approaches promoted in the workplace. These include situational ethics, personal values, experience and individual cultural values. They should recognize that a codified approach for managing ethics is not always applicable and should not be rigidly applied. In this way the approaches within the Kenyan context would be incorporated into the definition of ethics practice and minimize ethical challenges.

The State should reinstate its role of managing secondary education by instituting contextually driven policies to minimize their reliance on external derived policies. This would entail involving all stakeholders in the sector in deriving education policies so that contextual needs are met. In this way it will pay more attention to and address the contextual challenges issues identified in this study. This should include establishing a credible financial and management system with internal controls in secondary school so that school bursars are established as financial officers in schools and given the full mandate to carry out their ethical role without interference. A review the status of the support staff in secondary schools would hopefully ensure that a good work structure is established to manage and coordinate school support staff affairs. It could also ensure that their working conditions are improved so that humane and more ethical work practices are put in place.

Unless the government undertakes two things; one, reviews its current grant disbursement system to ensure that funds reach schools on time and are audited; and two, institute mechanisms to address the current financial deficits and debt crisis in secondary schools, they will not be able to re-establish the financial controls to ensure ethical practice in schools. This would ensure that the school leaders do not have to rely on traders for credit and financial support and also limit the temptation for compromise and ethical malpractice. The government should also review its current financial disbursement systems for grants to schools to ensure that funds are disbursed on time. This would allow school leaders to run school programmes effectively and minimise the challenges associated with the low finance resource base in schools.

The health related challenges identified by the school leaders can be addressed by instituting and encouraging inter-ministerial linkages between the Ministry of Education (MOE) and the Ministry of Health, and Social Services and other partners. This would help to ease the burden placed upon school leaders to handle health, psychological and social matters, which affect staff and students. Government health workers and social workers and trained counsellors could be seconded to work in schools or stationed to serve several schools in a region to offer this service to staff and students as required. Trained government counsellors could also be attached to a group of schools in each district to work alongside the school leaders to assist teachers with illness or social problems such as drunkenness and student care among other issues.

Polices defining the role and function of politicians in relation to school establishments should be developed and reviewed from time to time. In line with this, the State needs to establish mechanisms that will ensure that public funds, such as The Constituency Development Fund (CDF) for bursary and education development managed by politicians, are disbursed fairly and accounted for so that they meet the goals of schooling and not patronage.

There is need to re-assess and redefine the role of key leaders engaged in administrative work in schools and more particularly the Boards of Governors (BOGs), Heads of Departments (HODs), the school bursar and school principal as well as key support staff who work closely with the administrative staff to minimize conflicts and tensions evident in this study. It is recommended that school bursars be employed by an independent body such as the government and not the BOGs. This would minimize the job insecurity, which hinders and threatens their ethical leadership function when they encounter financial discrepancies.

New conversations should be instituted to find ways to address the moral challenges facing schools in postcolonial states such as Kenya. This should entail looking broadly at mechanisms for managing moral conflicts. Considerations could be made about a return to some of the useful African ways of living to manage ethical conduct in schools. This is because as this study shows, the African cultural perspectives and moral ways have persisted in spite of the infiltration of Western culture. Moreover as

this study has hinted within Western contexts, new debates about the flaws of Western-based approaches and neoliberal policies are beginning to take shape and seem to suggest that a communitarian approach would serve the world better

A new emerging discourse of partnership in the implementation of neoliberalism is also likely to serve the Kenyan state and benefit school leaders' work. This approach has emerged due to the growing dissatisfaction with the market approach and the disconnection evident between government and community initiatives (Larner & Craig, 2007). They explain that it has the advantage of allowing collaboration with communities currently excluded from the globalizing economy and leads to a reform of neoliberalism so that its aims can go beyond its current focus on the market. In this way programmes that are beneficial are instituted. Larner and Craig consider this as one way in which all communities can be incorporated into social policy and sustainable development be achieved. This offers a valuable alternative for addressing some of the ethical challenges identified in this study because it ensures that contextual needs are incorporated in policy and practice.

I would recommend that the World Bank and other global organizations institute mechanisms for identifying the impact of their current policies on the Kenyan education context. This could entail moving away from their reliance on statistics for identifying progress of policies to measures that identify the real situation on the ground. They need to shift their focus away from universalised policies and practices. The outcome of this study contradicts the expectations of the Paris Declaration, an international accord established in 2005. This was to ensure that there is partnership in development and that all foreign aid is aligned to the local context and that outcomes of projects are shared between donors and the less developed countries (Colclough & Webb, 2010).

There is also need for the global organisations especially the World Bank to review the discourse of development, because as indicated in this study, this project has failed to transform the Kenyan context and more so the education sector, which is bedevilled by ethical malpractice as an effect of some of these global interventions.

Global institutions also need to review their role and focus more on playing their main designated role of providing loans and allow countries to design their own agenda. This would allow such countries to draw from their knowledge and experiences negotiated with education stakeholders and the State so that only projects that meet their needs are pursued. This should not be misconstrued to mean that Kenya is not open to change and to the world, for there is evidence that since independence Kenya has embraced several discourses and incorporated changes drawn from the west with a goal for achieving development. However, the interventions associated with neoliberalism incorporated in Kenya since the 1980s, as evident from this study, have led to many challenges within the secondary education sector. There is therefore a need for a new direction that focuses directly on the challenges ‘on the ground’, in the ‘here and now’.

10.7 A last word

Like the potter in the picture (see overleaf) depicting the moulding of a Agulu (a Luo word for pot), a typical practice in many African countries, the State needs to mould its education agenda on its own by drawing on the experiences, needs and values of its people like this potter would of its clay. The Kenyan people should take the lead in defining it and mould the pot to their taste so that the pot serves its purpose.

The state should be open to learn from experiences all over the world, but should rely on their own ingrained design drawn from these experiences. This means that as a potter, the state must be conscious of all the influences upon its modelling to minimise bumps or ethical problems, because education is important and requires good attention to ensure ethical practice. When this is done, they can be sure that the

desired pot complete with beneficial shapes for its intended use, is created. It would minimise their continued reliance on the instrumental, rationalised and hegemonic approaches associated with global interventions which has contributed to the unintended effects as seen in the ethical problems identified by school leaders in this study. This, as indicated in the opening proverb of this chapter, illustrates a heavy responsibility upon the State and secondary school leaders.

References

- Abbey, R., & Taylor, C. (1996). Communitarianism, Taylor-made: An interview with Charles Taylor. *The Australian Quarterly* 68 (1), 1-10.
- Abel, R. L. (1979). The rise of professionalism. *British Journal of Law and Society*, 6(1), 82-98.
- Abercrombie, N., Hill, S., & Turner, Bryan. S. (2006). *Dictionary of Sociology*. London: Penguin.
- African Development Bank (2006, June). Kenya institutional support for good governance appraisal report. Retrieved from <http://www.afdb.org>.
- Amutabi, M. N. (2003). Political interference in the running of education in post-independence Kenya: A critical retrospection. *International Journal of Educational Development*, 23(2), 127-144.
- Andiwo, O. (2008, January, 14). Waiver of tuition fee laudable but the challenge is implementation, *Daily Nation*. Retrieved from www.nationmedia.com.
- Annas, J. (1999). Ethics and modern morality. *Philosophical Perspectives*, 6, 119-136.
- April, K., & Peters, K. (2011). Communal versus individual modalities of work: A South African Investigation. *Asia Pacific Journal of Business and Management*, 2(1), 5-36.
- Argyriades, D. (2006). Good governance, professionalism, ethics and responsibility. *International Review of Administrative Sciences*, 72(2), 155-170.
- Bagnall, R. G. (1998)). Moral education in a postmodern world: Continuing professional education. *Journal of Moral Education*, 27(3), 313-331.
- Ball, S. J. (1994). *Education reform: A critical and poststructural approach*. Buckingham: Open University.

- Ball, S.J (2003). The teachers soul and the terrors of performativity. *Journal of Education policy*, 18(2). 215-228.
- Ball, S.J. (2012). The making of a neoliberal academic. *Research in Secondary Teacher Education*. 2(1). 29-31.
- Banks, S. (2003). From oaths to rule Books: A critical examination of codes of ethics for social professions. *European Journal of Education*, 6(2), 133-144.
- Bauman, Z. (1993). *Postmodern ethics*. Oxford: Blackwell.
- Bauman, Z. (2000). Ethics of individuals. *Canadian Journal of Sociology*, 25(1), 83.
- Bazeley, P., & Richards, L. (2000). *The NVivo qualitative Project Book*. London: Sage Publications.
- Begley, P. T. (2004). Understanding valuation process: exploring the linkage between motivation and action. *International Studies in Educational Administration*, 32(2), 4-17.
- Begley, P. T. (2006). Self-knowledge, capacity and sensitivity: Prerequisites to authentic leadership by school principals. *Journal of Educational Administration*, 44(6), 570-589.
- Begley, P. T. (1999). The place of values in theories of administration. In P. T. Begley (Ed), *Values and educational leadership (pp. 115-119)*. Albany: State University of New York.
- Begley, P., & Stefkovitch, J. (2007). Integrating values and ethics into post-secondary teaching for leadership development: Principles, concepts and strategies. *Journal of Educational Administration*, 45 (4), 398-412.
- Begley, P. T., and Stefkovitch, J. A. (2004). Education, ethics and the "Cult of Efficiency": Implications for values and leadership. *Journal of Educational Administration*, 12(2).

- Begley, P.T. & Johansson, O, (2003) *The Ethical dimensions of school leadership*. In P. T. Begley, & O. Johansson, (Eds) *New expectations for democratic school leadership*. (pp. xv-xviii). Dordrecht: Kluwer Academic Publishers.
- Begley, P. T., & Wong, K.C. (2001). Multiple perspectives on values and ethical leadership. *International Journal of Leadership in Education* 4(4): 293-296.
- Benhabib, S. (1992). *Situating the self: Gender, community, and postmodernism in contemporary ethics*. New York: Routledge Taylor.
- Bennars, G. A. (1993). *Ethics education and development*. Nairobi: East African Publishers.
- Bennel, P., Hyde, K., & Swainson, N. (2002). *The Impact of the HIV/Aids Epidemic on the education sector in Sub-Saharan Africa: A synthesis of the findings of three country studies*. University of Sussex, Brighton: Centre for International Education.
- Bergo, B. (2011). Emmanuel Levinas. In E. N. Zalta (Ed.), *Stanford Encyclopaedia of Philosophy*.
- Besley, T. (2009). Governmentality of youth: Beyond cultural studies. *Contemporary. Readings Law & Social Justice*, 1, 36-83.
- Beugre, C., & Offodile, Felix. . (2001). Managing for organizational effectiveness in Sub-Saharan Africa: A culture- fit Model. *Human Resource Management*, 12(4).
- Biesta, G. J. J. (2004). Education, accountability and the ethical demand. Can the democratic potential of accountability be regained? *Educational Theory*, 54 (3), 233-250.
- Bloomberg, L. D., & Volpe, M. (2008). *Completing your qualitative dissertation: a road map from beginning to end*. Los Angeles: Sage.
- Blum, L. A. (1988). Gilligan and Kohlberg: Implications for moral theory. *Ethics*, 98 (3), 472-491.

- Blunt, P., & Jones, M. (1997). Exploring the limits of Western leadership theory in East Asia and Africa. *Personnel Review*, 26 (1/2), 6-23.
- Bogonko, S., N. (1992). A history of modern education in Kenya (1895-1991). Nairobi: Evans Brothers.
- Bos, R. T., & Willmott, H. (2002). Towards a post dualistic business ethics: Interweaving reason and emotion in working life. *Journal of Management Studies*, 38(6), 769-793.
- Bottery, M. (1992). *The Ethics of educational management*. London: Cassell.
- Bourke, R., & O'Neill, J. (2008). Professional development for ethical teaching. *New Zealand Annual Review of Education*, 18, 107-122.
- Bowen, G. (2009). Documentary analysis as a qualitative research method. *Qualitative Research Journal* 9 (2), 27-40.
- Branson, C. (2010). Ethical decision making: Is moral integrity the missing link? *Journal of Authentic Leadership in Education*, 1(1), 1-8. Retrieved from http://csle.nipissingu.ca/JALE/JALE_Num1Vol1.pdf
- Braun, V., & Clarke, V. (2006). Using thematic analysis in psychology. *Qualitative Research in Psychology* 32 (2), 77-101.
- Brien, A. (1998). Professional ethics and the culture of trust. *Journal of Business Studies*, 17(391-409).
- Broodryk, J. (2006). *Ubuntu: African life coping skills*. Paper presented at the CCEA conference, Lefkosia, Cyprus.
- Brooks, J. S., & Normore, A.H. (2005). An Aristotelian framework for the development of ethical leadership. *Values and Ethics in Educational Administration*, 32 (2), 1-8.
- Brown, G. (2011). *EFA: Beating poverty, unlocking prosperity*. Paris: UNESCO.

- Brown, M. E., Trevino, L.K., & Harrison, D.A. (2005). Ethical leadership: A social learning perspective for construct development and testing. *Organizational Behaviour and Human Decision Processes*, 97, 117-134.
- Brown, M. E., & Trevino, L.K. (2006). Ethical leadership. *Leadership Quarterly*, 17, 595-616.
- Brycesson, D., .F. & Banks, L. (2001). End of an era: Africa's development policy parallax. *Journal of Contemporary African studies*, 19(1), 5-23.
- Burchell, G. (1993). Liberal government and the techniques of the self. *Economy and Society*, 22(3), 267-282.
- Burns, J. M. (1978). *Leadership*. New York: Harper and Row.
- Busher, H., & James, N. (2000). Ethics of research in education. In Briggs, A.R.J., & Coleman, M. (Eds). *Research methods in educational leadership and management*. (pp.106-122) London: Sage.
- Butler, I. (2002). A code of ethics for social work and social care research. *British Journal of Social Work*, 32 (2), 239-248.
- Campbell, E. (2008). The ethics of teaching as a moral profession. *Curriculum Inquiry*, 38(4), 358-385.
- Campbell, E. (2003). Let right be done: trying to put ethical standards into Practice. In Begley, P.T., & Johansson, O. (Eds.), *The ethical dimensions of school leadership* (pp. 107-125). Boston: Kluwer.
- Candilis, P. J., Weinsock, R., Martinez, R. (2007). *Forensic ethics and expert witness* (pp. 61-75). New York: Springer link.
- Carr, D. (2006). Professional and personal values and virtues in education and teaching. *Oxford Review of Education*, 32 (2), 171-183.

- Chabari, E.B. (2010). *Challenges facing effective implementation of Free secondary education in public secondary schools in Kangundo District*. (Unpublished Master's dissertation), Chuka University College, Kenya.
- Children Act 2001. Retrieved from <http://www.icrc.org>
- Chippendale, P. (2001). On values, ethics, morals & principles. *A values Inventory*. Retrieved from www.minessence.net
- Codd, J. (2005). Teachers as 'managed professionals' in the global education industry: The New Zealand experience. *Educational Review*, 57(2), 193-206.
- Cohen, J. (2007). Viewpoint linking professionalism to humanism: What it means and why it matters. *Academic Medicine*, 82 (11), 1029 -1032.
- Cohen, L., Manion, L., & Morrison, K. (2007). *Research methods in education*. London: Routledge.
- Colclough, C. & Webb, A. (2010). The impact of aid on education policy in Kenya. Working Paper No.36. Retrieved from http://recoup.educ.cam.ac.uk/publications/WP36-Kenya_aid_paper.pdf
- Cottone, R. R. (2001). A social constructivism model of ethical decision making in counselling. *Journal of Counselling & Development*, 79, 39-45.
- Covrig, D. M. (2000). The organisational context of moral dilemmas: The role of moral leadership in making and breaking Dilemmas. *The Journal of Leadership Studies*, 7(1), 40-59.
- Cranston, N., Ehrich, L. C., & Kimber, M. (2006). Ethical dilemmas: The "bread and butter" of educational leaders' lives. *Journal of Educational Administration*, 44(2), 106-121.
- Creswell, J. W. (2009). *Research design: Qualitative, quantitative methods and mixed methods approaches*. London: Sage.

- Crib, A. (2009). Professional ethics whose responsibility. In S. Gewirtz, P. Mahoney, I. Hextall. & A., Crib, (Eds.), *Changing teacher professionalism*. (pp. 39-45). London: Routledge.
- Crocket, K. (2011). Making decisions for ethical action. In K.Crocket, M. Agee. & S. Cornforth (Eds.), *Ethics in practice: A guide for counsellors*. (pp. 43-47). Wellington: Dunmore.
- Crotty, M. (1998). *The foundations of social research: Meaning and perspective in research process*. London: Sage.
- Danaher, G., Schirato, T., & Webb, J. (2000). *Understanding Foucault*. NSW, Australia: Allen & Unwin.
- Davis, J. A. (2008). *Moral Leadership: The Leadership of the future: An exploratory study in a Bahai-inspired faith school*. (Unpublished Doctoral dissertation).University of Leicester, England.
- Davis, M. (2003). What can we learn by looking at the first Code of Professional ethics? *Theoretical Medicine*, 24, 433-454.
- Davis, B., & Bansel, P. (2007). Neoliberalism and Education. *International Journal of Qualitative Studies in Education*, 20(3), 247-259.
- Davis, B., & Harre, R. (1990). Positioning: the Discursive Production of Self. *Journal of the Theory of Social Behaviour*, 20(1), 43-63.
- Dawson, A. J. (1994). Professional codes of practice and ethical conduct. *Journal of Applied Philosophy*, 11(2), 145-153.
- Dean, M. (2010). *Governmentality: Power and Rule in Modern Society*. London: Sage.
- Dean, M. (1999). *Governmentality: Power and Rule in Modern Society*. Thousand Oaks, CA: Sage.
- Deigh, J. (2010). *An Introduction to Ethics*: Cambridge University Press.

- Demitras, Z. (2010). Ethical codes expected of school Administrators. *African Journal of Business Management*, 46(6), 1006-1013.
- Denig, S.J., & Quinn, T. (2001). Ethical dilemmas for school administrators. *The High School Journal*, 84 (4), 43-49.
- Denzin, N. K & Lincoln, Y. (2008). The Discipline and practice of qualitative Research. . In Denzin, N., & Y. Lincoln, Y. (Eds.), *Strategies of qualitative inquiry*. (pp.1-44). London: Sage.
- Denzin and Lincoln (2003). The discipline and practice of qualitative Research. In N. Denzin, & Lincoln, Y. (Eds.), *The Landscape of qualitative research: theories and issues* (pp. 1-45). London: Sage.
- Dewey, J. (1922). *Human nature and conduct*. New York: Random House.
- Dimmock , C. W., Allan (2005). *Educational leadership culture and diversity*. London: Sage.
- Dimmock, C., & Walker, A. (2000). Globalisation and societal culture: Redefining schools and school leadership in the 21st century. *Compare*, 30(3), 303-312.
- Dingwall, G. (2004). Trusting archivists: The role of archival ethics codes in establishing public faith. *The American Archivist*, 67(1),11-30.
- Doherty, R. (2007). Critically framing education policy: Foucault, discourse and governmentality. In M. Peters, & Besley, T. (Eds.), *Why Foucault? New directions in educational research*. (pp.193-203). New York: Peter Lang.
- Dubois, M. (1991). The governance of the third world: a Foucauldian perspective on power relations in development. *Alternatives*, 16, 1-30.
- Duignan, P. (2006). *Educational leadership: Key challenges and ethical concerns*. New York: Cambridge University.

- Eacott, S. (2010). Studying school leadership practice: A methodological discussion. *Issues in Educational Research*, 20(3), 220-233. Retrieved from <http://www.iier.org.au/iier20/eacott.html>
- Economic Commission for Africa (2003). *Public sector reforms in Africa: Lessons learnt*. Retrieved from www.uneca.africa-devnet.org
- Education International (2004). *EI declaration of professional ethics*. Retrieved from www.ei-ei.org
- Engster, D. (2005). Rethinking care theory: The Practice of caring and the obligation to care *Hypatia*, 20(3), 50-74.
- Escobar, A. (1995). *Encountering development: The making and unmaking of the Third World*. New Jersey: Princeton University.
- Etzioni, A. (1969). A preface. In A. Etzioni (Ed.), *The Semi-professionals and their organisations: Teachers, nurses, social workers* (pp. xv-xvii). New York: The Free press.
- Evans, L. (2011). The 'shape' of teacher professionalism in England: Professional standards, performance management, professional development and the changes proposed in the 2010 White Paper. *British Educational Research Journal*, 37, 851–870.
- Evans, L. (2008). Professionalism, professionalism and the development of educational professionals. *British Journal of Educational Studies*, 56 (1), 20-38.
- Evetts, J. (2011). A new professionalism: Challenges and opportunities. *Current Sociology*, 59(4), 406-422.
- Ethics and Anti-corruption Act (2011). Retrieved from www.kenyalaw.org.
- Eyal, O., Berkovitch, I., Schwartz, T. (2011). Making the right choices. *Journal of Educational Administration*, 49(4), 396-413.

- Fairleigh Dickenson University (2009). Ethics and values. Retrieved January 5, 2010 from <http://www.fdu.edu>
- Fashoyin, T. (2005). Management in Africa. *Lagos Organization Review*, 1(1), 43-45.
- Fine, M., & Terram, E. (2009). "Believers and skeptics: Where social workers situate themselves regarding the code of ethics. *Ethics and Behaviour* 19(1), 60-78.
- Fisher, C. (2001). Managers' perceptions of ethical codes: dialectics and dynamics. *Business Ethics: A European Review*, 10(2), 145-156.
- Fitzsimons, P. (2011). *Governing the self: a Foucauldian critique of managerialism in education*. New York: Peter Lang.
- Ford and Lawler (2007). Blending existentialist and constructionist approaches in leadership studies. *Leadership and Development Journal* 28 (5), 409-425.
- Foster, W. (1986). *Paradigms and promises*. New York: Prometheus Books.
- Foucault, M. (1972). *The archaeology of knowledge and the discourse on language*. New York: Pantheon.
- Foucault, M. (1977). *Discipline and punish*. London: Penguin.
- Foucault, M. (1980). Truth and power. In T.C. Gordon (Eds.), *Power/Knowledge: Selected interviews and other writings 1972-1977* (pp. 109-133). New York: Pantheon.
- Foucault, M. (1982). The subject and power. In H. Dreyfus, & P. Rabinow (Eds). *Michel Foucault. Beyond structuralism and hermeneutics*. (pp. 208-226). Brighton: Harvester.
- Foucault, M. (1984). On the genealogy of ethics: An overview of work in progress. In P. Rabinow. (Eds). *The Foucault reader* (pp.340-372), New York: Pantheon Books.

- Foucault, M. (1985). *History of sexuality volume 2. The use of pleasure*. London: Penguin.
- Foucault, M. (1986). *The history of sexuality: The care of the self, Vol. 3*. New York: Pantheon.
- Foucault, M. (1990). *The history of sexuality: An introduction. (Vol. 1)*. Translated from the French by Robert Hurley. New York: Vintage.
- Foucault, M. (1991). Governmentality. In G. Burchell, G. Gordon, & P. Miller, P (Eds.), *The Foucault effect: studies in governmentality* (pp. 87-104). Chicago: University of Chicago.
- Foucault, M. (1994a). Subjectivity and truth. In P. Rabinow. (Eds.), *The essential works of Michel Foucault. 1954-1984, Vol. 1*. (pp. 87-92) New York: The New Press.
- Foucault, M. (1994b). The Ethics of concern for self as a practice of freedom. In P. Rabinow. (Ed.), *The essential works of Michel Foucault. 1954-1984, Vol. 1*. (pp.281-302) New York: The New Press.
- Foucault, M. (1995). *Discipline and punish. The birth of the prison*. Translated by Alan Sheridan. New York: Vintage.
- Foucault, M. (2003). *Society must be defended*. London: Penguin Allen Lane.
- Frankena. (1973). *Ethics*. New Jersey: Englewood cliffs.
- Frick, W.C., & Faircloth, S.C. (2007). Acting in the collective and individual “Best interest of Students”: When ethical imperatives clash with administrative demands. *Journal of Special Education Leadership*, 20 (1), 21-32.
- Frick, W. C. (2009). Principals’ value-informed decision making, intrapersonal moral discord and pathways to resolution: The complexities of moral leadership praxis. *Journal of Educational Administration* 47(1), 50-74.

- Frick, W.C. (2011). Practicing a professional ethic: Leading for students' best interest. *American Journal of Education*, 117 (4). 527-562.
- Friedson, E. (1994). *Professionalism reborn: theory, prophecy and policy*. Cambridge: Polity Press & Blackwell Publishers.
- Fullan, M. (2003). *The moral imperative of school leadership*. Thousand Oaks, CA: Corwin.
- Furman, G. (2004). Moral leadership and the ethic of community. *Values and Ethics in Educational Administration*, 2(1), 1-8.
- Furrow, D. (2005). *Ethics: key concepts in philosophy*. London: Continuum.
- Gall, M., Borg, W., & Gall, J. (1996). *Educational research: An introduction* (6th Eds). New York: Longman.
- Gallagher, M. (2008). Foucault, power and participation. *International Journal of Children's Rights*, 16, 395-406.
- Gardner, H., & Shulman, Lee, S. (2005). The professional in America today: crucial but fragile. *Daedalus*, 134, 13-18.
- Gathii, J. T. (1999). Representations of Africa in good governance discourse: policing and containing dissidence to neoliberalism. *Third World Legal Studies*, 18 (65), 65-108.
- Gergen, K. (1985). The social constructionist movement in modern psychology. *American Psychology*, 40(3), 266-275.
- Gilligan, C. (1982). *In a different voice*. London: Harvard.
- Gilman, S. (2005). *Ethics codes and codes of conduct as tools for promoting an ethical and professional public service: comparative successes and Lessons*. Retrieved from www.oecd.org.
- Gini, A. (2004). Moral leadership and business ethics. In J. B. Cuilla (Eds.), *Ethics the heart of leadership*. Westport, CT: Greenwood .

- Glesne, C (2006). *Becoming qualitative researchers: An introduction*. Boston: Pearson.
- Government of Kenya (1964). *Kenya education commission report*. Nairobi: Government Press.
- Government of Kenya (1976). The National committee on educational objectives and policies (*Gachathi Report*). Nairobi: Government Press.
- Government of Kenya, (1981). Second university: *Report of presidential working party* (Mackey Report). Nairobi: Government Press.
- Government of Kenya. (1988). *Commission of inquiry into the education system in Kenya*. Nairobi: Government Press.
- Government of Kenya (2005). *Sessional paper No. 1, 2005*. Nairobi: Government Press.
- Golby, M. (1997). Communitarianism and education. *Curriculum Society*, 5(2), 125-138.
- Gordon, C. (1991). Governmental rationality: an introduction. In G. Burchell, C. Gordon, C., P. Miller (Eds.), *The Foucault effect: Studies in governmentality* (pp. pp.1-51). London: Harvester Wheat sheaf.
- Gore, C. (2000). The rise and fall of the Washington consensus as a paradigm for developing countries *World development*, 28(5).789-804.
- Gray, D.E. (2009). *Doing research in the real world*. London: Sage.
- Greenfield, W. D. (2004). Moral leadership in schools. *Journal of Educational Administration* 42(2): 174-196.
- Greenfield, W. D. (1995). Toward a theory of school administration: the centrality of leadership. *Educational Administration Quarterly*, 31(1), 61-85.
- Guba, E.G., & Lincoln, Y.S. (1994). Competing paradigms in qualitative research. In Denzin, N. K., & Lincoln, Y. (Eds.), *Handbook of qualitative research* (pp. 105-117). London: Sage.

- Guy, M. E. (1990). *Ethical decision making in everyday work situations*. New York: Quorum Pearson.
- Gyekye, K. (2010). African ethics *Stanford Encyclopaedia*. Retrieved from www.plato.stanford.edu
- Hailey, J. (2008). Ubuntu: A literature review. A paper prepared for the Tutu Foundation, London. Retrieved February, 12, 2013 from www.tutufoundationuk.org/
- Hall, S. (2003). Foucault: power, knowledge and discourse. In S. Yates, S. Taylor, & M. Wetherell. (Eds.), *Discourse Theory and Practice: a reader* (pp. 72-81). London: Sage.
- Hall, S. (1997). The Work of Representation. In S. Hall (Ed.), *Representation: cultural representation and signifying practice* (pp. 13-74). London: Sage.
- Harber, C., & Davies, L. (1998). *School management and effectiveness in developing countries*. London: Cassel.
- Hargreaves, A. (2000). Four ages of professionalism and professional learning. Teachers and teaching: *Theory and practice*, 6(2), 151-182.
- Harvey, D. (2005). *A brief history of neoliberalism*. Oxford: Oxford University Press.
- Haydon, G. (2007). *Values for educational leadership*. London: Sage.
- Held, V. (2005). The ethics of care: personal, political and global Retrieved from Oxford Scholarship Online <http://www.oxfordscholarship.com>
- Heller, K. J. (1996). Power, subjectification and resistance in Foucault. *Substance*, 25 (1) (78-110.).
- Hellsten S., & Larbi, G.A. (2006). Public good or private good? The paradox of public and private ethics in the context of developing countries. *Public Administration and Development*, 26, 135-145.

- Helsby, G. (1995). Teachers' construction of professionalism in England in the 1990s. *Journal of Education for Teaching*, 21(3), 317-332.
- Hermond, D. (2006). Ethical leadership is not an option: How LPPS can help. *International Journal of Scholarly Academic Intellectual Diversity*, 8(1), 1-6.
- Hester, J.P. (2003). *Ethical leadership for school administrators and teachers*. London: Jefferson (N.C).
- Hindess, B. (2005). Investigating international anti-corruption. *Third World Quarterly*, 26(8), 1389-1398.
- Hodgkinson, C. (1996). *Administrative philosophy, values and motivations in administrative life*. Oxford: Pergamon.
- Hodgkinson, C. (1991). *Educational leadership: The moral art*. New York: State University of New York.
- Hofstede, G. (2001). *Culture's Consequences: Comparing values, behaviours, institutions, and organizations across nations*, Thousand Oaks, CA: Sage.
- Holtzhausen, D., R. (2000). Postmodern values in public relations. *Journal of Public Relations Research*, 93(1), 93-114.
- Homfeyr, A. B. (2006). The Metaphysics of Foucault's ethics: succeeding where Levinas fails. *South African Journal of Philosophy*, 25(2), 113-125.
- House, R. J., Hanges, P. J., Javidan, M., Dorfman, P. W., & Gupta, V. (2004). Culture, leadership and organizations: *The GLOBE study of 62 cultures*. Thousand Oaks: Sage.
- Howe, K. R. (2001). Qualitative educational research. In V. Richardson (Ed.), *Handbook of research*. Washington, DC: American Educational Research Association.
- Hoy, W., K. & Miskel, C.G. (2005). *Educational administration: theory, Research and Practice*. New York: McGraw-Hill.

- Hugman, R. (2005). *New Approaches in ethics for the caring professions*. New York, NY: Palgrave MacMillan.
- Hursthouse, R. (2007). Virtue ethics *Stanford Encyclopaedia of Philosophy*.
Retrieved from <http://www.plato.stanford.edu>
- IPAR. (2008). Radical reforms for Kenya's education reform sector; implementing policies, responsive to vision 2030. IPAR: Nairobi.
- Jackson, T. (2002). The Management of people across cultures: Valuing people differently. *Human Resource Management*, 41(4), 455-475.
- Jaye, C. (2002). Doing qualitative research in general practice: Methodological utility and engagement. *Family Practice*. 19(5), 557-562.
- Jegede, S. (2009). African ethics, health care research and community and individual participation. *Journal of Asian and African studies*, 44(2), 239-253.
- Joseph, J. (2010b). The limits of governmentality: Social theory and the international. *European Journal of international relations*, 16(2), 223-246.
- Kamper, G. (2008). A profile of Effective leadership in some South African high - poverty schools. *South African Journal of Education*, 28, 1-18.
- Kanungo, R. N., & Mendonca, M. (1996). *Ethical dimensions of leadership*. Thousand Oaks, CA: Sage.
- Kaptein, M., & Schwartz, M. (2008). The Effectiveness of business codes: A critical examination of existing studies and the development of an integrated research model. *Journal of Business Ethics*, 77(2), 111-127.
- Karaköse, T. (2007). High school teacher's perceptions of principal's ethical leadership in Turkey. *Asia Pacific Education Review*, 8(3).
- Kelemen, M., & Peltonen, T. (2001). Ethics, morality and the subject: The contribution of Zygmunt Bauman and Michel Foucault to postmodern business ethics. *Scandinavian Journal of Management*, 17(151-166).

- Kendall, G., & Wickham, Gary. (1999). *Using Foucault's methods*. London: Sage.
- Kenya National Bureau of Statistics (2012). *Economic survey*. Retrieved from www.knbs.or.ke
- Kenya National Bureau of Statistics (2010). *Demographic and health survey 2008-2009*. Retrieved from www.measuredhs.co
- Kenya Anti-corruption Commission (n.d). National Anti-corruption plan. Nairobi: Author.
- Khandelwal, B., P. (2006). *Teacher codes of practice in Bangladesh, India (Uttar Pradesh) and Nepal: a comparative study*. UNESCO: Paris.
- Kiboiy, K., L. (1998). Effectiveness of financial management: Its impact on school administration: a case study of Nandi district. (Unpublished Master's dissertation). Moi University, Kenya.
- Kigongo, J. K. (2002). The relevance of African ethics to contemporary African society. In A.P. Daflovo, K.J.K, T. Kigongo, E.N.Tusabe, A.B. Rukooko., A. Byaruhanga, M. Mawa. (Ed.), *Ethics, human rights and development in Africa*. (pp.51-66). Washington DC: Council for research in values and philosophy.
- Kincheloe, J. L. (2012). Critical pedagogy and the knowledge of the twenty-first century. *Key Works in Critical Pedagogy*, 32, 385-405.
- Klees, S. J. (2008). Neoliberalism and education revisited. *Globalisation, Societies and Education*, 6(4), 409-414.
- Klenke, K. (2008). *Qualitative research in the study of leadership*. Bingley, UK: Emerald Group.
- KNUT: World Bank behind our woes. (2013, June, 22). *Daily Nation*, p.1
- Kochan, J. (2009). Popper's communitarianism. In Z. Parusniková & R. Cohen (Eds.), *Rethinking Popper* (Vol. 272, pp. 287-303): Dordrecht, Netherlands: Springer .

- Koehler, W. (2003). Professional values and ethics as defined by "the LIS Discipline". *Journal of Education for Library and Information Science* 44(2), 99-119.
- Kohlberg, L. (1978). The cognitive developmental approach to moral education. In Scharf, P. (Ed.), *Readings in moral education*. Minneapolis, MN: Winston.
- Konnings, P., J. (2004). Good governance, privatisation and ethno-regional conflict in Cameroon. In F. Demmers.J., A.E.,& Hogenboom, B. (Eds.), *Good governance in the era of global neoliberalism, conflict, depoliticization in Latin America, Eastern Europe, Asia and Africa*. London: Routledge.
- Kosomo, D. (2010). The position of African traditional religion in conflict prevention. *International Journal of Sociology and Anthropology* 2(2),23-28.
- Krueger, R. A., & Casey, M. (2000). *Focus Groups: A practical guide for applied research 3rd edition*. London: Sage.
- Ladd, J. (1980). The quest for a code of professional ethics: an intellectual and moral confusion. In R. Chalk, M, Frankel, & S. Chafer. (Eds.), *AAAS Professional Ethics Project: Professional ethics activities in the scientific and engineering societies* (pp. 154-159). Washington, D.C: AAAS.
- Langlois, L. (2004). Responding ethically: Complex decision making by school district superintendents. *International Studies in Educational Administration*, 32(2), 78-93.
- Langlois, L., & Lappointe, C. (2007). Ethical leadership in Canadian school organizations. *Educational Management Administration and Leadership*, 35 (2), 247-260.
- Larner, W., & Craig, David. (2005). After neoliberalism? Community activism and local partnerships in Aotearoa, New Zealand. *Antipode*, 37(3), 402-424.
- doi: 10.1111/j.0066-4812.2005.00504

- Lashway, L. (1996). Ethical leadership. *ERIC Digest* (107). Retrieved from
www.eric.ed.gov
- Law, L., Walker, A., & Dimmock, C. (2003). The Influence of principal's values on their perception and management of school problems. *Journal of Educational Administration*, 41(5), 498-523.
- Leithwood, K., & Steinbach, R. (1995). *Expert problem solving: Evidence from school and district leaders*. Albany, NY: University of New York.
- Lemke, T. (2010). Foucault's hypothesis: From the critique of the juridico-discursive concept of power to an analysis of government. *Parrhesia*, 9, 31-43.
- Lemke, T. (2002 Fall). Michel Foucault's lecture at College de France on neoliberal governmentality. *Economy and Society*, 30, 190-207.
- Levinas, E. (1979). *Totality and Infinity; Translated by Alfonso Lingus*. London: Martinus Nijhoff.
- Liamputtong, P. (2007). *Researching the vulnerable: A guide to sensitive research methods*. London: Sage.
- Lichtman, Marilyn (2010). *Qualitative research in education: A user's guide 2nd Edition*. Los Angeles: Sage.
- Lincoln, Y.S., & Guba, E.G. (1985). *Naturalistic inquiry*. Beverly Hills, CA: Sage.
- Lutz, D. W. (2009). African Ubuntu philosophy and global management. *Journal of Business Ethics*, 84, 313-328.
- Lyotard, J.-F. (1984). *The postmodern condition: A Report on Knowledge*. Manchester: Manchester University.
- MacIntyre, A. (1981). *After Virtue: a study in moral theory*. Notre Dame Ind: University of Notre Dame.

- Madigan, S. P. (1992). The application of Michel Foucault's philosophy in the problem externalizing discourse of Michael White. *Journal of Family Therapy*, 14(3), 265-279.
- Mangaliso, M., P. (2001). Building Competitive advantage from Ubuntu: Management lessons from South Africa. *Academy of Management Executive*, 15, 23-35.
- Marshall, C. (1992). School administrators' values: a focus on a typical. *Education Administration Quarterly*, 28(3), 368-386.
- Marshall, C., & Rosmann, G.B. (2006). *Designing qualitative research*. London: Sage.
- Mason, R., & Gallagher, Kevin. (2009). A pragmatic framework for ethical decision making: The limits of professional codes. Paper presented at the 42nd Hawaii International Conference on System Sciences, Hawaii.
- Matekere, K. (2011). Whipping the Line: the dual crisis of education and citizenship in postcolonial Zimbabwe. *Education Philosophy and Theory* 44(S20), 84-99.
doi: 10.1111/j.1469-5812.2011.00799.x
- Mathura, J. (2011). Country report in the fight against corruption. Paper presented at the Annual general meeting of the East African anti-corruption authorities.
Retrieved from www.eaaca.org
- Maxcy, S. J. (2002). *Ethical school leadership*. Lanham, MD, Scare Crow.
- Mbiti, J. S. (1990). *African religion and philosophy*. London: Heinemann.
- McCarthy, J. (2003). Principalism or narrative ethics: must we choose between them? *Medical Humanities*, 29(2), 65-71.
- McHoul, G., & Grace, W. (1998). *A Foucault primer: discourse, power and the subject*. Dunedin: University of Otago.

- McKelvie-Sebileau, P. (2011). Patterns of development of codes for teachers in 24 Countries. UNESCO-IIEP: Paris.
- McNamara, G., & O'Hara, J. (2010). Ethical leadership in an age of evaluation: implications for the whole well-being. In M. De Souza, et al. (Eds) *International handbook of education for spirituality: Care and well-being* (pp. 943-960). Dordrecht, Netherlands: Springer.
- Merlingen, M. (2007). Everything is dangerous: A critique of normative power Europe. *Security Dialogue*, 38, 435-453.
- Merriam, S.B. (2009). *Qualitative research: A guide to design and implementation*. San Francisco: John Wiley & Sons.
- Merriam, S., B., & Associates. (2002). *Qualitative research in practice: Examples for discussion and analysis*. San Francisco, CA: Jossey-Bass.
- Merriam, S., B. (1998). *Qualitative research and case study applications in education*. San Francisco: Jossey-Bass.
- Mfusi, B.J., & Steyn, G.M. (2012). Problems in managing educators with HIV/AIDS in South African schools. *Human Ecol.* 40 (2), 157-166.
- Miles, M. B., and Huberman, A.M. (1994). *Qualitative data analysis: An expanded source book* (2nd Ed). Thousand Oaks, CA: Sage.
- Milliken, J. (2004). Postmodernism versus professionalism in higher education: Thematic reflections on higher education. *Higher Education in Europe*, 29(1), 9-18.
- Mobegi, F., Osiri., Ondigi, Benjamin. & Simatwa, Enosh, M. (2012). Factors contributing to financial mismanagement and misappropriation in public secondary schools in Gucha District, Kenya. *International Journal of Exclusive Management Research*, 2(5), 1-19.

- Ministry of Education Science & Technology. (2005). *Kenya education sector support programme*. Nairobi: Author.
- Ministry of Education (2007). *Report of the taskforce on affordable secondary education*. Nairobi: Author.
- Ministry of Education (2012). The Report of the task force on the re-alignment of the education sector to the Constitution of Kenya 2010. Retrieved from www.vision2030.go.ke
- Morrisson, M. (2007). What do we mean by educational research? In A.R.J Briggs, & M.Coleman (Eds), *Research methods in educational leadership and management* (pp.3-27). London: Sage.
- Morse, J.M. (1994). Designing funded qualitative research. In N.K., Denzin, & Y.S. Lincoln (Eds.), *Handbook of Qualitative Research* (pp. 220-235). Thousand Oaks, CA: Sage.
- Mugambi, J. (2007). Responsible Leadership in education and development. In C. Stukelberger, & J. Mugambi (Eds.), *Responsible leadership: Global and contextual ethical perspectives* (pp. 79-96). Geneva: WCC publications.
- Mundy, K (2007), Education for All: Paradoxes and prospects of a global promise, in D. P. Baker & A. W. Wiseman (Eds.) *Education for All (International Perspectives on Education and Society, Volume 8)* (pp.1-31). Oxford, UK: Elsevier.
- Mungwini, P. (2009). The Challenges of revitalizing an indigenous and Afrocentric moral theory in postcolonial education in Zimbabwe. *Educational Philosophy and Theory*, 43(7), 773-787.
- Nafukho, F., M. (2006). Ubuntu worldview: A traditional African view of adult learning in the workplace. *Advances in Developing Human Resources* 8 (3), 408-415.

- Nash, R. J. (1996). *Real world ethics: Frameworks for educators and human service professionals*. New York: Teachers College Press.
- National Aids Control Council [NACC] (2009). *National Aids Strategic plan 2009/10-2012/13*. Policy on universal Access to services. Nairobi: NACC.
- National Council of Population and Development [NCPD] (2000). *National population policy for sustainable development*. Sessional Paper no.1. Nairobi: NCPD.
- Nel, P. J. (2008). Morality and religion in African thought. *African Journals Online*, 28(2), 34-47.
- Neyland, J. (2004). Ethics of mathematical education. In M. Walshaw (Eds.), *Mathematics education within the postmodern*. (pp.55-73) Greenwich, CT: IAP information age.
- Nguyen, T. X. T. (2010). Deconstructing Education for All: discourse, power and the politics of inclusion. *International Journal of Inclusive Education*, 14(4), 341-355.
- Niesche, R. (2011). *Foucault and educational leadership*. London: Routledge.
- Nieuwenhuis, J. (2009). *Exploring students understanding of values and moral reasoning*. Paper presented at the *Deta conference*.
- Nkomo, S. M. (2011). A postcolonial and anti-colonial reading of 'African' leadership and management in organization studies: Tensions, contradictions and possibilities. *Organization*, 18(3), 365-386.
- Noddings, N. (1996). On community. *Educational Theory*, 46(3), 245-267.
- Noddings, N. (1984). *A feminine approach to ethics and moral education*. London: University of California.
- Noddings, N. (2007). *Philosophy of education*. Boulder Colo: Westview.

- Norberg, K., & Johansson, O. (2007). Ethical dilemmas of Swedish school leaders: Contrasts and common themes. *Educational Administration and Leadership* 35: 277-294.
- Normore, A. H. (2004). Ethics and Values in leadership preparation programmes: Finding the North Star in the Dust storm. *Center for the Study of Leadership and Ethics*, 2(2), 1-8.
- Northhouse, P.G. (2007). Leadership: Theory and practice. Thousand Oaks, CA:Sage.
- Ntibagiriwa, S. (2003). A wrong way: From being to having an African value system. In *Cultural heritage and contemporary change series II, Africa* 7. Retrieved from www.crvp.org/book/series.02/11-7/chapter
- Nussbaum, B. (2003). African culture and Ubuntu: reflections of a South African in America. *Perspectives* 17(1), 1-12.
- Oberdabernig, D. A. (2010). The Effects of structural adjustment programmes on poverty and income distribution. Retrieved from www.webmeets.com
- Ochulor, C., L., & Bassey, E, P. (2010). Analysis of corruption from the ethical and moral perspectives. *European Journal of Scientific Research*, 44(3), 466-476.
- Oksala, J. (2007). *How to read Foucault*. London: W.W Norton Company.
- Olssen, M. (2006). Understanding the mechanisms of neoliberal control: Lifelong learning, flexibility and knowledge capitalism. *International Journal of Lifelong Education*, 25(3), 213-230.
- Olssen, M. (2003). Structuralism, post-structuralism, neo-liberalism: assessing Foucault's legacy. *Journal of Education Policy*, 18(2), 189-202.
- Ornstein, A. C., & Levine, D.U. (2003). *Foundations of education 8th Edition*. Boston, MA: Houghton Mifflin.

- Otieno, S., & Gikandi, B. (2009, June 27). Principals and students join hands to end unrest, *The Standard*, p. B2).
- Pardini, P. (2004). Ethics in the superintendency. *The School Administrator*, 61(8), 10-18.
- Patton, M. (2002). *Qualitative research and evaluation methods*. Thousand Oaks, CA: Sage.
- Patton, M. (1990). *Qualitative Evaluation and research methods*. 2nd Edition. Newbury Park, CA: Sage.
- Poisson, M. (2009). *Guidelines for the design and effective use of teachers' codes of conduct*. Paris: IIEP-UNESCO.
- Popkewitz, T. (1999). Critical traditions, modernism and the posts. In T. Popkewitz, & L. Fendler (Eds.), *Critical theories in education* (pp.1-16). New York: Routledge.
- Popkewitz, T., & Brennan, M. (1998). *Foucault challenge: Discourse, knowledge and power in education*. New York, NY: Teachers College.
- Poverty Reduction Commission (2009) *10 years of fight against Poverty: A Report of the Poverty Eradication Commission*. Retrieved from www.planning.co.ke
- Power, F.C., Higgins, A., & Kohlberg, L., (1989). *Lawrence Kohlberg's approach to moral education: A study of three democratic high schools*. New York: Columbia University.
- Pratt, F. (1996). The ethical principal and teacher non retention. *Journal of Personal Evaluation in Education*, 10, 29-36.
- Price, D. W. (1997). Ethical dilemmas in administrative practice. *Adult Learning*, 9 (1), 15-17.
- Public Officers Ethics Act (2003). Retrieved from <http://www.kenyalaw.org>
- Rabinow, P., & Rose, N. (2006). Bio power today. *Bio Societies*, 1,195-217.

- Rawls, J. (1971). *A theory of justice*. Cambridge: Harvard University.
- Read, J. (2009). A Genealogy of homo-Economicus: Neoliberalism and the production of subjectivity. *Foucault Studies*, 6, 25-36.
- Republic of Kenya (1986). *The Kenya Education Act –CAP 211*. Nairobi: Government printer.
- Reybold, L. E., Halx, Mark. D., Jimenez, A. L. (2008). Professional integrity in higher education: A study of administrative staff ethics in student affairs. *Journal of College Student Development*, 49 (2), 110-124.
- Richards, L. (1999). *Using NVivo in qualitative research* (Vol. 1). London: Sage.
- Robertson, S., Novelli, M., Dale, Roger., Tickly, L., Dachi, H., Ndibelema, A. (2007). Globalization, education and development. DFID. Retrieved from www.webarchives.national.go.uk
- Robson, C. (1993). *Real world research: A resource for social scientists*. Blackwell: Cambridge.
- Rono, J. K. (2002). The impact of the structural adjustment programme on Kenyan society. *Journal of Social Development in Africa*, 17(1), 81-98.
- Rose, N., & Miller, Peter. (2010). Political power beyond the state: problematics of government. *The British Journal of Sociology*, 61(1), 271-303.
- Rose, N., & Miller, Peter. (1990). Governing economic life. *Economy and Society*, 19(1), 1-31.
- Ruto, S.J.S., Chege, F., & Wawire, V.K. (2009). Kenya's HIV/Aids education sector policy implications for orphaned and vulnerable children and the teaching of HIV/Aids education. *Journal of International Cooperation in Education*, 12 (1), 127-142. Retrieved from www.home.hiroshima-u-acjp.

- Sackney, L., & Mitchell, C. (2002). Postmodern expressions of educational leadership. In K. L. P. Hallinger (Ed.), *The Second international handbook of educational leadership and administration* (pp. 881-913). Dordrecht NL: Kluwer.
- Said, E. W. (1993). *Culture and imperialism*. New York: Alfred A. Knopf.
- Santiso, C. (2001). Good governance and aid effectiveness. *Georgetown Public Policy Review*, 7(Fall), 1-22.
- Saunders, E. (2008). *Challenging the traditions of African leadership development: The need for new learning methodology*. Retrieved from www.leader.co.za
- Schultz, C. A. (2011). The leadership challenge: Developing an ethical compass. *Southern Regional Council on Educational Administration 2011 Yearbook: Leading in the Decade*, 31-36.
- Schwandt, T. (2000). Three epistemological stances for qualitative research inquiry: Interpretivism, hermeneutics and social constructionism. In Denzin, N., K. & Lincoln, Y. (Eds.), *Handbook of Qualitative research 2nd edition* (pp. 189-213). London: Sage.
- Segon, M., & Booth, C. (2007) Leadership in organizations. *International Business Research Papers*, 3(5), 362-281.
- Sergiovanni, T. J. (1992). *Moral leadership*. San Francisco: Jossey-Bass.
- Sergiovanni, T. J. (2001). *The principalship: A reflective practice Perspective* (4th Edition). Needham heights, MA: Allyn & Bacon.
- Sergiovanni, T. J. (2009). *Principalship: A reflective practice perspective*. Boston, Pearson.
- Shapiro, J. P., & Stefkovitch, J.A. (2005). *Ethical leadership and decision making in education: Applying theoretical perspectives to complex dilemmas* (2nd Edition). Mahwah, NJ: Lawrence Erlbaum Associates.

- Simmons, W. (1999). The Third: Levinas theoretical move from an archical ethics to a realm of justice and social criticism. *Philosophy Social criticism*, 25(83).
- Simpson, D. (2012). William David Ross (1877-1971) *Internet Encyclopaedia for Philosophy*. Retrieved from www.iep.utm.edu
- Small, R. (2008). Teaching, professionalism and ethics. In V. Carpenter, J. Jesson, P. Roberts., & M. Stephenson. (Eds.), *Nga Kaupapa Here: Connections and contradictions in education*. (pp. 56-65). Melbourne, Australia: Cengage Learning.
- Stake, R.E. (1995). *The Art of case study research*. London: Sage.
- Starrat, R. J. (1994). *Building an ethical School: A practical response to the moral crisis in Schools*. London: Falmer.
- Starrat, R. J. (2004). *Ethical Leadership*. San Francisco, Jossey-bass.
- Starrat, R.J., (2005). Responsible leadership. *The Educational Forum*, 69, 124-133.
- Stein, H. (2009). The World Bank and the making of the good governance agenda. Paper presented at the ASSR Seminar University of Amsterdam. Retrieved from <http://www.institutions-africa.org/>
- Stewart, D. W. (1991). Theoretical foundations of ethics in public administration approaches to understanding moral action. *Administration & Society*, 23(3), 357-373.
- Stromquist, N.P. (2002). *Education in a globalised world*. Landham, MD: Rowman & Littlefield.
- Tamatea, L. (2005). The Dakar framework: constructing and deconstructing the global neo-liberal Matrix. *Globalisation, Societies and Education*, 3(3), 311-334.
- Teachers Service Commission Act (2012). NO.20, Nairobi: National Council for Law Reporting.

- Teachers Service Commission (2003). *Teachers Service Code of Conduct and Ethics*. Nairobi: Author.
- Teacher Service Commission. (2005). *Code of Regulations for teachers*. Nairobi: Government Printer.
- Temple, O.,E. (2012). Metaphysical challenges of ethical leadership in Africa. *Leadership* 8(1), 47-65.
- Terhart, E. (1998). Formalised codes of ethics for teachers: Between professional autonomy and administrative control. *European Journal of Education*, 33(4).
- Thiroux, J.P., & Krasemann, K.W. (2009). *Ethics: Theory and practice*. London: Pearson Education Ltd.
- Thompson, K. (2003). Forms of resistance: Foucault on tactical reversal and self-formation. *Continental Philosophy Review*, 36, 113-138.
- Thompson, M. (1997). *Professional ethics and the teacher: Towards a general teaching council*. London: Trentham Books.
- Tickly, L. (2003). Governmentality and the study of education policy in South Africa. *Journal of Education Policy*, 18(2), 161-174.
- Transparency International. (2006). *Corruption in the education sector*, Nairobi.
- Transparency International, Kenya. (2010). *The Kenya education sector integrity study report 2010*. Nairobi: Author.
- Trevino, L. K., Hartman, L.P., & Brown, M.E. (2000). Moral person, moral manager: How executives develop a reputation for ethical leadership. *California Management Review*, 42, 128-142.
- Turkell, G. (1990). Michel Foucault: law, power and knowledge. *Journal of Law and Society*, 17(2), 170-193.
- Udeani, C. (2008). Traditional African spirituality and ethics- A panacea to leadership crisis and corruption in Africa. *Phronimon*, 9(2), 65-72.

- UNCTAD. (2011). *Poverty reduction and progress towards MDGs in LDCs*.
Retrieved from www.unctad.org.
- UNESCO. (2000). The Dakar framework for action: EFA- meeting our collective needs, Paper presented at *The World Education Forum*, Dakar, Senegal.
- UNESCO. (1990). Meeting basic learning needs: A vision for the 1990s. Paper presented at *The World Conference on EFA*, Jomtien, Thailand.
- UNICEF. (2007). *A Human Rights- Based approach to Education For all*. United Nations Children's Fund/UNESCO.
- United Nations (2002). Implementation of the international code of conduct for Public officials. Vienna: United Nations.
- Verhoef, H., & Michel, C. (1997). Studying morality within the African Context: A model of moral analysis and construction. *Journal of Moral Education*, 26(4), 389-406.
- Walker, A., & Dimmock, C. (2000). Leadership dilemmas of Hong Kong principals: Sources, perceptions and outcomes. *Australian Journal of Education*, 44(1), 5-25.
- Walker, A. (2007). Leading authentically at the cross-roads of culture and context. *Journal of Educational Change*, 8, 257-273.
- Walzer, M. (1990). Communitarian critique of liberalism. *Political Theory*, 18(1), 6-23.
- Webb, T. (2011). The Evolution of Accountability. *Journal of Education Policy*, 26(6), 735-756.
- Weiss, T. G. (2000). Governance, good governance and global governance: Conceptual and actual challenges. *Third World Quarterly*, 21(5), 795-814.
- West-Burnham, J. (2008). Leadership for personalising learning. Nottingham, NCSL.
Retrieved from www.dera.ioek.ac.uk

- Whitty, G. (2000). Teacher Professionalism in New Times, *Journal of In-service Education*, 26(2) 281-295.
- Wilks, T. (2005). Social work and narrative ethics. *British Journal of Social Work*, 35, 1249-1264.
- Wilson, D. M. (2008). Applied Virtue Ethics: A Philosophical Perspective on Authentic School Leadership. The Annual PESGB Conference, New College, Oxford.
- World Bank (1994). Governance: The World Bank Experience. Washington DC: Author.
- World Bank (1989). Sub-Saharan Africa: From crisis to sustainable development. Washington, DC: Author.
- World Bank (1988). Education in Sub-Saharan Africa: Policies for adjustment, revitalization, and expansion. Washington, D.C: The World Bank.
- Yap, L. (1996). What causes Poverty? A Postmodern view. *Annals of the Association of American Geographers*, 86(4), 707-728.
- Yin, R. (2003). Case study Research: Third edition. London, Sage Publications.
- Yin, R. K. (2009). *Case Study Research Design and Methods*. London: Sage.

APPENDICES

Appendix: A Ethics Approval- Victoria University

FACULTY OF EDUCATION TE WHĀNAU O AKO PAI

DONALD STREET PO Box 17 310, Karori 6147, Wellington, New Zealand

Phone +64-4-463 9500 Fax +64-4-463 9649 Website www.vuw.ac.nz/education

24 June 2010

Truphena Oduol
PhD Student
Victoria University of Wellington Faculty of Education
C/- School of Education Policy and Implementation
Donald Street
Wellington

Dear Truphena

RE: Ethics application SEPI/2010/41: RM 17694

I am pleased to advise you that your ethics application 'The issues and challenges of ethical decision making in secondary schools in Kenya', with the requested amendments, has been approved by the Victoria University of Wellington Faculty of Education Ethics Committee. Please note that the approval for your research to commence is from the date of this letter.

Best wishes for your research.

Yours Sincerely

A handwritten signature in blue ink, appearing to read 'J. A. Loveridge'.

Dr Judith Loveridge

Co-Convener
Victoria University of Wellington Faculty of Education Ethics Committee

Appendix: B Ethics approval Addendum

FACULTY OF EDUCATION TE WHĀNAU O AKO PAI
DONALD STREET PO Box 17 310, Karori 6147, Wellington, New Zealand
Phone +64-4-463 9500 Fax +64-4-463 9649 Website www.vuw.ac.nz/education

20 September 2010

Truphena Oduol
PhD Student
Victoria University of Wellington Faculty of Education
C/- School of Education Policy and Implementation
Donald Street
Wellington

Dear Truphena

RE: Ethics application SEPI/2010/80: RM 17694 addendum to SEPI/2010/41

I am pleased to advise you that your ethics application **ADDENDUM** to 'The issues and challenges of ethical decision making in secondary schools in Kenya', with the requested amendments, has been approved by the Victoria University of Wellington Faculty of Education Ethics Committee. Please note that the approval for your research to commence is from the date of this letter.

Best wishes for your research.

Yours Sincerely

A handwritten signature in blue ink that reads 'J. A. Loveridge'.

Dr Judith Loveridge

Co-Convener
Victoria University of Wellington Faculty of Education Ethics Committee

Appendix C: Research Permit: Ministry of higher Education Kenya

REPUBLIC OF KENYA

NATIONAL COUNCIL FOR SCIENCE AND TECHNOLOGY

Telegrams: "SCIENCETECH", Nairobi
Telephone: 254-020-241349, 2213102
254-020-310571, 2213123.
Fax: 254-020-2213215, 318245, 318249.
When replying please quote

P.O. Box 30623-00100
NAIROBI-KENYA
Website: www.ncst.go.ke

Our Ref: NCST/RRI/12/1/SS/669/3

Date: 23rd July 2010

Ms. Truphena Adhiambo Oduol
School of Education Policy & Implementation
Faculty of Education
Victoria University of Wellington
NEW ZEALAND

Dear Madam,

RE: RESEARCH AUTHORIZATION

Following your application for authority to carry out research on "*Issues and challenges of ethical decision making in secondary schools in Kenya*" I am pleased to inform you that you have been authorized to undertake research in **selected Districts in Nyanza Province** for a period ending **30th November 2010**.

You are advised to report to the **District Commissioners and the District Education Officers in the selected Districts** before embarking on the research project.

On completion of the research, you are expected to submit two copies of the research report/thesis to our office.

DR. M. K. RUGUTT, Ph.D, HSC.
FOR: SECRETARY/CEO

Copy to:

The District Commissioners

The District Education Officers

Reg 24/8/10

Appendix D: Sample Invitation Letter to School Heads Association

School of Education Policy & Implementation
Donald Street, Karori
campus, Wellington 6147, New Zealand.

The Chairperson,
Kenya Secondary Schools Heads Association,
P.O box 380,
Eldoret,
Kenya

Dear Sir/ Madam,

I am seeking your support to find school principals who will volunteer to be part of a research project titled "The Issues and Challenges of Ethical Decision making for secondary school leaders in Kenya." I am a PhD student at Victoria University of Wellington, New Zealand in the School of Education Policy and Implementation. I have permission from the MOHE to undertake this study. I also have ethical approval from the Victoria University Faculty of Education Ethics Committee to conduct the study. The data will be collected through focus group interviews, semi-structured interviews and documentary analysis. This project is likely to inform future policy makers on matters of good ethical governance in this sector and to draw the attention of school managers on the need for consideration of ethics in decision making.

The purpose of this letter is to request for a forum through you with some 8 secondary school principals to undertake a focus group discussion on the ethical issues they encounter in their leadership and some of the challenges they experience in managing them. The schools should meet the following criteria:

- i) *have a functioning governing body –BOG*
- ii) *school principals with a minimum of five years' experience as school principal*
- iii) *Schools with a minimum student population of 200.*

I would be grateful if you would circulate the attached information sheet and consent forms to the principals of those schools that would meet the criteria.

Yours Sincerely
Truphena Oduol
Researcher

Appendix E: Invitation letter- Advisory group

School of Education Policy &
Implementation, Donald Street, Karori
campus, Wellington 6147, New Zealand

Dear,

_____
_____

I am a PhD student at Victoria University of Wellington, New Zealand in the School of Education Policy and Implementation. I wish to invite you to be a member of the advisory group for this study project titled: **Issues and challenges of ethical decision making for Secondary schools in Kenya**. The study seeks to explore the ethical issues secondary school leaders' face in dealing with the everyday realities of schooling, which is the result of the changes in their social and economic environments. Data will be gathered through focus group interviews, and semi-structured interviews and documentary analysis from school principals, Boards of Governors, school bursars, heads of department and parents in four schools.

Since ethical issues can be sensitive and challenging, I would like to gather a supportive group of people who will be available to help me work through any problems that might arise during the research. As an advisory team I am seeking your assistance to discuss with me any challenging issues that emerge from the study without identifying the participants or institutions involved. I may also seek your assistance in the coding of transcripts. Your thoughts and perspectives would be greatly appreciated. Consent to participate in this role is voluntary. If you accept the role, I would like you to sign a consent form as well as a confidentiality agreement.

Yours Sincerely

Truphena Oduol

Appendix F Sample of derived codes

	LINK			
1. Unidentified role of school principals		0	0	8/03/2011 11:07 a.m.
2. Students best interest		3	9	24/02/2011 12:42 p.m.
3. School policy		4	13	24/02/2011 1:02 p.m.
4. Religious values		2	3	23/02/2011 6:22 p.m.
5. Reflect on the available options		3	3	23/02/2011 1:34 p.m.
6. Reaction of others		0	0	8/03/2011 10:57 a.m.
7. Professional code		1	1	24/02/2011 12:55 p.m.
8. Politics		0	0	8/03/2011 11:08 a.m.
9. Policy or professional code		4	38	23/02/2011 1:36 p.m.
10. Policy constrain		0	0	8/03/2011 10:56 a.m.
11. Personal beliefs, values		2	9	23/02/2011 6:21 p.m.
12. Own conscience		1	2	23/02/2011 1:28 p.m.
13. Other approaches		1	2	23/02/2011 6:24 p.m.
14. Limited by finance		0	0	8/03/2011 11:10 a.m.
15. Law		4	11	24/02/2011 12:56 p.m.
16. Lack of training for secondary school heads		0	0	8/03/2011 11:11 a.m.
17. Lack of support from MOE		0	0	8/03/2011 10:59 a.m.
18. Justice		2	15	23/02/2011 5:57 p.m.
19. Interference from MOE		0	0	8/03/2011 10:58 a.m.
20. Flout the rule		1	2	23/02/2011 1:26 p.m.
21. Experience		3	4	23/02/2011 12:35 p.m.
22. Decision making depends on the individual		1	1	24/02/2011 3:04 p.m.
23. Cultural beliefs		1	1	23/02/2011 6:38 p.m.
24. Critique		4	5	23/02/2011 5:54 p.m.
24. Corrective approach		0	0	24/02/2011 2:34 p.m.
25. Consequences		4	26	23/02/2011 12:35 p.m.
26. Communal approach		4	28	23/02/2011 1:40 p.m.
27. Care		5	74	23/02/2011 12:35 p.m.
28. Approach depends on gravity of the matter		2	3	24/02/2011 3:55 p.m.
29. African socialism and brotherhood		3	16	23/02/2011 6:35 p.m.
30. African cultural approach		1	7	24/02/2011 2:29 p.m.