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Deconstructing the Social Concept of Street Children: The Durban case

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List of acronyms

ACRWC	African Charter on the Rights and Welfare of the Child
ACERWC	African Committee of Experts on the Rights and Welfare of the Child
CRC	Convention on the Rights of the Child
CYCC	Child and Youth care Centres
NGO	Non Governmental organization
SAPS	South African Police Services
SNSC	Surfers Not Street Children
UNCRC	United Nations Convention on the Rights of the Child
UNICEF	United Nations Children's Fund
UNHCR	The United Nations High Commissioner for Refugees

Summary

Street children often generate official and public concern, whereby they are being perceived as a “social problem”. The ways in which this problem is defined, however, varies considerably across space and time, and from one group of social actors to another. Also in academic research, definitions and interpretations of the phenomenon of street children have constantly been modified in order to cope with difficulties of classification. What most definitions have in common is that they reduce a very complex and multifaceted phenomenon to an overly homogenous, one- or two dimensional picture, which has a significantly stigmatizing and excluding effect on the poor families and children concerned. The main goal of this research therefore is to unfold *which interpretations and definitions are involved in the construction of street children as a “social problem”*. A first sub question concerns how this construction of “a “social problem” influences and legitimates interventions for street children in Durban. A second sub question deals with the way street children themselves experience “being a street child” in Durban.

This study starts from a literature review in which the social concept of street children is deconstructed and the state of the art of today’s street children explored. In the first chapter hidden meanings behind definitions and interpretations are dismantled in order to answer the first research question. In the second and methodological chapter we explore the perspective of street workers and child care workers from NGOs in the city of Durban. In an awareness raising organization called Surfers Not Street Children (SNSC), former street children expressed their opinions about street children and policy measures towards them. They actively participated in this research by taking pictures of the places where they used to live on the streets and by trying to explain what it is like to be a street child. These results are analyzed and described in the third and fourth chapter. In the fifth and last chapter we discuss the results and conclusions are drawn.

Not only does this research have the intention of exploring the concept of street children, it also aims to augment professional consciousness and critical thinking about discourses used to describe “problematic” individuals and groups in society.

Keywords:

Deconstructing - Street children – Durban

Samenvatting

Straatkinderen worden vaak omschreven als een ‘sociaal probleem’ en het fenomeen veroorzaakt daardoor niet zelden publieke onrust. De manier waarop deze groep gedefinieerd wordt varieert sterk tussen verschillende tijdsperken, bevolkingsgroepen en sociale actoren. Concepten, definities en interpretaties werden steeds aangepast om het hoofd te bieden aan diverse classificatieproblemen. De meeste definities begrenzen dit complexe fenomeen tot een homogeen en één-of twee dimensionaal beeld. Als gevolg ontstond er een stigmatiserend en marginaliserend effect op deze kinderen en hun families.

Dit onderzoek heeft als doel een antwoord te bieden de volgende vragen: *welke interpretaties en definities zijn er betrokken bij de constructie van straatkinderen als een sociaal probleem?* Verder: *Hoe beïnvloedt deze constructie interventies voor straatkinderen in Durban?* Tenslotte willen we door middel van een tweede sub-vraag te weten komen *hoe de kinderen zelf ervaren wat het betekent om een straatkind te zijn in Durban.*

Deze studie start vanuit een literatuurstudie waarin het sociale concept ‘straatkinderen’ wordt gedeconstrueerd en waarbij de ‘state of the art’ van het fenomeen wordt uiteengezet. Verborgene veronderstellingen en betekenissen worden onderzocht om een antwoord te kunnen bieden op de eerste onderzoeksvraag. Verder wordt de perceptie van NGO actoren in Durban achterhaald en besproken door middel van open kwalitatieve interviews. Door middel van een photovoice project namen twee jongeren van de organisatie Surfers Not Street Children actief deel aan dit onderzoek. Ze deelden hun meningen en ervaringen in verband met het leven op straat in Durban, hun rol als *ambassadors* en de bestaande interventies voor straatkinderen.

Naast het bestuderen van het concept ‘straatkind’, heeft deze studie tevens als doel het stimuleren van het professioneel bewustzijn en kritisch denken wat betreft sociale constructen.

Zoekwoorden:

Deconstructie – Straatkinderen – Durban

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Introduction

The phenomenon of street children has become a global reality that exceeds racial and cultural borders and that stretches out over several continents, cities and villages.¹ Children and adolescents in a street situation are associated with the circumstances that can be found in third world countries. To have children living in our European streets today would be astounding to the public. Nevertheless this was the case in for example 19th century Belgium. Street children appeared in the shadow of the industrial revolution and the growth of the labour population. They were perceived as a vagrant, abandoned, abnormal and dangerous group of children and considered a possible threat to the development of a younger generation in society. Through the juvenile justice system that focused on re-education rather than on punishment of children, the state mainly focused on educating “bad families”.²

When we think of street children today, we rather see them as a special group of children in difficult circumstances that are the outcome of the continuously increasing gap between the upper and the lower classes of society. Children come to the streets for various and complex reasons and no generalizations on this matter can be made. It can be said that the factors driving children to the street are historically, culturally, economically and politically embedded as part of a system. When it comes to causes of street life, scientific literature often refers to push- and pull factors. Some studies suggest that street children consciously choose street life for the amount of freedom and adventure it offers. This view is too one-sided and however it is not entirely incorrect, it is said that children may *‘be choosing the lesser of two evils by abandoning the home for the street’*.³ Nowadays it is stated that a combination of *push* and *pull* factors drive children towards this lifestyle.⁴ Poverty, physical and emotional abuse, abandonment or parental death are seen as the main push factors, whereas pulling factors are certain opportunities that the child would otherwise not have in its home situation, such as the

¹ Y. MARGUERAT, “Enfants et jeunes de la rue dans la ville Africaine”, in Y. MARGUERAT en D. POITOU (Eds.), *A l’écoute des enfants de la rue en Afrique noire*, Mesnil-Sur-L’Estrée, Fayart, 1994, 9.

² G. DENECKERE, “Kinderen van de straat. Het ‘bandeloze’ kind als abnormaliteit in het negentiende-eeuwe Gent”, in LIS, C. en SOLY, G. (Eds.), *Tussen Dader en Slachtoffer. Jongeren en criminaliteit in historisch perspectief*, Brussel, VUBPRESS, 2001, 299-302.

³ RAFAELLI et al., in M.L. VELASCO, I. BERCKMANS, J.V. O’DRISCOLL and G. LOOTS, “A visual narrative research on photographs taken by children living on the street in the city of La Paz – Bolivia”, *Children and Youth Services Review* 42 2014, 137.

⁴ P. DYBICS, “Interventions for street children: An analysis of current best practices”, *International Social Work* 2005, 765.

opportunity to earn money, to be independent and to create resourceful networks while living on the street.⁵

Although, “they are the children of the urban and rural poor who are the most vulnerable, exploited and who face the highest risk”⁶, they can be perceived as a nuisance and as a result excluded by both the public and the government. The image of street children as delinquents, highlighted and spread by the media, strengthens feelings of fear and insecurity inside the community.⁷ Above all, the high visibility of these children in the streets appears to make them threatening and ‘problematic’ in the eyes of adults, and therefore a privileged target of the police.⁸ Hence, street children are perceived as a public disorder problem in cities because they hang around in the streets, run a black market by selling items without a license, beg, use drugs, etc.⁹ Because of the fact that street children are extremely exposed to the public eye, and because of their bad reputation for criminal behavior, they are looked upon with disapproval.¹⁰ This negative representation can result in a repressive, punitive and often exclusive policy towards this group.¹¹

During the 1980s and 1990s the term street child has become accepted and used by policy makers, welfare agencies and international bodies such as UNICEF to refer to children living on the streets.¹² At first this seems very obvious and clear and for many it is easy enough to visualize the group of children referred to as *street children*. In the past, the broad designation of youngsters in difficult circumstances as street children has been a political tool to attract more attention to the phenomenon. The number of street children has been inflated by organizations in order to impress upon their readers and to obtain more financial and political support.¹³ Aptekar hereby, uses the statistics of UNICEF as an indicator. This organization

⁵ M.L. VELASCO, I. BERCKMANS, J.V. O’DRISCOLL and G. LOOTS, “A visual narrative research on photographs taken by children living on the street in the city of La Paz – Bolivia”, *Children and Youth Services Review* 42 2014, 137; P. DYBICS, “Interventions for street children: An analysis of current best practices”, *International Social Work* 2005, 765.

⁶ A. HAI, “Problems Faced By The Street Children: A Study On Some Selected Places In Dhaka City, Bangladesh”, *International Journal Of Scientific & Technology Research* 2014, 46.

⁷ H. VAN BEERS, “A Plea for a Child-centred Approach in Research with Street Children”, *Childhood* 1996, 195.

⁸ M. CONNOLLY and J. ENNEW, “Introduction: Children Out of Place”, *Childhood* 1996, 135.

⁹ F. DALLAPE, “Urban Children: A Challenge and an Opportunity”, *Childhood* 1996, 283.

¹⁰ S. LUIZ DE MOURA, “The Social Construction of Street Children: Configuration and Implications”, *British Journal of Social Work* 2002, 353.

¹¹ H. VAN BEERS, “A Plea for a Child-centred Approach in Research with Street Children”, *Childhood* 1996, 195.

¹² B. GLAUSER, “Street Children: Deconstructing a Construct” in JAMES, A. and PROUT A. (Eds.), *Constructing and Reconstructing Childhood: Contemporary issue in the sociological study of childhood*, London, Routledge Falmer, 2003, 145.

¹³ M. CONNOLLY and J. ENNEW, “Introduction: Children Out of Place”, *Childhood* 1996, 138.

claimed in 1989 that worldwide the number of street children was over 100 million.¹⁴ In 2002 the same agency reported once more that the global number for street children was as high as 100 million children. Later this numbers has been proven wrong by several studies. Due the many criticisms, UNICEF refined its statement; “*the exact number of street children is impossible to quantify, but the figure almost certainly runs into tens of millions across the world. It is likely that the numbers are increasing as the global population grows and as urbanization continues apace*”.¹⁵ Furthermore data duplicity is created because street children are characterized by their mobility from place to place, which means that periods of working on the street and periods of permanently staying on the street overlap each other.¹⁶ The estimations of the number of street children vary between different sources. There is no consensus on their categorization and contrasting and ambiguous definitions are often used by different organizations.¹⁷ Estimates will vary depending who is considered for inclusion. Children working on the street are not necessarily considered as street children, even though they can spend occasional nights out on the street.¹⁸ This makes it very hard to develop official statistics, and as a result it has become difficult to use them as a proper foundation for research and policy interventions. False perceptions created by exaggerated numbers in combination with inaccurate reports by press and international organizations, can result in public fear, feelings of uncontrollability and hostility towards street children.¹⁹ Repressive government interventions will consequently push children from visible to invisible street occupancy, whereby a displacement of the social problem will take place, creating the illusion of a successful strategy.²⁰

The fact that the estimations of the numbers are not trustworthy, does not mean that the social phenomenon should be underestimated. Street children face high risks when living and working

¹⁴ L. APTEKAR and B. ABEBE, “Conflict in the Neighborhood. Street and working children in the public space”, *Childhood* 1997, 478.

¹⁵ UNICEF, *State of World’s children 2006: Excluded and invisible*, New York, UNICEF, 40-41.

¹⁶ H. VAN BEERS, “A Plea for a Child-centred Approach in Research with Street Children”, *Childhood* 1996, 197.

¹⁷ S. LUIZ DE MOURA, “The Social Construction of Street Children: Configuration and Implications”, *British Journal of Social Work* 2002, 356.

¹⁸ M.L. VELASCO, I. BERCKMANS, J.V. O’DRISCOLL and G. LOOTS, “A visual narrative research on photographs taken by children living on the street in the city of La Paz – Bolivia”, *Children and Youth Services Review* 42 2014, 136.

¹⁹ L. APTEKAR and B. ABEBE, “Conflict in the Neighborhood. Street and working children in the public space”, *Childhood* 1997, 477.

²⁰ S. T. DE BENITEZ, *State of the World’s Street Children: Research*, London, Consortium for Street Children, 2011, 5.

on the streets and the consequences on their socialization are immense.²¹ Since it is almost impossible to create trustworthy statistics, researchers should move away from identifying this *numbers game* as a priority, and more towards understanding the new everyday realities and the wider picture of the phenomenon.

The social construct of the concept street children becomes visible when investigating dominant discourses. An example is the fact that institutional and societal discourses focus on the importance of belonging to spaces like home and school. But often, children claim that freedom, friendship, solidarity and creativity are important aspects of living on the street. The powerful discourses create certain images of street children as helpless creatures in need of interventions to help and support them.²²

In the theoretical orientation of this research we aim at deconstructing the socially constructed concept of street children and analyzing patterns of problem-defining. Such definitions can influence and orient the ways in which policy makers act in the field, and also inform methodological decisions made by academics. Defining “street children” as a problem is an example of a social construction. Are we dealing with youth *at risk* or youth *as risk*? This leads to my research question:

Which interpretations and definitions are involved in the construction of street children as a “social problem”? Two sub questions, related to the main research question, were developed:

How does this construction of “street children” as a “social problem” influences and legitimates interventions from NGOs in Durban?

How do street children themselves experience “being a street child” in Durban?

In this first part, the power of insufficient and dubious discourses will be uncovered, and analyzed in relation to the phenomenon of street children. This discourse analysis is an absolute necessity in order to fully understand a phenomenon through a critical point of view. As some authors articulate: “*without discourse, there is no social reality, and without understanding discourse, we cannot understand our reality, our experiences, or ourselves.*”²³ Too often, too little attention is directed towards the social construction of concepts in research on children in

²¹ M.L. VELASCO, I. BERCKMANS, J.V. O’DRISCOLL and G. LOOTS, “A visual narrative research on photographs taken by children living on the street in the city of La Paz – Bolivia”, *Children and Youth Services Review* 42 2014, 136.

²² *Ibid.*, 140.

²³ N. PHILLIPS and C. HARDY (Eds.), *Discourse Analysis. Investigating Processes of Social Construction*, California, Sage Publications Inc., 2002, 2.

difficult circumstances. Discourse analysis is both a method and methodology within qualitative research, as it tries to explore how the socially constructed ideas were created and maintained over time. It is important to interpret discourses at different levels: research subject, academic world and scientific literature, the society as a whole and even the researcher him/herself. Therefore three types of literature will be studied in depth: scientific literature, policy documents and children's rights documents.

The second part of this research builds on empirical research which examines in depth the actions of four organizations for street children in Durban by conducting interviews with their employees. This section of the research aims at exploring how the social construction of street children influences interventions from NGOs in the city of Durban. Furthermore, in order to unfold meanings and interpretations by children and adolescents in a street situation, a photovoice project with two former street children was organized. Here we aim at understanding in depth how these young people experience(d) being a street child.

This master's thesis focusses on a South African context but it also reinforces the importance of discourse analyses in criminology and social sciences in general. It aims to augment professional consciousness and critical thinking about discourses used to describe "problematic" individuals and groups in society.

1. Literature review : deconstructing the social concept of street children

1.1 Discussing the concept of street children

This social phenomenon has drawn more attention from academics since the 1980s, and a large amount of studies focused on the disruption of children's lives and the negative effect the street has on this group.²⁴ Research reproduced a certain picture in which the number was rapidly increasing, and street children were represented as helpless victims. Surveys as such have been used as an ultimate tool to establish the number of street children, to describe their family background, their life trajectories, their activities on the street and their common physical, socio-psychological and social-economical characteristics. Based on these descriptions, universal stereotyped profile of street children has been created.²⁵ Profiles as such are hard to generalize because street children do not form a homogeneous group, and every single situation is different. Moreover, these images create stereotypes that have a stigmatizing effect in society.

Authors spent much time struggling with classifications such as children 'on' and 'of' the streets, as will be discussed later on in this literature study.²⁶ As Van Beers mentioned in his article in the late nineties, street children are not really involved in research, project design and implications, but are rather seen as objects instead of active participants in policies.²⁷ Too often practitioners see them as uncritical targets that can be manipulated into different behavior or a different lifestyle.²⁸ Over the years studies have made a lot of changes to this approach as they stepped away from one-dimensional features. Nowadays research has been characterized by new perspectives such as social constructionism. Through a social constructionist point of view, street children are not part of a clearly defined group, instead they are part of a concept that has been constructed through discourses.²⁹ Recent research on children and adolescents in a street situation is more focused on the qualitative aspect and the root causes of the phenomenon, by

²⁴ S. LUIZ DE MOURA, "The Social Construction of Street Children: Configuration and Implications", *British Journal of Social Work* 2002, 354.

²⁵ M.L. VELASCO, I. BERCKMANS, J.V. O'DRISCOLL and G. LOOTS, "A visual narrative research on photographs taken by children living on the street in the city of La Paz – Bolivia", *Children and Youth Services Review* 42 2014, 137; R.P. BAKER, *Children of the Street: A re-interpretation based on evidence from Durban, South Africa.*, 2013, <http://www.streetchildrenresources.org/wp-content/uploads/2013/02/children-of-the-street-durban.pdf>, 1.

²⁶ M. CONNOLLY and J. ENNEW, "Introduction: Children Out of Place", *Childhood* 1996, 131.

²⁷ H. VAN BEERS, "A Plea for a Child-centred Approach in Research with Street Children", *Childhood* 1996, 199.

²⁸ S. LUIZ DE MOURA, "The Social Construction of Street Children: Configuration and Implications", *British Journal of Social Work* 2002, 361.

²⁹ S. T. DE BENITEZ, *State of the World's Street Children: Research*, London, Consortium for Street Children, 2011,8.

paying attention to the diversity of children's experiences and complicated interaction among factors leading into street life.³⁰ Some authors such as Aptekar, tried to create a discourse away from the image of street children as helpless objects with no choices of their own and promoted more participatory approaches in academic research and programs.³¹ Thereby a new perspective on street children and their lives was created by focusing on children as active agents or capable social actors in their own rights and life trajectories.

1.1.1 The problematic use of definitions

Since the late 1970s, many attempts have been undertaken to define street children. Most of those have been problematic and were criticized for being unhelpful and even harmful to the children in question.³² In this literature study no reference will be made to one single definition, but the focus will be directed toward the unfolding of discussions about and definitions of this social phenomenon.

Overall, two main elements have been taken into account when defining street children: (1) the *public space* they occupy (the street) which is a physical and spatial element, and (2) the *lack of an active regulatory framework* of parents, relatives or public institutions which refers to a social dimension. An example is the often cited definition adopted by UNICEF: "...any girl or boy for whom the street (in the widest sense of the word, including unoccupied dwellings, wasteland, etc.) has become his or her habitual abode and/or source of livelihood; and who is inadequately protected, supervised, or directed by responsible adults."³³ Definitions as such reduce the perspective to one- or two dimensions only, while a street child encompasses several dimensions.³⁴ Other definitions generate the impression that street children form a homogeneous group, which does not match the complexity of the phenomenon and the wider social network in which street children are involved: "*In the widest sense, a street child is one who has made the street his real home [...] those who have abandoned (or have been abandoned) by their families, schools and immediate communities before they are sixteen years*

³⁰ H. VAN BEERS, "A Plea for a Child-centred Approach in Research with Street Children", *Childhood* 1996, 198; R. BAKER, C. PANTER-BRICK and A. TODD, "Methods Used in Research with Street Children in Nepal", *Childhood* 1996, 171; P. DYBICZ, "Interventions for street children: An analysis of current best practices", *International Social Work* 2005, 765.

³¹ M. CONNOLLY and J. ENNEW, "Introduction: Children Out of Place", *Childhood* 1996, 132.

³² *Ibid.*

³³ UNCHS (United Nations Centre for Human Settlements), *Strategies to combat homelessness*, Nairobi, Habitat, 2000, 16-17.

³⁴ C. PANTER-BRICK, "Street Children, Human Rights, and Public Health: A Critique and future Directions", *Annual Review of Anthropology* 2002, 149; R. LUCCINI, "Theory, Method and Triangulation in the Study of Street Children", *Childhood* 1996, 169.

of age and have drifted into a nomadic street life.”³⁵ The movements on and off the streets and the children’s experiences and perspectives are not taken into account in this definition.³⁶ ‘*Being a street child corresponds neither to a clearly delimited social category nor to a perfectly homogeneous psychological unity.*’³⁷ Broad characterizations cover a wide range of children in street situations, and falsely refer to street children as a clearly defined population.³⁸

Another reason for the absence of a clear definition is related to cultural ethnocentrism, street children are defined through a western interpretation of childhood, which is considerably different from some other cultures around the world, where relations between adults and children are experienced and viewed in a different way. Nevertheless, the same concepts are used across the globe and people’s historical, social and cultural context is not taken into account.³⁹

1.1.2 Classifications and their impacts

Through the awareness of the phenomenon of street children, the term ‘street child’ has come to mean more than a homeless child that spends entire days and nights on the street. Gradually this image was broadened to children who work on the streets and return home on a nightly basis.⁴⁰

The most common accepted categorization on the international level is UNICEF’s classification based on street children’s degree of family connections. They differentiate between *candidates for the street*, *children ‘on’ the street* and *children ‘of’ the street*.

Candidates for the street, also referred to as *children at risk* are children who live in poor families and neighborhoods and are more likely to end up in the street. Children *on* the street occupy public urban spaces as a workplace, and form a distinct social and economic unit with their families and some even go to school. Worldwide these children are known to be partially

³⁵ GEBERS in J. LE ROUX, “The worldwide phenomenon of street children: conceptual analysis”, *adolescence* 1996, 968.

³⁶ C. PANTER-BRICK, “Street Children, Human Rights, and Public Health: A Critique and future Directions”, *Annual Review of Anthropology* 2002, 149.

³⁷ R. LUCCINI, “Theory, Method and Triangulation in the Study of Street Children”, *Childhood* 1996, 169.

³⁸ S. LUIZ DE MOURA, “The Social Construction of Street Children: Configuration and Implications”, *British Journal of Social Work* 2002, 356.

³⁹ L. APTEKAR and B. ABEBE, “Conflict in the Neighborhood. Street and working children in the public space”, *Childhood* 1997, 478; B. GLAUSER, “Street Children: Deconstructing a Construct” in JAMES, A. and PROUT A. (Eds.), *Constructing and Reconstructing Childhood: Contemporary issue in the sociological study of childhood*, London, Routledge Falmer, 2003, 150; S. LUIZ DE MOURA, “The Social Construction of Street Children: Configuration and Implications”, *British Journal of Social Work* 2002, 357.

⁴⁰ R.P. BAKER, *Children of the Street: A re-interpretation based on evidence from Durban, South Africa*, 2013, <http://www.streetchildrenresources.org/wp-content/uploads/2013/02/children-of-the-street-durban.pdf>, 2.

self-supporting by performing tasks such as: polishing shoes, washing cars, selling phone cards and lottery tickets. Children *of the street* permanently live on the street and are abandoned or sent away by their families. For children *of the street*, the street is a main living place. They might have family ties but they are considered as not belonging to the mainstream youth. To refer to children that have lost all connections with their family through death, displacement or abandonment, UNICEF introduced the term *abandoned children*. In the 90s it was claimed that only an estimated 5% to 10% of all street children belong to this category.⁴¹

Even until today, UNICEF's classification has been fundamental for many studies and field work. UNICEF retained the categories over the years, but through the growing awareness and general critique that 'visible' street children are but one sub-category of all children in Especially Difficult Circumstances, a third category has been introduced. This category of 'latent' street children refers to children who live in slums, suffer from difficult home situations and who do not go to school.⁴² By introducing this third category, UNICEF recognized that street children can often be situated in a grey zone between children living at home and children living on the street.

The relationship between the *child and the street* and between the *child and his or her family* is used as a differentiating element for this classification. This gives the misleading impression that a clear and basic distinction between 'children working in the street but living at home', and 'children living in the street without connection to their home' can be made, which does not match the complex reality. Many street children themselves disregard this classification because they believe that they can spend significant periods of time on the streets, but at the same time, still keep in touch with their families by sleeping at home once in a while. An alternation between a home situation, residential institutions and the streets is very common in a street child's life.⁴³ Street and working children are defined by their lifestyle and visual activities on the street and this often simplifies the phenomenon. Consequently it does not

⁴¹ C. WILLIAMS, "Who are street children? A hierarchy of street use and appropriate responses", *Child Abuse & Neglect* 1993, 832; UNICEF, *Children in especially difficult circumstances*, United Nations Children's Fund, E/ICEF/1986, <http://www.cf-hst.net/unicef-temp/Doc-Repository/doc/doc285233.PDF>; M. BLACK, *Innocenti Global Seminar. Street and Working Children. Summary Report*, Florence, UNICEF, 1993, 7-12; K.J. LALOR, "Street children: a comparative perspective", *Child Abuse & Neglect* 1999, 759.

⁴² R.P. BAKER, *Children of the Street: A re-interpretation based on evidence from Durban, South Africa.*, 2013, <http://www.streetchildrenresources.org/wp-content/uploads/2013/02/children-of-the-street-durban.pdf>, 2.

⁴³ B. GLAUSER, "Street Children: Deconstructing a Construct" in JAMES, A. en PROUT A. (Eds.), *Constructing and Reconstructing Childhood: Contemporary issue in the sociological study of childhood*, London, Routledge Falmer, 2003, 146.

always match the complex reality of their lives.⁴⁴ The differentiation between children *on* and children *of* the street seems very clear and simple, but contains many hidden meanings connected to concepts of family, home, the streets and the child, which makes it very challenging to subsume these children in the categorization that UNICEF employs. Seeing children in a street situation as falling on a continuum is much more useful than classifying street children in certain categories.⁴⁵

This classification of children *on* and *of* the street is also used in literature as a linear theory of causality, with the family connection as a basic element. Children living in poor families or neighborhoods are at risk of becoming more and more involved in street related activities to generate income for their families. It is presented that once in a street situation, children are more likely to become the opposites of the mainstream society. Scientific literature thereby focusses on anti-social behavior, categorizing this youth in subcultures with other morals and values, referring to drug use and high risk activities such as prostitution.⁴⁶ This could lead to false perceptions in mainstream society and repressive measures by governmental policymakers.

1.1.3 Shifting concepts

Publications have described the scope of the phenomenon, summed up children's characteristics, analyzed the causes, and commented on their activities on the street and their lifestyle. The twenty first century was a turning point for welfare and analytical literature in which street children are not radically separated from other groups of children in difficult circumstances. Nowadays organizations refer to children at risk, detached children, children out of place, delinked children etc.⁴⁷

Some authors suggest that a typology, despite its shortcomings, is necessary to construct a conceptual framework indicating that unclassified means unrecognized and that a classification

⁴⁴ L. APTEKAR and B. ABEBE, "Conflict in the Neighborhood. Street and working children in the public space", *Childhood* 1997, 48.

⁴⁵ B. GLAUSER, "Street Children: Deconstructing a Construct" in JAMES, A. en PROUT A. (Eds.), *Constructing and Reconstructing Childhood: Contemporary issue in the sociological study of childhood*, Londen, Routledge Falmer, 2003, 146-147; L. APTEKAR and B. ABEBE, "Conflict in the Neighborhood. Street and working children in the public space", *Childhood* 1997, 480.

⁴⁶ S. LUIZ DE MOURA, "The Social Construction of Street Children: Configuration and Implications", *British Journal of Social Work* 2002, 358; F. DALLAPE, "Urban Children: A Challenge and an Opportunity", *Childhood* 1996, 283.

⁴⁷ S. T. DE BENITEZ, *State of the World's Street Children: Research*, London, Consortium for Street Children, 2011,9.

is needed as a starting point for positive responses.⁴⁸ Labels have been used to categorize populations in order to engage assistance. Concepts such as the ‘marginalized’ and the ‘poor’ have been used to successfully draw attention to the needs that may otherwise stay unrecognized and ignored.⁴⁹ But when we take a closer look we can determine that those constructions are far from harmless, as they influence not only the public’s opinion, but also those of organizations and institutions in the field. Another negative element is the stigmatization of individuals and the social exclusion of poor families and children.⁵⁰ By applying socially derived categories of judgment, a social world is created. As argued by Goffman, creating attributes is inescapable and integral to the construction of identities and categories in a society, *stigma* is about attributes that bring people into ignominy.⁵¹ *Stigma* finds its way into governmental and non-governmental institutions, influencing active policy by its negative attributes concerning children and adolescents on the streets. Through the use of constructs and stigma, street children can experience severe hostility from different parts of society.⁵²

It is mainly because of policy purposes that organizations request a clear distinction and a working definition. By using UNICEF’s classification however, the multi-layered lives of street youth can be oversimplified. Therefore some authors plea for alternative reconstructions based on street children as rights owners and as active participants of society.⁵³

Dallape also formulated another implication: “*the concept ‘street children’ is inappropriate because it focusses the attention of welfare agencies on children who are on the main avenues of modern city centres and ignores the larger number of children who are less visible on the streets and alleyways of slums squatter settlements or areas of high density dwellings.*”⁵⁴ Not all children in urban areas are street children, and it is said that too much attention is focused on a small but very visible group and although the problems it faces are real and deserve attention, it represents a small percentage of children at risk and in difficult circumstances.

⁴⁸ C. WILLIAMS, “Who are street children? A hierarchy of street use and appropriate responses”, *Child Abuse & Neglect* 1993, 832-833; C. PANTER-BRICK, “Street Children, Human Rights, and Public Health: A Critique and future Directions”, *Annual Review of Anthropology* 2002, 150.

⁴⁹ J. MONCRIEFFE, “The Power of Stigma: encounters with ‘Street children’ and ‘Restavecs’ in Haiti”, *Bulletin –Institute of Development Studies* 2006, 37.

⁵⁰ *Ibid.*

⁵¹ J. MONCRIEFFE, “The Power of Stigma: encounters with ‘Street children’ and ‘Restavecs’ in Haiti”, *Bulletin –Institute of Development Studies* 2006, 37; E. GOFFMAN, *Stigma: Notes on the management of spoiled identity*, New Jersey, Prentice Hall, 1963, 2-4.

⁵² L. APTEKAR and B. ABEBE, “Conflict in the Neighborhood. Street and working children in the public space”, *Childhood* 1997, 481.

⁵³ LUIZ DE MOURA, S., “The Social Construction of Street Children: Configuration and Implications”, *British Journal of Social Work* 2002, 353-367.

⁵⁴ F. DALLAPE, “Urban Children: A Challenge and an Opportunity”, *Childhood* 1996, 283.

*“Authors have gone so far as to suggest that street children have ‘hijacked’ the child agenda. [...] The needs of more visibly and dramatically affected populations can distract attention from the basic requirements of the millions of children subjected to the more silent emergencies of routine poverty.”*⁵⁵

Others focus on how perceptions of street children as a “social problem” are socially constructed.⁵⁶ *“If some thing, event or process is social in origin, it is not given or established by nature. So, there is nothing fixed or inevitable about it. Social groups can, then, choose to replace old conventions, theories, ideologies, practices and bodies of knowledge with new ones.”*⁵⁷ Labels are created, sustained and changed by social activity and although they refer to individual material worlds, they do not represent the reality but the constructs created by social processes and spread by language. Therefore it is interesting to focus on the discourses introduced by actors that socially construct street children and influence types of social action.⁵⁸ Besides that, studies have been refocusing on a children’s rights perspective and away from particular circumstances of children. But from a critical point of view, Panter-Brick indicates that street children are still on the streets, and a full focus on children’s rights could take away the attention to children’s needs and experiences.⁵⁹ The following bulletin chart, adopted from Benitez’ Global research paper, summarizes how terms and definitions can be problematic:

⁵⁵ M. CONNOLLY and J. ENNEW, “Introduction: Children Out of Place”, *Childhood* 1996, 132; S. BARLETT, “Children’s experience of the physical environment in poor urban settlements and the implications for policy, planning and practice”, *Environment and Urbanization* 1999, 64.

⁵⁶ S. T. DE BENITEZ, *State of the World’s Street Children: Research*, London, Consortium for Street Children, 2011, 8.

⁵⁷ F. J. HIBBERD, *Unfolding Social Constructionism*, Sidney, Springer, 2005, 2-3.

⁵⁸ S. LUIZ DE MOURA, “The Social Construction of Street Children: Configuration and Implications”, *British Journal of Social Work* 2002, 354.

⁵⁹ C. PANTER-BRICK, “Street Children, Human Rights, and Public Health: A Critique and future Directions”, *Annual Review of Anthropology* 2002, 148.

<ul style="list-style-type: none"> • The use of different terms and contested definitions complicates attempts to find out how many children are in street situations that violate their rights, and limits efforts to compare findings from different studies.
<ul style="list-style-type: none"> • Refinement of UNICEF's 'in' and 'of' the street categories risks over-simplifying and compartmentalizing children, failing to take account of children as social actors with multidimensional lives.
<ul style="list-style-type: none"> • Creation of alternative terms and definitions risks dispersing or 'silo-ing' knowledge and advocacy about children's experiences, by focusing on themes or geographical regions.
<ul style="list-style-type: none"> • Shifting attention away street-based experiences risks missing children's engagement and ignoring their connections with the streets, while '<i>Children themselves, of course, are still on the streets, easily visible in the great majority of urban centers.</i>' (Panter-Brick, 2002:148)

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We can conclude that the concept '*street child*' itself has been the subject of many discussions. It is said that this concept socially constructs children as being opposites of the mainstream society. In more recent research authors have tried to give an answer to the definitional dilemma by using the concept '*children working and/or living on the street*'. Again, this terminology was criticized for excluding certain groups of children such as: children who occasionally live/work on the street, children who accompany others (children/parents/friends) on the street but do not themselves work or live on the street, and children who hang out on the streets. Moreover, by using the concept *children working and/or living on the street*, attention is focused on a spatial element (the street) while the emotional connections to public spaces are being ignored. Therefore some argue that it is necessary to move away from the current concepts, and towards an alternative way of discussing/defining those groups of children. Thereby, attention has to be directed towards seeing children as capable social actors.⁶¹

Even though the category of street children is "impossibly constructed", there are few alternatives available. Other concepts may be: 'children in street situations', 'street active children' or 'street involved children', all referring to children for whom the street has a central role in their lives.⁶² In this study the concepts 'street children' and 'children in a street situation'

⁶⁰ S. T. DE BENITEZ and T. HIDDLESTON, *Research Paper on the Promotion and Protection of the Rights of Children Working and/or Living on the Street*, 2011, 11.

⁶¹ *Ibid.*, 13.

⁶² *Ibid.*, 11-12.

are used. We argue that this concept is still useful, as long as it is not meant to refer to a homogenous group, restricted age category or to simplify to a spatial dimension only.⁶³

1.2 Street children and public space

In this part of the research, the special relationship between children and public space will be explained. Street children are often perceived as a problem because they are visible in public space and because of the fact that they lack adult supervision. Therefore they are often marginalized and excluded from the city. In spite of the repressive policies that influence the removal of street children, this group of children still manages to survive and create their own spatiality within the public space. One of the questions that can be asked is: how does society control street children in public space and how does this consequently influence the behavior of street youth in the public space?

1.2.1 A unique relationship to public space

In the last decade, the interest in children's geographies has grown. Children in their environment are seen as social actors and the relationship between them and spaces, places and landscapes has been the subject of many studies. However, in comparison with research established in Western countries, the position of children in southern countries has been mainly ignored.⁶⁴

Children belong to a family, which is a private habitat where people are protected from public gaze. However, when children can no longer depend on the safety of a family, they become targets of civic control, which can result in hostile outbursts. One of the main characteristics of street children's identity is the interesting and unique relationship to the environment and their public existence on the street.⁶⁵ When children end up on the street, they are forced to survive on their own. Most of the time they lose the opportunity of education, health care and the opportunity to play.⁶⁶ All the normal evolutions an adolescent goes through such as self-

⁶³ C. PANTER-BRICK, "Street Children, Human Rights, and Public Health: A Critique and future Directions", *Annual Review of Anthropology* 2002, 150.

⁶⁴ L. YOUNG, "The 'place' of children in Kampala, Uganda: marginalization, resistance, and acceptance in the urban environment", *Environment and Planning D: Society and Space* 2003, 607

⁶⁵ L. YOUNG and H. BARRETT, "Issues of Access and Identity: Adapting Research Methods with Kampala Street Children", *Childhood* 2001, 383.

⁶⁶ A. ATAÖV and J. HAIDER, "From participation to Empowerment: Critical Reflections on a participatory Action Research Project with Street Children in Turkey", *Youth and environment* 2006, 129.

discovery, first real responsibilities and sexual experiences are part of the private domain.⁶⁷ For children in a street situation, those first experiences are public, which enhances strong reactions in society. Because of their high presence in the street and the lack of private space, they are easy targets of hostility. They are excluded from the public space because of their status as minors and their deviant image created by society. Street children are perceived as a social threat and too often labeled as thieves, prostitutes or drug abusers, while the vast majority obtains food and money by offering services to the community.⁶⁸ Therefore the main goal of state policies and private actors is then to keep these children out of the picture in city centers. Instead of aiming at their protection, state policies are mainly directed at protecting mainstream society. This results in exclusion, marginalization and severe harassment of these youngsters in the public space.⁶⁹

Street children are usually raised in townships, the high density suburbs or the periphery, but in the search of income-generating possibilities in the informal sector, they often go to the inner city areas, where an income can be generated.⁷⁰ Street children consider working on the street as an opportunity to gain a privileged economic status in their family and among friends because they earn money on their own and thereby create feelings of independence.⁷¹

Not only street children, but young people in general are attracted to commercial areas because they offer consumer and entertainment opportunities. However, the big difference between young consumers and street children is that young consumers are welcome in those areas while non-consumers are perceived as a nuisance. When the working hours are over and consumers and workers have left the commercial areas, these places transform in spaces of refuge. For street children, the public space is a working space but also a place for learning, relationships and shelter.⁷²

⁶⁷ C. CAHILL, "Street Literacy: Urban Teenagers' Strategies for Negotiating Their Neighborhood", *Journal of Youth Studies* 2000, 251.

⁶⁸ F. DALLAPE, "Urban Children: A Challenge and an Opportunity", *Childhood* 1996, 283

⁶⁹ A. DE VENANZI, "Street Children and the Excluded class", *International Journal of Comparative Sociology* 2003, 485; L. APTEKAR and B. ABEBE, "Conflict in the Neighborhood. Street and working children in the public space", *Childhood* 1997, 485.

⁷⁰ M. CONNOLLY and J. ENNEW, "Introduction: Children Out of Place", *Childhood* 1996, 134.

⁷¹ A. ATAÖV and J. HAIDER, "From participation to Empowerment: Critical Reflections on a participatory Action Research Project with Street Children in Turkey", *Youth and environment* 2006, 129.

⁷² M. CONNOLLY and J. ENNEW, "Introduction: Children Out of Place", *Childhood* 1996, 135.

1.2.2 Spatial dynamics that affect children in difficult circumstances

Conflict has always been inherent to the city and is the result of different factors. Cities, and mainly those in developing countries, show a visible gap between the rich and the poor.⁷³ The social exclusion is strengthened by some spatial dynamics that immediately effect poor populations, including street children.

Investors and property development agencies are constantly searching for new and uncultivated markets. These markets can be found in Africa's larger cities and therefore these cities are rapidly changing.⁷⁴ Those evolutions will most likely result in the further marginalization of the majority of urban populations.⁷⁵ Because of the fact that street children operate in big commercial and financial city centers, they are expected to be victims of spatial evolutions as such.

Former users often get excluded from city parts through the capital driven transformation strategies that aim at intentionally embellished parts of urban areas. Not much attention goes to the general public and the poor inhabitants. Thereby, *“the concept of public space as a microcosm of urban cultural life or a common ground for people to carry out social and functional activities is destabilized”*.⁷⁶ Above that, the unfortunate statement could be made that the social and cultural value of public space for children is often ignored by city center developers.⁷⁷ Gentrification for example, is one of those dynamics that could negatively impact low income residents.⁷⁸ It is said that: *“Gentrification is the class transformation of urban neighborhoods that were devalorized [...] The process of class transformation is nothing less and nothing more than the reconstruction of urban space to serve those of a “higher” social class than those currently using the particular part of the environment.”*⁷⁹ As street children do not belong in those areas that have to attract people from higher classes of society, this could lead to their exclusion. Increasing privatization of urban spaces can also result in a limitation

⁷³ C. HAMELINK, “Urban Conflict and Communication”, *International Communication Gazette* 2008, 291.

⁷⁴ *Ibid.*, , 292.

⁷⁵ V. WATSON, “African urban fantasies: dreams or nightmares?”, *Environment and Urbanization* 2014, 230.

⁷⁶ HAIDER and HAENEN in A. ATAÖV and J. HAIDER, “From participation to Empowerment: Critical Reflections on a participatory Action Research Project with Street Children in Turkey”, *Youth and environment* 2006, 130.

⁷⁷ A. ATAÖV and J. HAIDER, “From participation to Empowerment: Critical Reflections on a participatory Action Research Project with Street Children in Turkey”, *Youth and environment* 2006, 130.

⁷⁸ R. J. CHASKIN and M. L. JOSEPH, “Positive Gentrification, Social Control and the Right to the City in Mixed-Income Communities: Uses and Expectations of Space and Place”, *International Journal of Urban and Regional Research* 2012, 2.

⁷⁹ E.K. WYLY and D.J. HAMMEL, “Gentrification, housing policy, and the new context of urban redevelopment”, in K.F. GOTHAM (Ed.), *Critical perspectives on Urban Redevelopment*, Bingley, Emerald Group Publishing Limited, 2001, 213.

of civic functions people can perform in open *public* space, and lead to highly regulated spaces restricting certain activities and behavior, consequentially declining the role of public spaces as elements of a civic community.⁸⁰ Young people and street children especially are excluded through the continuing privatization of public space for commercial profit making.

This immediately affects street and working children, because they occupy parts of the public space as an informal work space.

Another element that increases segregation, and thereby affects street children, is the fear of uncontrollable and dangerous youth, causing socio-economic exclusion and stigmatization of certain groups. People will start avoiding places that are considered ‘unsafe’, producing a fragmented city.⁸¹ Because of those *geographies of fear*, we notice a decline in accessibility of public space.⁸² The image of children loitering in the street does not match adults ideas of public space. By controlling children through the public space, adults want to re-establish the hegemony of the city. This results in the “othering” of street youth, strengthened by restricting its access to public space.⁸³ This means that society and authorities often forget that they are working with (or against) children, and not just dirty, dangerous and annoying objects living their daily life in the city. In the minds of many people, these children are not comparable to ‘normal’ ‘mainstream’ children and therefore labelled as ‘the others’.

1.2.3 Street child spaces

Young people migrate away from rural areas into the city in the hope of better opportunities and a better life. As a result, the population grows and provisions and services cannot follow these rapid expansions. Slums arise, characterized by pitifully living conditions, overcrowded houses and crime. This will cause a flow of ‘working’ children to the cities, where they will also face various forms of repression and aggression.⁸⁴ Street children are not always excluded

⁸⁰ R. J. CHASKIN and M. L. JOSEPH, “Positive Gentrification, Social Control and the Right to the City in Mixed-Income Communities: Uses and Expectations of Space and Place”, *International Journal of Urban and Regional Research* 2012, 5.

⁸¹ L. KARSTEN, “Book review. Gill Valentine: Pubic Space and the Culture of Childhood”, *International Journal of Urban and Regional Research* 2007, 243.

⁸² G. VALENTINE, “Children should be seen and not heard: the production and transgression of adults’ public space”, *Urban Geography* 1996, 206.

⁸³ G. VALENTINE, “Angels and devils: moral landscapes of childhood”, *Environment and Planning D: Society and Space* 1996, 593.

⁸⁴ C. HAMELINK, “Urban Conflict and Communication”, *International Communication Gazette* 2008, 292.

from city spaces, sometimes they are accepted because their behavior is desirable in that particular space.⁸⁵

The exclusion that street children experience is reflected in the marginality of the spaces children occupy in the streets.⁸⁶ Lorraine Young refers to the term *street child spaces*, spaces that are created by the exclusion of minors in a street situation from social and spatial areas in the city. These children ‘out of place’ resourcefully use the urban environment by creating their own *niches* in the marginal spaces of the city.⁸⁷ Those niches (such as tunnels, rooftops, empty houses or busses) are untouchable spaces, hidden in the urban landscape, away from public gaze. As a result, children are pushed back into marginal and hidden spaces within an inherently adult domain which is the city. As Young indicates in her article, “*marginal places are not necessarily on geographical peripheries but have been places on the periphery of cultural systems of space*”. There is not only a geographical separation of ethnic groups or the poor, like we usually experience in cities, but also a cultural separation in which these children out of place create areas comparable to a periphery, because most street users avoid these hideous, dirty areas.⁸⁸

Street child spaces help street children to develop spatiality within the city, to create solidarity, an identity, feelings of belonging and attachment, which they cannot obtain through their home and families. These geographies are temporary, as street children identify with different areas over time depending on their relations to the street, age and gender.⁸⁹ Street children occupy different ‘niches’ depending on for example day or nighttime and on the purpose of the space (sleeping, begging, working, washing, ...). When children occupy contested spaces they often have to change their location because of police action or violence. This can result in conflicts when different groups have different attachments to similar areas.⁹⁰ The government in southern countries often aims at *purifying* the public space through the *clean-up* of children from the

⁸⁵ L. YOUNG, “The ‘place’ of children in Kampala, Uganda: marginalization, resistance, and acceptance in the urban environment”, *Environment and Planning D: Society and space* 2003, 607.

⁸⁶ H. BEAZLEY, “‘Vagrants Wearing Make-up’: Negotiating spaces on the Streets of Yogyakarta, Indonesia”, *Urban Studies* 2002, 1665.

⁸⁷ L. YOUNG and H. BARRETT, “Issues of Access and Identity: Adapting Research Methods with Kampala Street Children”, *Childhood* 2001, 383.

⁸⁸ L. YOUNG, “The ‘place’ of children in Kampala, Uganda: marginalization, resistance, and acceptance in the urban environment”, *Environment and Planning D: Society and space* 2003, 613.

⁸⁹ H. BEAZLEY, “‘Vagrants Wearing Make-up’: Negotiating spaces on the Streets of Yogyakarta, Indonesia”, *Urban Studies* 2002, 1666.

⁹⁰ L. YOUNG, “The ‘place’ of children in Kampala, Uganda: marginalization, resistance, and acceptance in the urban environment”, *Environment and Planning D: Society and space* 2003, 608-611.

streets by arresting them or chasing them away.⁹¹ In African cities, such as Lubumbashi (DR Congo) where I did my internship with an organization that works with street children, the pressure put on these children by the police and the military is a common fact. Most children said they feared the abominations of the authorities more than they feared hunger. Through this exclusion power relations emerge and become visible, whereby the dominant layers in the city oppress the *others*. Creating an own private space within a public, adult-orientated environment, is a way for street children to show protest against the exclusion from mainstream society.⁹² Hereby they prove that they remain present in the city centers, no matter what officials undertake to chase them away. This is why youngsters create their own ‘niches’ in which they can collaborate with each other. In a way, street children can be looked upon as a minority group in public space that creates additional dilemma’s. Due to the big influence the spatial environment has on their development, social experiences, growth, identity and survival, they should be included as stakeholders in the construction of space through participation.⁹³

⁹¹ H. BEAZLEY, “ ‘Vagrants Wearing Make-up’: Negotiating spaces on the Streets of Yogyakarta, Indonesia”, *Urban Studies* 2002, 1665.

⁹² *Ibid.*, 1666.

⁹³ A. ATAÖV and J. HAIDER, “From participation to Empowerment: Critical Reflections on a participatory Action Research Project with Street Children in Turkey”, *Youth and environment* 2006, 131.

1.3 Street children and a children's rights perspective

A children's right perspective can lead to a different construction of a "street child" concept because it considers children as independent rightsholders whereby they are perceived as human beings with agency⁹⁴ and responsibilities. At the same time those perspectives are not evident because ratification of the convention on the rights of the child does not directly indicate an actual application of those rights in the everyday reality of children worldwide.

1.3.1 International legal framework

Both the international treaty, the Convention on the Rights of the Child (CRC), and the regional treaty, the African Charter on the Rights and Welfare of the Child (ACRWC), are extremely important because they are responsible for a turning point in how children were perceived within international and regional human rights frameworks. Instead of considering children as objects of adult charity, the Convention viewed children as independent rightsholders. Therefore many countries were prepared to accept the principles of the convention by ratification. Today the convention is ratified and brought into force by all countries in the world, except by the United States⁹⁵, Somalia and South Soudan. A noteworthy fact is that African governments were among the very first to ratify the Convention, but in terms of the uptake these governments were much slower.

The UN Convention contains articles to improve health, education and housing of all children. Articles as such are particular pertinent to street children.⁹⁶ The convention blends social, economic and cultural rights with civic and political rights. Therefore it is said to be the most exhaustive treaty in the field of human rights. The main goal of the CRC is to have an influence on the process of legal reform of domestic laws to ensure that they increasingly protect the rights of children.⁹⁷ The CRC requires that State Parties "*undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present convention.*" Further, "*with regard to economic, social and cultural rights, States*

⁹⁴ The capacity of individuals to act independently and to make their own free choices.

⁹⁵ The US signed the treaty but never ratified it, thereby it endorses its principles, but they do not commit to be legally bound by it.

⁹⁶ K.J. LALOR, "Street children: a comparative perspective", *Child Abuse & Neglect* 1999, 759.

⁹⁷ A. TWUM-DANSO IMOH, "Realizing children's rights in Africa. An introduction", in TWUM-DANSO IMOH, A., and ANSELL, N., (Eds.), *Children's Lives in an Era of Children's Rights. The Progress of the Convention on the Rights of the Child in Africa*, Oxon, Routledge Research in Human Rights Law, 2014, 1.

Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation."⁹⁸

It is said that the ratification has influenced legal reform of the domestic law, giving more attention to children's rights in for example post-apartheid South Africa.⁹⁹ Above that, it is argued that the convention has been very important for non-governmental organizations and international agencies, because it has been used as an advocacy and lobbying tool and as an instrument to sensitize the state to the fact that children are independent rightholders.¹⁰⁰

Because the Convention was primarily drafted by the governments of Western Europe, a relevant question in this matter is how applicable the convention is to non-Western regions. The ideology and concept of childhood in European and North American countries can be significantly different from an African context. It is claimed by some that the Convention did not reflect enough on the priorities and concerns regarding children on the African continent and that African countries were under represented in the drafting process of the CRC. This universality vs. relativity debate has underpinned the post-Convention for years.¹⁰¹

The ACRWC was drafted and created to complement the CRC and to address certain peculiarly African problems. It entered into force in 1999 and was ratified by South Africa in the year 2000.¹⁰² The ACRWC is the main instrument of the African human rights system for promoting and protecting children's rights and almost all African countries have ratified the charter except Somalia and Zambia. The core principles of the Charter such as; non-discrimination, the best interest of the child, the right to development and the right to participate correspond to those of the convention.

Besides children's rights, the African Charter also focusses on children's obligations and responsibilities. This in relation to an African context where children's responsibilities form an important aspect. Article 31 concerns duties to children: *"Every child shall have responsibilities towards his family and society, the State and other legally recognized communities and the international community."* In addition it is written that; *"to work for the cohesion of the family, to respect his parents, superiors and elders at all times and to assist them in the case of*

⁹⁸ Art 4., Committee on the Rights of the Child, *Convention on the Rights of the Child. Adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989.*

⁹⁹ A. TWUM-DANSO IMOH, "Realizing children's rights in Africa. An introduction", in TWUM-DANSO IMOH, A., and ANSELL, N., (Eds.), *Children's Lives in an Era of Children's Rights. The Progress of the Convention on the Rights of the Child in Africa*, Oxon, Routledge Research in Human Rights Law, 2014, 2.

¹⁰⁰ *Ibid.*, 24-25.

¹⁰¹ *Ibid.*, 26.

¹⁰² http://www.unicef.org/esaro/children_youth_5930.html

need.”¹⁰³ This aspect could be questionable from a Western point of view, but it is a very important peculiarity of the African concept of human law. In order to realize children’s rights in Africa, we might ask ourselves the question if it is more important to respect cultural values, rather than to aim at universalizing western interpretations. As opposed to the Convention, the Charter can therefore be more suitable in creating dialogue with African communities about children’s rights.¹⁰⁴

These two main and complementary legal documents provide a strong human rights framework for the protection of children’s rights in Africa, but what is the impact of these instruments in the everyday lives of African children? This international human rights framework has been accepted by almost every country, but how much effort do states really put into the implementation, protection and promotion of children’s rights? The convention recently celebrated its 25th anniversary, but did the lives of the children really change?¹⁰⁵

It is unfortunately recognized in recent research that although the CRC has influenced national legislation, the actual implementation of domestic legislation that focusses on protecting children is still very weak in many countries.¹⁰⁶ For many children living in developing countries, these rights remain but words written down on a piece of paper since they fall outside of the protective children’s rights nets.

As a member of the United Nations and the African Union, South Africa is obligated to provide regular reports to Committee on the Rights of the Child, the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) and to the African Charter on the Rights and Welfare of the Child about how each right is implemented and protected and about the challenges it is facing in fulfilling them. South Africa signed the CRC on 29 January 1993 and ratified it on 16 June 1995.¹⁰⁷ Since then, according to article 44 of the CRC, it is required to submit an initial report within two years of the ratification and subsequently periodic reports every 5 years.¹⁰⁸ The committee has grouped the provisions in reporting guidelines. These

¹⁰³ Art 31, African Charter on the Rights and Welfare of the Child, 1990, Doc. CAB/LEG/24.9/49

¹⁰⁴ A. TWUM-DANSO IMOH, “Realizing children’s rights in Africa. An introduction”, in TWUM-DANSO IMOH, A., and ANSELL, N., (Eds.), *Children’s Lives in an Era of Children’s Rights. The Progress of the Convention on the Rights of the Child in Africa*, Oxon, Routledge Research in Human Rights Law, 2014, 36-37.

¹⁰⁵ *Ibid.*, 29.

¹⁰⁶ S. T. DE BENIREZ, *State of the World’s Street Children: Research*, Westminster, Consortium for Street Children, 2011, 56.

¹⁰⁷ L. CHENWI, Research paper presented at the seminar on promoting institutional rights through international human rights law: The state of South Africa’s State Reporting. Held in Cape Town, 2010, 44-45.

¹⁰⁸ M.A. USANG, “The dynamics of youth justice & the convention on the rights of the child in south Africa”, *Article 40* 2014, 1.

clusters are: definition of the child; general principles; civil rights and freedoms; family environment and alternative care; basic health and welfare; education, leisure and cultural activities; and special protection measures. Among others, states are required to provide statistical information relevant to refugee children, children in armed conflict, children in conflict with the law, children in situations of exploitation and children belonging to a minority or indigenous group.¹⁰⁹ South Africa submitted its initial report based on the thematic clusters on 4 December 1997, with a delay of more than 4 months. When it comes to implementation and the monitoring of children's rights, South Africa does not seem to set the best example. The state filed its first report on time in 1997 but after that state reports were lacking. The second state report was due in 2002 but was not submitted until 2014, as shown in the following overview of the reporting cycle:¹¹⁰

CRC - Convention on the Rights of the Child					29 Jan 1993	16 Jun 1995
Reporting Cycle			Session (Year)			
II						
Document type	Symbol/Title	Due date	Submitted date	Publication Date		
State party's report	CRC/C/ZAF/2	15 Jul 2002	26 Nov 2014			
I						
23 (2000)						
Document type	Symbol/Title	Due date	Submitted date	Publication Date		
State party's report	CRC/C/51/Add.2	15 Jul 1997	04 Dec 1997	22 May 1998		
List of issues	CRC/C/Q/SAFR/1		18 Oct 1999			
Concluding observations	CRC/C/15/Add.122		23 Feb 2000	22 Feb 2000		
Summary records	CRC/C/SR.609		01 Feb 2000	01 Feb 2000		
Summary records	CRC/C/SR.610		08 Aug 2002	19 May 2000		
Summary records	CRC/C/SR.611		16 May 2002	02 Feb 2000		

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After South Africa published its initial report in 1997, guidelines and a critical assessment was given by the CRC in its concluding observations. The Committee recognized the State's efforts to create greater conformity between domestic legislation and the Convention. The new Constitution guarantees a number of specific rights and freedoms to children. On the other hand the Committee expresses its concerns regarding several topics. For example the unsatisfactory

¹⁰⁹ Committee on the Rights of the Child, *General Guidelines regarding the form and content of initial reports to be submitted by states parties under article 44, paragraph 1(a), of the Convention*, UN doc. CRC/C/5, 30 October 1991, paras 24.

¹¹⁰ L. CHENWI, Research paper presented at the seminar on promoting institutional rights through international human rights law: The state of South Africa's State Reporting. Held in Cape Town on 22 September 2010, 44-45.

¹¹¹http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Countries.aspx

current data collection with specific emphasis on vulnerable groups, including children working and/or living on the streets. It can be stated that those statistics are nearly inexistent. The Committee is also concerned about the awareness raising of professional groups, children, parents and the public about children's rights, the principles and provisions of the Convention. Insufficient measures have been implemented to ensure education, health and other social services, especially to vulnerable groups.

1.3.2 How are street children protected by international law?

No specific reference to street children is made in the CRC and street children are not considered part of a vulnerable group whose special needs are recognized and acknowledged in international law. The CRC wants to focus on rights for all children, arguing that street children are automatically included. In a way this proves that the convention does not want to stigmatize or label children in a street situation as street children. Yet, a main criticism towards this approach of the CRC has been the lack of protection that is offered to street children. Because of the failure to outline street children's rights in the Convention, governments have not received specific legal international guidance in protecting these vulnerable children and having them participate in the international debates.¹¹²

Nevertheless, according to the Consortium for Street Children many articles indirectly relate to the situation of street involved children because they are vulnerable to: "*Violence (Art 19), disease (Art.24), discrimination (Art.2), sexual abuse and exploitation (Art. 34,32), substance abuse (Art.33), emotional deprivation (Art. 19,31), exploitative and harmful child labor (Art.32), denial of rights within the juvenile justice system (Art.37,40), arbitrary execution (Art.6), torture (Art.37), lack of access to education (Art. 28,29) and healthcare (Art.24), and lack of identity documents (Art,7).*"¹¹³ In its General Comments, the committee does provide details on vulnerable groups of children such as black children, girls, disabled children, child labourers, children living in rural areas, children working and/or living on the streets, children in the juvenile justice system and refugee children.¹¹⁴

¹¹² S. T. DE BENIREZ, *State of the World's Street Children: Research*, Westminster, Consortium for Street Children, 2011, 54.

¹¹³ R. RAY, C. DAVEY and P. NOLAN, *Still on the streets, still short of rights*, London, Plan and Consortium for Street Children, 2011, 19.

¹¹⁴ CRC, Consideration of reports submitted by states parties under article 44 of the convention. *Concluding observations of the committee on the Rights of the Child: South Africa*, 2000, CRC/C/15/add.122

The CRC is recognized to play an important role in the paradigm change from street children as a social problem to children as rightholders whose rights have been violated. This opened a door for new and radical views such as allowing children to make their own choices and decide what is best for them, including decisions regarding work and the place where they want to live.¹¹⁵ The autonomy of the children to react to circumstances should exist alongside the right to protection.¹¹⁶ These views are especially relevant when looking at street children through a children's rights perspective. Should we not allow a nine year old child to beg in the street, because child labor is unacceptable? What if this is his only opportunity to help his parents feed his siblings? To respect a child's choice to live on the streets or to work for an income can create moral dilemma.

Researchers declare that domestic laws about meanings and assumptions of children according to local cultural patterns are often unclear, causing interpretation difficulties about street children and their relation to juvenile justice, youth care programs and social development.¹¹⁷ According to De Benirez, "*there is a considerable evidence from the development literature that street children are routinely criminalized, even systematically and opportunistically abused, in countries which have ratified the UN CRC.*" Laws to protect children's rights are often overlooked in certain environments such as urban areas in South Africa where the protection of public security and stimulation of economic development have priority.¹¹⁸ In such environments children are more likely to become subject of law enforcement than of social development.

¹¹⁵ S. T. DE BENIREZ, *State of the World's Street Children: Research*, Westminster, Consortium for Street Children, 2011, 54.

¹¹⁶ R. RAY, C. DAVEY and P. NOLAN, *Still on the streets, still short of rights*, London, Plan and Consortium for Street Children, 2011, 21.

¹¹⁷ S. T. DE BENIREZ, *State of the World's Street Children: Research*, Westminster, Consortium for Street Children, 2011, 55.

¹¹⁸ *Ibid.*, 56.

2. Methodology

2.1 Conducting research on interventions for street children in a South African metropolitan context

A lot of preparation and research needed to be done prior to my departure, logistically and practically. In the months prior to my trip I was desperately looking for organizations for street children in Durban that I could collaborate with for the empirical part of my research. This was not an easy task because I had no contacts in Durban whatsoever. The only way of contacting the relevant people was by sending e-mails and filling out information forms on NGO's websites since most of them didn't have detailed contact information. As a result it was very unclear in the first stage of the research what the empirical part of this study was going to look like. In consultation with my promoter and co-promoter I decided that I wanted to do research on the perspectives regarding street children as a social problem by questioning legal actors (SAPS¹¹⁹ and municipality), non-governmental organizations and (former) street children in the inner city area of Durban. It became clear that this approach was almost impossible because of organizational and time issues. As a Belgian student, with no connections in Durban, it was nearly naive to think that I would have been able to conduct my empirical research as planned in three months' time. Therefore I had to go for a *trial and error* approach which resulted in a complicated and slightly *messy* research design.

2.2 In-depth interviews with policy makers in Durban, South Africa ¹²⁰

The initial idea was to do a participatory observation by working as a volunteer in one of the NGOs, but due to the lack of response, I had to abandon this concept. Once I arrived in Durban it was easier to create a network of people who knew some of these organizations. After collecting some telephone numbers I started setting up introductory meetings with in total four non-profit organizations.

This was a first step in gaining personal access to the relevant individuals in the organization. Besides the official negotiation through phone calls, these visits allowed me real access to the field. During visits I did not take field notes since I felt it would be unnatural to do so. Instead

¹¹⁹ South African Police Services

¹²⁰ R. LEGARD, J. KEEKAN, and K. WARD, "In Depth Interviews" in RICHIE, J., and LEWIS, J., (Eds.), *Qualitative research practice. A Guide for Social Science Students and Researchers*, London, Sage Publications., 2003, 138-169.

I wrote my thoughts down in a logbook at the end of my visit. A field note about one of the first informal visits:

“Today I had my very first meeting with Joel¹²¹, this was an informal off the record conversation while we were having a coffee at the beachfront. I immediately felt at ease. I know that Joel has years and years of experience with street children and therefore I would really like to do a recorded interview since he has a distinct opinion and he seems like a very critical thinker when it comes to the whole concept of street children, the security versus protection policy and intervention for them.

The selection process of the participants was fulfilled by using a snowball sampling (or chain referral sample), which means that the researcher accesses informants through contact information that is provided by other informants.¹²² This sample method is interesting when certain members are difficult to locate, as was the case with the NGOs in this study. In a first stage I started contacting the people in charge of the NGOs and made an appointment for an interview. After this initial interview I asked them if they could give me access to one or two of their staff members. In total I ended up interviewing three general managers, one outreach worker, two childcare workers, one sports coach and one founder of an organization. In total 8 interviews took place in the offices of the organizations and one interview took place at a coffee bar.

Because of the fact that these conversations were extremely open and flexible, I decided not to ask the participants to sign a written informed consent. Prior to the commencement of the interviews the participants were informed about the procedures and goals of the research. It was made clear that their participation was totally voluntary and that they could decide to withdraw at any time and for any reason. I asked their permission to record the conversations, and assured that they would be anonymized in the transcriptions and results, through the use of fictive names.

The interviewing continued until the point of saturation was reached. This point was reached when one or two staff members of all the collaborating organizations were interviewed and we all felt like we covered the available information.

¹²¹ This is a fictive name in order to guaranty and protect the privacy of this person.

¹²² C. NOY, “Sampling Knowledge: The Hermeneuticus of Snowball Sampling in Qualitative Research”, *INT. J. Social Research Methodology* 2008, 330.

Because of the fact that I wanted to keep the interviews as open and flexible as possible I didn't work with preset interview questions. But even the most unorganized interviews had some kind of guidance. I had some topics in mind that I wanted to cover during the in-depth interviews. I asked the respondent to introduce her/himself and from there the conversations continued spontaneously. My next intervention was determined by the way the participant had answered, and ranged from follow-up questions, to paraphrasing what the respondent said to make sure I understood everything correctly. This spontaneity was facilitated because of my prior introductory meetings with the respondents. I tried not to create a traditional face to face interview setting which meant that I sat next to the respondent instead of across from him/her, and I did not bring notes or papers with me. I had the feeling that the respondents felt at ease and could talk freely.

The organizations involved in this research are:

Street Wise (NGO) a shelter for abandoned and neglected children on the streets of Durban. It provides food, clothes, a loving environment, formal and informal schooling. The main goal of this organization is to reconcile the children with their families and create effective members of society. Besides the shelter this organization puts a lot of effort into awareness raising programs and projects in schools and townships.

Icare (NGO) a faith-based organization that assists street children to become effective members of society through awareness raising programs, rehabilitation programs, shelters, after care programs and skills/job training. Family integration is one of the main goals of this organization.

Umthombo (NGO) an organization that leads children out of street life by providing alternatives and a way out of the streets. Their main goal is to identify boys and girls on the streets, build a relationship of trust with them and look for ways to empower them. The main emphasis of this organization lays on psycho-social support in combination with sports activities such as swimming, surfing and soccer. The aim of this organization is to reintegrate children into their community.

Surfers Not Street Children (NGO) is an awareness raising organization. It exists of a surfing team of eight formal street children between the ages of 16 and 24 that aims at changing the way society perceives and treats street children. They promote the use of surfing to empower children to leave street life around the world. SNSC consider psychosocial support and mentorship as the best tools in order to lead street youth to independency.

It should be mentioned here that these organizations are not the only institutions that deal with street children in Durban and its surrounding areas. However, they cover most of the inner city area's where street children are most prevalent.

2.3 Visual research method: photovoice.

“Photovoice is a process by which people can identify, represent, and enhance their community through a specific photographic technique. Photovoice has three main goals: (1) to enable people to record and reflect their community's strengths and concerns, (2) to promote critical dialogue and knowledge about important issues through discussion of photographs, and (3) to reach policymakers.¹²³ It is a participatory action research method that entrusts camera's to persons who seldom have access to those who make decisions over their lives”¹²⁴

Besides the in-depth interviews with staff members of organizations for children in a street situation, this research also “showcases” the voices from two former street children and ambassadors of the organization Surfers Not Street Children. These adolescents produced photographic material that was used as a communication tool in order to share their experiences and perspectives.

As I was volunteering in SNSC I made the decision to not immediately introduce the idea of the photovoice project. I first wanted the *surfers* to get used to my presence. During my stay in South Africa I spent significant time working, talking, walking and mainly surfing with some remarkable young people that are both surfers and ambassadors for street kids around the world. To my surprise they themselves came up with the idea of taking photographs of places in the city that are relevant to them. It would have been nice to have had more participants in this project, but due to limited time and availability of the respondents and organizational issues about the use of disposable cameras, only two youngsters engaged in the project. Nevertheless it can be argued that the information brought by this visual method added to the experimental character of this research because of its pleasant and instructive way of gaining extra in depth information. Although this knowledge is very useful, we do not aim at generalizing the results to a wider population.

¹²³ C. WANG and M. A. BURRIS, “Photovoice: Concept, Methodology, and Use for Participatory Needs Assessment”, *Health Education & Behavior* 1997, 369.

¹²⁴ R. W. STRACK, C. MAGILL and K. MCDONAGH, “Engaging Youth through Photovoice”, *Health Promotion Practice* 2004, 50.

Whilst doing research with a vulnerable group such as children, we are often confronted with complex and challenging situations. Traditional interviews or surveys are not always recommended. In order to be able to cope with challenges as such, visual research methods could offer new ways of understanding the world of the research participant. Visual research methods are based on the understanding that people are experts of their own lives and that they have the right to participate in both research and policy making.¹²⁵ *“Photovoice is a research method wherein subjects use cameras to represent and critically analyse their everyday experiences and environments. It is also a participatory research method wherein respondents have significant measure of control over the generation, analysis and work collaboratively with the researchers.”*¹²⁶

Although photovoice is an innovating and creative way to let children, adolescents and youth engage in qualitative research and to create a critical dialogue, the use of it does not come without challenges.¹²⁷ The first issue could be the use of visual technologies. Lending out a personal camera is at the researchers own risk, especially when keeping in mind that in this case the photographs were taken in inner city areas, where cameras could easily get lost, damaged or stolen. Disposable cameras are quite an expensive purchase and the cost of processing the film has to be taken into account. Moreover it is not possible to delete bad quality photographs. In this case the use of disposable cameras seemed a safer option.

Another challenge connected to photovoice is the fact that it is very time-consuming for the participants since they need to spend time walking around in the inner city areas. At first I considered driving them around to the spots they wished to photograph, but after reconsideration I came to the conclusion it was better to give them total freedom in deciding the environments they wanted to photograph. The involvement of a researcher could have added subjectivity and it could have changed the behavior of the participant. It was partly due to this time-issue that we encountered the withdrawal of some of the participants.

Further, we need to take into account the possibility of misinterpretation of the actual content of the images. In this study we tried to overcome this challenge by letting the participant explain

¹²⁵ C.C. WANG, S. MORREL-SAMUELS, Et al., “Flint Photovoice: Community Building Among Youths, Adults, and Policymakers.”, *American Journal of Public Health* 2004, 911; C.C. WANG and J.L. CASH, “Who Knows the Streets as Well as the Homeless? Promoting Personal and Community Action Through Photovoice”, *Health Promotion Practice* 2000, 81.

¹²⁶ M.J. ANNEAR, G. CUSHMAN, B. GIDLOW, Et al, “A Place for visual research methods in the field of leisure studies? Evidence from two studies of older adults’ active leisure”, *Leisure Studies* 2014, 618-624.

¹²⁷ N. WILSON, S. DASHO, A.C. MARTIN Et al., “Engaging Young Adolescents in Social Action Through Photovoice. The Youth Empowerment Strategies (YES!) Project”, *The Journal of Early Adolescence* 2007, 241-243.

what he/she wanted to express with his/her image. Only after the participant explained why the picture was taken and what it meant, additional questions were asked.

Together with the previous challenges, we must also consider the issue of generalization. However it must be pointed out that the purpose of this kind of data collection is not to make fixed conclusions nor generalizations, but to give additional in-depth information from these young people themselves.

Other challenges relate to the ethical use of photovoice and the safety of the participants. *“Sending minority or marginalized groups into their communities with a camera can be empowering, but can also create the potential for conflict with other individuals or groups, particularly when photographing evidence of community problems.”*¹²⁸ Extra caution should be taken, especially when respondents want to take pictures of people in areas where illegal activities are common. By informing the participant about the risks of collecting images of people or places that could cause conflict, we could overcome this challenge. The responsibility of respecting the privacy of others was accentuated. Yet, it must be admitted that in this particular setting it was not entirely possible to have total control over the potential dangers of taking pictures in the inner city center of Durban.

Another ethical issue in this study was whether or not to work with a written consent of the photographer in question. In the methodological literature about photovoice projects with youth it is highly recommended that both the informal consent of parents or guardians of minors, as well as the youth participants’ consent must be obtained.¹²⁹ In this case the participants were above 18 years old, so the written consent of parents or guardians was not necessary. However, a big dilemma remained about whether or not to obtain the informal consent from the youngsters themselves. Finally the decision was made to inform the participants orally about the voluntary nature of the participation and freedom to withdraw at any stage of the photovoice project. They were also informed about the fact that the picture discussions would be taped and transcribed for which they gave oral permission. A written consent might have caused feelings of doubt and trust issues for these young people with possible withdrawal as a consequence.

The respondents were asked to take pictures in Durban. The content of the pictures was left entirely open. These could be images of inner city areas, institutions they came in contact with

¹²⁸ M.J. ANNEAR, G. CUSHMAN, B. GIDLOW, Et al, “A Place for visual research methods in the field of leisure studies? Evidence from two studies of older adults’ active leisure”, *Leisure Studies* 2014, 639.

¹²⁹ C.C. WANG, “Youth Participation in Photovoice as a Strategy for Community Change”, *Youth participation and community change* 2006, 150.

in the past (or present), anything related to their past life on the streets or even their everyday realities. The two participants were given a disposable camera each, with which they could take 27 pictures. Instructions were given on how to use the camera's, about the carefulness of taking pictures in certain inner city areas and about photographing others or private properties. Pictures in which other people could be seen or recognized were blurred out for the transcription and representation of the results. The participants were asked to take a series of pictures and then return the camera after one week. Eventually it took them about two weeks to hand in the cameras, which was not a problem since I had foreseen a margin for delay. After the pictures were developed, the respondents were asked to choose the pictures they wanted to comment. The narratives about their photos were taped and transcribed.

2.4 Analysis of the collected data

It was not possible to see any form of pattern or structure in the voluminous, tangled and messy data that was the result of 65 pages of transcriptions, some field notes and the photovoice project. In order to make this data more manageable it was imported into the MAXQDA qualitative data analysis software. In a first stage codes were created, compatible with the topics that came up in the in-depth interviews. After this first skim through, a line by line open coding followed in which new active, short and specific codes were created. These initial codes were separated into categories.¹³⁰ The next step was to write memo's in which the codes were defined, together with underlying meanings and assumptions. The findings were categorized into different themes and this is also how they were organized and reported in the empirical part of the study.¹³¹

¹³⁰ A schematic representation in the form of code trees can be consulted in the attachment.

¹³¹ K. CHARMAZ, "Grounded Theory" in SMITH, J.A. (Ed.), *Qualitative Psychology: A Practical Guide to Research Methods*, London, Sage Publications, 2008, 93-102.

3. Results of the in-depth interviews with NGO actors

Discussions concerning street children amongst policy makers are understood to be descriptions of the reality but in order to understand where these discourses come from, what they really mean and what kind of influence they could have on the subjects in question, these discourses themselves have to be the object of the research.¹³² In order to explore hidden meanings and assumptions that are involved in the construction of the concept of street children, it is particularly interesting to examine the perception of people who work with children and youth in a street situation on a daily basis. The way these actors define, perceive and approach children in a street situation immediately affects the policy approaches towards this group.

3.1 Interventions for street children in Durban

3.1.1 Classification of policy approaches

Durban's street children and youth have been a target of intervention programs from NGOs and government agencies for at least two decades now. The range of these programs and interventions in Durban correspond to a classification of policy approaches/models that is often reported upon in literature such as; a repressive policy approach, a human rights based model and a protection orientated model.

When street children and youth are perceived as a possible threat to the public order, they are usually labeled as "others" or as "different" from the mainstream "normal" young individuals. With such assumptions come along repressive, correctional and reactive policy approaches usually prosecuted by state institutions.¹³³

On the opposite side you find models that consider these children as a group that has been discriminated and as citizens that are deprived from their human rights. In a protection orientated model, which is mostly followed by non-governmental structures, street children are mainly perceived as victims. Therefore policy measures will be mostly directed at protecting these youngsters from unsatisfactory conditions of street life. In organizations as such the focus will be on providing shelter, education and health care. A logical outcome of this assumption

¹³² S. LUIZ DE MOURA, "The Social Construction of Street Children: Configuration and Implications", *British Journal of Social Work* 2002, 357.

¹³³ B. GOLDSON, "Children in need or young offenders? Hardening ideology, organizational change and new challenges for social work with children in trouble", *Child and Family Social Work* 2000, 255.

is that these policy interventions are focused on reducing the harmful consequences of street life.¹³⁴

“We don’t look at the street children as street children you know. They¹³⁵ look at the street children as bad people who are stealing, who are beggars, you can take their money you can take their bags you know. But we look at street children as people who can change they are still young. We believe that these children they can change but we don’t know when they can change and we also believe that these children they are not the problems but they have the problems and how to deal with those problems and to help them to deal with their problems. That is how we look at these children.”

This citation illustrates well the different perceptions that exist in society. On one hand the participant refers to others (“they”) that look at street children as beggars and thieves. On the other hand the participant explains the way his/her organization sees those children as people. People who find themselves in a difficult situation. When children are displayed as part of a different domain, opposite the mainstream society, the focus lies on their different moral values characterized by a “street society”. Official state institutions tend to highlight their involvement in drugs, sexual abuse, pity theft, gangs etc. While at the same time they are portrayed as being driven by their basic human needs and deprivation of their rights.¹³⁶

“Because initially the government did make big differences, you know, and didn’t see them as children in need, you know, so that was a stigma.”

3.1.2 Fragmented network

The interventions for street children in Durban are mainly implemented by non-governmental organizations. Some of these organizations are funded by the municipality, while others rely on the goodwill and sponsoring of the public. The organizations involved in this research all work independently from one another, and therefore they differ in their philosophy, goals and objectives. Consequently it can be said that Durban has a fragmented network of interventions for children and youth in a street situation. This results in the movement of youngsters in between several organizations at the same time.

¹³⁴ S. T. DE BENIREZ, *State of the World’s Street Children: Research*, Westminster, Consortium for Street Children, 2011, 38.

¹³⁵ “They” could refer to the municipality, the government, but could also refer to the mainstream society in general.

¹³⁶ S. LUIZ DE MOURA, “The Social Construction of Street Children: Configuration and Implications”, *British Journal of Social Work* 2002, 360.

“Also you know, street children are nomadic, so we may be picking up a certain number of children from a certain area, and suddenly they migrate and go of to the Point area and X¹³⁷ starts to work with him and they might actually attend here on Tuesdays and Thursdays 'cause they quite like our swimming program. But then they might go to X on Mondays and Wednesdays because they quite like the surfing program. But then X may have wonderful lunch every Friday.”

This overlap causes double counts in the statistics. Moreover, this fragmented network does not contribute to transparency between the organizations and the government. Subsequently this could lead to funding issues. For this reason some respondents argue that it would be better if the different organizations would come together as one big institution in order to improve the organizational structure and maximize the care for these children:

“Even if coming to a point and closing all of the organizations, we are going to fund you, but you all come together. Right now we are recycling kids. Kids they know that today at X they have got a nice meal if they come to X, tomorrow and Wednesday X has got nice meal, they go to X and it is not helping. It is not helping.”

3.1.3 Who are street children according to NGO employees?

The terms used to describe children living on the streets vary across continents and countries, but also from organization to organization. Homelessness is almost exclusively used in Western contexts and has a strong connotation towards adults. In African, Latin-American and Asian countries the concept of the street child is most commonly used. The term street child does not refer to a clearly defined population and as a result it covers a wide range of situations that children can find themselves in, which makes it a very imprecise concept. Moreover, the social construction of street children portrays them as opposite to the mainstream society.¹³⁸

“So a short definition would be a street child is someone who is living and making a living of the street. So they are sustaining themselves from the streets and at the same time live there on the streets. That would be a very simple definition of a street child. A more elaborate explanation would be that a street child is a child living away from their family home, come on to the streets for reasons that we have found, the statistics shown, poverty and abuse are the two top statistics and that they are now living on the streets and they are actually

¹³⁷ The names of the organizations are left out for anonymity reasons

¹³⁸ S. LUIZ DE MOURA, “The Social Construction of Street Children: Configuration and Implications”, *British Journal of Social Work* 2002, 354.

entering, slowly entering an almost a new way of life that they have become quite comfortable with, no set of rules, the complete freedom.”

In this passage a reference to the physical aspect of street children is made. When it comes to scientific literature authors often use this spatial element in order to define street children. Thus, the visibility of these children in public space plays a major role in how they are defined. Besides a spatial element, the participant also refers to a social dimension, more precisely the lack of an active regulatory framework. A common critique regarding this two-dimensional way of defining street children is that children encompass more dimensions and that they are part of a wider social network.

In recent years, a shift in perspective can be observed from using the term street child to children and youth in a street situation. The reason for this change is that the term “street children” does not refer to a clearly defined population and that it excludes less visible groups of vulnerable children that might not spend entire days and nights on the street. In order to deal with this problem organizations have now started to refer to children and youth in a street situation:

“Well our perspective of street children is that it is just a name, they are the same as any child. They ended up on the street with no choice. Very few come through choice because of home circumstances, various levels of poverty, or step parents maybe or abuse or whatever but it is not something that they decided to do or was easy for them. They’ll tell you that. So it is unfortunate in a way that there have to be terms to children and they ended up on the street and I suppose that is the definition. But they are children in need of care and that is the reason that the whole concept now has changed from child and youth care centers everywhere. It is not street shelters it is child and youth care centers.”

The fact that the respondent mentions that *the concept street child is just a name* indicates that organizations are aware of the label that is given to these children. Welfare agencies tend to not separate street children so radically from other groups of vulnerable children, but instead considered them as belonging to a group of children at risk. Instead of focusing solely on children’s bad and unhealthy environment, organizations now start to focus on children’s own strategies and experiences.¹³⁹

However, when we take a closer look at the underlying meanings of certain policies we are able to point out some stigmatizing images about street children. Some NGO actions in Durban focus

¹³⁹ C. PANTER-BRICK, “Street Children, Human Rights, and Public Health: A Critique and future Directions”, *Annual Review of Anthropology* 2002, 148.

putting an end to child beggars on the street. It is said that giving money to a street child would only sustain the entanglement in street life and could possibly be harmful to this child. Begging provides short term solutions to the need of food and clothing, but also causes certain danger such as being robbed by other children on the street. At the end of the day the child still finds itself on the street and will have to beg again the next day. In order to avoid this from happening, awareness raising campaigns recommend the public not to give money but to invest in a long term solution to the plight of children and youngsters on the street by donating money to existent programs for street children:

“I think the way that people help street children, I don’t think they are helping them if they just give food and money when they are on the street that won’t change them. I feel that if people want to give money it’s better to donate their money to the organizations where the children live. That will encourage the children to go to the organizations to change their lives ‘cause giving the child the bread now, what will happen? Where is the future of the child if you give the child 20 or 10 Rands? I don’t believe in that. Those little kids they can see straight away that on that first day on the street, ‘wow we have made 400 – 500 rand.’ Why wouldn’t we stand on the street. We would be foolish not to stand on the street corner tomorrow. Or their mom who is maybe sitting on a bench further up the road saying you have to do this again tomorrow, you know.”

In his article, Sérgio Luiz de Moura gives a similar illustration from an organization in Brazil: *“Instead of cash, members of the public donated vouchers or ‘legais’, which were obtained on the purchase of goods. In order to make use of ‘legais’ street children had to deposit them in a mock bank at a child welfare centre, where they were also provided with a series of interventions such as hygiene, legal support and medical treatment.”* The underlying meaning of this kind of intervention, is the hypothesis that these children and youngsters do not have control over their savings and do not have the ability to deal with their money in a smart way. *“one of the most important flaws of the program was that it was assumed that street children are uncritical and passive targets for manipulation and control.”¹⁴⁰*

3.1.4 Durban’s street children ageing into youth

In Durban, the populations of street children are ageing into youth and adulthood but yet interventions are mainly focused on street connected children under eighteen years old.

¹⁴⁰ S. LUIZ DE MOURA, “The Social Construction of Street Children: Configuration and Implications”, *British Journal of Social Work* 2002, 361.

Children exceeding this age limit are not eligible for programs and interventional projects. High unemployment rates and the lack of a well-developed social security system leads to a large and visible amount of homeless youth.

“We only worry about the kids that are living on the streets. Yet the problem now, are those young men, not kids. It’s 18 maybe to 21 or over 21 right. There is no place for them. Even me as an outreach worker, when I am there. I can speak but I can’t help because I can’t take them. The age at X is 8 years to 15 years. You see. It’s okay if they are inside after 16 or 17 but I cannot admit the child. And find that young men, I don’t call them kids. But now they are exposed to crime because even people sometimes, they don’t want to give them because young men should go and work for themselves a child of 8 years is maybe by the robots [traffic lights], when you come you feel sorry and they give. But with an older person you think about your handbag and all that stuff and roll up your window. You see, and that provokes them and they start now to commit themselves on crime and dependent where the police comes in, they beat them, they take them they dump them far away”

Some studies have found that street youth are the outcome of children that have simply stayed on the street and aged into young adulthood. Other argue that children and youth are two different populations on the street. Some declare that young people older than eighteen age out of the interventions, programs, foster care and institutions. When these youngsters have no home to return to they end up on the streets again.¹⁴¹

¹⁴¹ S. T. DE BENIREZ, *State of the World’s Street Children: Research*, Westminster, Consortium for Street Children, 2011, 51.

3.2 Children's rights: law in books versus law in action

The CRC can be seen as a powerful tool that caused a revolution in the perception of the public regarding the awareness of children as subjects of rights. It became a legal responsibility of the State to put these rights and principles into place.¹⁴² The question remains to what extent children's rights are being implemented in everyday interventions for children and youth in a street situation in Durban. When these interventions are based on a human-rights model, these children are seen as citizens whose access to rights has been denied.

The UN Convention on the Rights of the Child demands a holistic approach that guarantees the rights of all children. Therefore it makes no specific reference to street children. Researchers have criticized the CRC for not recognizing street children as a separate category and consequently not addressing their specific needs.¹⁴³ In its General Comments, the CRC provides explanatory details on a number of themes, whereby extra attention is given to vulnerable groups such as: black children, girls, children with disabilities, child labourers, children living in rural areas, children working and/or living on the streets, children in the juvenile justice system and refugee children.¹⁴⁴

3.2.1 Change of paradigm

When it comes to street children, the CRC empowered the shift from considering street children as a social problem to children whose rights have been infringed. This change in paradigm allowed more radical outlines such as the perception that children should be allowed to take control over their own lives including choices regarding work or a life on the streets.¹⁴⁵

The convention also caused a change from highlighting the needs of vulnerable groups of children to their rights as citizens. When looking at street children, we can ascertain that they are being deprived from a number of rights. "*Street children are socially excluded, an exclusion*

¹⁴² A. TWUM-DANSO IMOH, "Realizing children's rights in Africa. An introduction" in TWUM-DANSO IMOH, A., and ANSELL, N., (Eds.), *Children's Lives in an Era of Children's Rights. The Progress of the Convention on the Rights of the Child in Africa*, Oxon, Routledge Research in Human Rights Law, 2014, 3; C. PANTER-BRICK, "Street Children, Human Rights, and Public Health: A Critique and future Directions", *Annual Review of Anthropology* 2002, 154.

¹⁴³ R. RAY, C. DAVEY and P. NOLAN, *Still on the streets, still short of rights*, London, Plan and Consortium for Street Children, 2011, 19-21; S. T. DE BENIREZ, *State of the World's Street Children: Research*, Westminster, Consortium for Street Children, 2011, 53-55.

¹⁴⁴ CRC, Consideration of reports submitted by states parties under article 44 of the convention. *Concluding observations of the committee on the Rights of the Child: South Africa*, 2000, CRC/C/15/add.122

¹⁴⁵ S. T. DE BENIREZ, *State of the World's Street Children: Research*, Westminster, Consortium for Street Children, 2011, 54.

that begins with the lack of access to birth certificates and registration documents, lack of stability or residence, proper education, and health care."¹⁴⁶

3.2.2 Rights as a tool for policy approaches

From in-depth interviews, we could determine that Children's Rights are used by NGOs as a tool to create their policy.

"It gives us guidelines, and it also euhm puts a standardized, standardizes a lot of ways in which we can work with those children and what we can also expect from government how they will assist us to work with these children how they fund us to work with these children, how they will support us for providing the right social workers in the areas to help us move these children on back into their families into their areas. So I think that these legislations are good because it gives us the guidelines to work and each and every child care worker who wants to gain the qualification has to work within those guidelines."

The NGOs work within an African context, and this is made clear by the additional focus on children's obligations and responsibilities towards their families and society, the State and other communities. This means that a child is expected to work towards family cohesion and have respect for elders, parents and superiors. A Western context has a different interpretation of childhood and focusses solely on the rights of children, not on their responsibilities. For children to be accepted and respected in an African family and community, it can be suitable to take the elements from both the African Charter and the CRC into consideration.

"We push their responsibilities and their responsibilities it gives us the rights of the child. I know it is a vice versa, the rights of the kids. But we ask them what do you expect from us? What is our responsibility to make you happy to feel at home here. And then by asking them those questions, before going to the bill of rights. And what we expected from you as you expected this from us. And then automatically that goes with the rights of the kids and the responsibilities and when you read, tell them about their rights but always say but this is your responsibility. Don't expect you to be treated to enjoy these rights without responsibilities."

"It's a big reality children's rights you know. And with the emphasis that with every right comes responsibility. I think when children's rights came out first, it was wrong interpreted

¹⁴⁶ C. PANTER-BRICK, "Street Children, Human Rights, and Public Health: A Critique and future Directions", *Annual Review of Anthropology* 200-2, 155.

and even fathers were coming here and saying you're teaching the children their rights and this and that, so we had to do a lot of workshopping around that. So I have the right to go to school but I have the responsibility to make sure I am there and do my homework. So we do a lot of that, yeah it's not just rights there is also the other side to it."

By studying the organizations in the field, we can point out that their practices incorporate a number of rights that are fundamental to street and working children. First of all most organizations focus on those rights that are fundamental to the basic survival of street kids. Right to life (Art 6 CRC), right to an Adequate Standard of Living¹⁴⁷, right to an adequate shelter.

"I think as X we have quite a unique way of working with kids and young people that live on the streets. We have combined sporting activities with psycho-social models or therapies to help the child so we are big on sports and we are big on surfing and we are known as the surfing kind of like organization. And then the people they often focus on the surfing rather than the kids and we use surfing as a way to engage kids and built relationship. When you soccer as a way to engage with kids and to build a long term sustainable relation, at the same time you bring in social workers and child workers to run group work sessions and individual sessions so that the child might be able to understand his or her current condition and to look for better conditions."

One of the main things street and working children miss out on is education. Both drop-in shelters, houses and awareness raising organizations provide children with formal or informal education. Although it is a duty of state parties to establish *"the right of education for all, with primary education compulsory and freely available"*,¹⁴⁸ it is clear that a lot of children still miss out on a chance to receive education. Therefore it is a main priority of NGOs to lift children's level of schooling through basic numeracy and literacy programs.

"Like here, our forecast is on education. I tell them that we don't have expensive things and fancy things, but X is forecasting more on their education because that is how they can change that is what can encourage them to go to school. We have a class here where they

¹⁴⁷ The CRC links standers of physical, mental, spiritual, moral and social development to his right. The United Nations Human Rights UNHR consider food, clothing, housing and medical care as a part of the right to standard living.

¹⁴⁸ Art 28, Committee on the Rights of the Child, *Convention on the Rights of the Child. Adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989.*

go before they go to the formal school program. If we see them going to school that is the biggest change that means that initially they can change where there is support.”

“and then we have the bridging program with a teacher and that is when they start euhm to be assist to see how much they need and what level of where can we, when can they go to the outside school. We have a very good working relationship with the schools. They know what we are doing and so even midyear they will take some of our pupils.”

All NGOs questioned provide shelter, nutrition and clothing as a basic human right. What other services is concerned, NGOs also provide leisure and recreational activities to engage children in play, cultural activities and arts. The services qualifying for government funding are the adequate shelter, nutrition and clothing, but not the programs.

“The government only supports the child when he has slept here, buy food for the children. But what about programs. Because we can’t keep the children here. We have to take them out you know there are many things that we need to do yes we can’t keep the child here forever. There must be programs that will make them change, the government is not supporting enough. They fund the child to eat, to have clothes, to brush his teeth to put Vaseline on that’s all and forget about the other activities that will make the child to change. It is just like that”

3.2.3 Best interest of the child

Separation from parents, freedom of expression, health education and employment are all areas listed in The Convention. The prime consideration in these areas should be that they happen in the best interest of the child. This principle empowers interventions to leave room for flexibility and cultural interpretation. Hereby the principle requires that in all actions towards street connected youth, the best interest of the children must be the main concern. The United Nations High Commissioner for Refugees UNHCR, describes the principle as: *“‘Best interests’ broadly describes the well-being of a child. Such well-being is determined by a variety of individual circumstances, such as age, the level of maturity of the child, the presence or absence of parents, the child’s environment and experiences”*. The principle states that children’s rights should be delivered in a holistic way at all times and in all circumstances. Those rights cannot be taken away nor voluntary given up.¹⁴⁹

¹⁴⁹ S.T. DE BENITEZ, and HIDDLESTON, T., *Research Paper on the Promotion and Protection of the Rights of Children Working and/or Living on the Street*, 2011, 40,

The notion “best interest of the child” is internationally accepted, but what is the best interest of the child and do the children in question have a say in what is best for them?

The UN convention provides a balance between three categories of rights: rights to protection, provision and participation. Hereby it recognizes that it is not just a matter of protecting street children or providing services to them, but to listen to the children in question and to offer them active participation.

Success of interventions is highly reliable on the information given by those whom the intervention is intended for.¹⁵⁰ Throughout their programs, the organizations try to answer to some additional statements of the Committee regarding the empowerment and participation of the children themselves. They indicated that listening to the voices of the children is an important aspect, mainly when it comes to the leisure and sports activities but also when it comes to family reunification:

“If he said: now I want to do the home visit, we do the home visit with him. But whatever we do, we let him to lead us but yes we have driving questions, because we know when it’s him, we want him to be there. So we will assist him, but we don’t push, we don’t force. So that’s the background the philosophy of this organization”

“We have an interview with the child to know where the child is coming from why he is on the streets and how can we assist that child. So that is my main job. And also making sure that the child is ready, only if he or she is ready to be integrated.”

Nevertheless we have to ask ourselves the question whose goals are really pursued? Is there not always adult dominance over these children? And to which extend do we need to follow children’s opinions concerning life changing decisions?

In literature, Sauvé states that *“few agencies have been willing to accept the challenges of working with adolescents who have learned by necessity to be self-sufficient, quick-witted, suspicious, and at times rebellious.”* Some organizations appear to be respecting children’s freedom of choice and recognize the decisions about their own livelihoods. Nevertheless most agencies follow a traditional model in which only adults are expected to be responsible enough to decide which behavior is acceptable and what leads to success. This superior relationship

<http://www.streetchildrenresources.org/resources/research-paper-on-the-promotion-and-protection-of-the-rights-of-children-working-and-or-living-on-the-streets/>

¹⁵⁰ NIEUWENHUIS, O., Action research with street children: a role for street educators, 2001, 4,

<http://pubs.iied.org/pdfs/G01619.pdf>

indicates adult control over youth and children. A superior relationship is created when people see children as controllable creatures instead of people who have preferences, sense of judgement and their own experiences.¹⁵¹

“There is always emphasis on reunification with the family. And often when they get finished then they feel more comfortable to reunite again with the families and so X provides it. You know, we don’t make any child go home, if they are not, if the situation is not good enough. But if they think they would like to go back they can do that with the support of X.”

The organizations in Durban focus mainly on rescuing children from the streets through outreach activities and reintegrating them into the normal schooling system, their families and communities. Hereby they do meet the first two big categories of rights in the convention. These practices can take children of the streets, but do not always provide long lasting solutions because an insufficient amount of attention is paid to the opinions of the children.¹⁵² As mentioned in the example earlier, trying to stop children from begging on the street may be for their own protection and in their best interest, but is it compatible to the children’s own perceptions? Social welfare agencies feel the need to rescue children from a negative environment, which is the street. We have to keep in mind, however, that children often choose the streets over their family because their home is perceived as an environment that is even more negative.¹⁵³

In a research on the effectiveness of street child programs in China, it is argued that family integration is “in the best interest of the child” but therefore not always the choice of the child itself. The authors found that although family reunification can be a good solution for some, the vast majority of street kids included in the research did not want to go back to their homes. The children’s wishes and choices were not taken into account in the policies towards them.¹⁵⁴

It is important to know that an intervention focused on reintegrating the child can ignore family abuse and the benefits of the street over a home-based life. In order to prevent this from

¹⁵¹ S. SAUVE, “Changing Paradigms for Working with Street Youth: The Experience of Street Kids International”, *Children, Youth and Environments* 2003,

http://www.colorado.edu/journals/cye/13_1/Volume13_1FieldReports/ChangingParadigms_Suave.htm

¹⁵² C. PANTER-BRICK, “Street Children, Human Rights, and Public Health: A Critique and future Directions”, *Annual Review of Anthropology* 2002, 156.

¹⁵³ S.T. DE BENITEZ, and HIDDLESTON, T., *Research Paper on the Promotion and Protection of the Rights of Children Working and/or Living on the Street*, 2011, 17,

<http://www.streetchildrenresources.org/resources/research-paper-on-the-promotion-and-protection-of-the-rights-of-children-working-and-or-living-on-the-streets/>

¹⁵⁴ D. LAM and F.CHENG, “Chinese policy reaction of the problem of street children: An analysis from the perspective of street children”, *Children and Youth Services Review* 2008, 580-583.

happening, full participation of the child in developing a process that works for him/her is an absolute must.

3.2.4 Repressive security measures

It can be stated that institutions, the State and the public do not always respect the rights that ensure that children are not exploited or badly treated. The CRC makes it clear that marginalized children have the right not to be inhumanely treated under any circumstances.¹⁵⁵

South Africa is known for its tough measures in order to lower the (visible) presence of street children. These measures aim at protecting the mainstream society, because these children are perceived as a serious threat to the public order. The main goal of these repressive interventions is to keep these children out of the public's view, mainly during international congresses or events.¹⁵⁶ One of the most famous examples in South Africa is the removal of street children during the Soccer World cup in 2010.¹⁵⁷

During the conversations with the NGO members, this repressive action towards street connected youth came up several times.

“Oh the government used to round up the kids, like take them beyond 200 km away from the city. Just whenever there is a big conference they will come and pick up the kids. Just away from the town...” - “You see, and that provokes them and they start now to commit themselves on crime and dependent where the police comes in, they beat them, they take them they dump them far away. Even there, where they dump them no one want to help them.”

This kind of policy causes displacement and dispersal of the social problem, but it does not help to reduce the actual phenomenon of children living in the streets of Durban. Although some argue that the police roundups have disappeared, others agree that repressive measures are still existent in a more subtle way. The municipality recently invited outreach workers to a meeting in which they tried to set up a collaboration in order to locate street children and get them off the streets. *“Three weeks ago there was a meeting and we thought it was an outreach meeting. To discover that the police was there and they wanted their outreach workers to work with them to get the children of the streets. We just walked out. Because that's not how we want to see*

¹⁵⁵I. BYRNE, *The Human Rights of Street and Working Children. A practical manual for advocates.*, Consortium for Street Children UK, London, 1998, 12.

¹⁵⁶ A. VENANZI, “Street Children and the Excluded Class”, *International Journal of Comparative Sociology* 2003, 485.

¹⁵⁷ S. CORNELISSEN, “Mega Event Securitisation in a Third World Setting: Global Processes and Ramifications during the 2010 FIFA World Cup”, *Urban Studies* 2011, 3237.

ourselves you know. But they still try to lift them off the street. But we said no, that's not how we operate. They now do that in a more subtle way, a more subtle way but we wouldn't be X if we wouldn't know things that happen. Jah."

Art. 2.1 of the Convention states that *"State Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of status, activities, expressed opinions, or beliefs of the child's parents, legal guardians or family members."*¹⁵⁸ Through the round-up/clean up actions, metro police does not respect this article. Children are being discriminated and punished based on their status and activities.

A participant indicates:

"When I think of cleaning, I hear clearing away something that is dirty. I am going to clean the room that means I am getting rid of dust an rubbish you know, but that was the term they used for kids on the street. Cleaning up the streets. So they dumped them down, they used to take them and dumb them down the south coast you know anywhere, everywhere. Jah, it was, it's not a nice picture if I look back at that. Not a nice picture. Jah very painful. Very painful."

¹⁵⁸ Art 2, Committee on the Rights of the Child, *Convention on the Rights of the Child. Adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989.*

4. Results of the photovoice project

My voluntary work in the organization Surfers Not Street Children (SNSC) gave me the opportunity to get closer to the livelihoods of these adolescents, both as a friend and a graduate student doing research. Through daily contact I was able to build a trust relationship with the youngsters from SNSC. From day one I went surfing with them, we chilled on the beach or cooked together at the surf house where we often got entangled in interesting conversations. I wasn't really perceived as a researcher, but rather as a friend who hung around and helped with some basic literacy and numeracy programs. It was not my intention to interview these former street children due to ethical reasons and previous experiences with in depth interviews. During my internship in an organization for street kids (Democratic Republic of the Congo) I found out that in-depth interviews with street children are not the best way of gathering information. Njabulo¹⁵⁹ himself, ambassador of SNSC, introduced the idea of taking pictures in the inner city areas in order to “*provide the readers of my work with images and voices of street children themselves*”. I agreed upon the fact that it would be very interesting to listen to the children in question and to offer them active participation. I left it entirely up to them what they wanted to photograph of and how they wanted to explain their thoughts, past and current experiences. Consequently the outcomes of this side project was unknown to me. The aftermath of this photo voice method was a sketch of what these people valued as important in their lives, how they experienced living on the streets, and also how they perceived the policies towards them. This method allowed us to gain extra detailed information about the subject from a different point of view. However we do not aim at generalizing these results.

The pictures that were selected by the participants are shown together with passages from the transcriptions. Recognizable faces were blurred and fictive names were used in order to protect the identity of the people involved. The reporting of the results in this section of the research is mainly done by showing the pictures taken, and selected by the two youngsters from SNSC. After each picture the youngsters' comments are reproduced through literal citations and divided into themes.

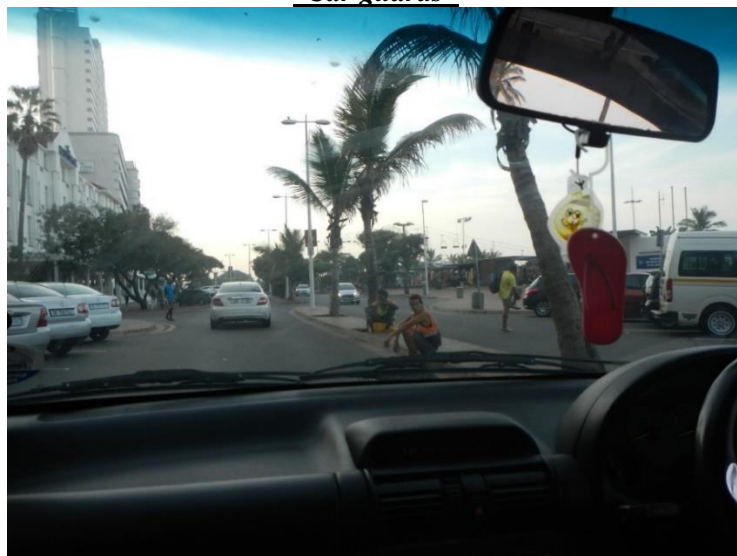
¹⁵⁹ Fictive names are used in order to protect the privacy of the people involved in the Photovoice project

4.1 Street children are not destitute

Children and youth in a street situation are not as helpless as assumed in the public opinion, by policymakers and NGO actors. It has been shown that they have complex coping strategies that help them improve their lives. It became clear that children in a street situation consider independence and control over their lives as an important value of street life. Therefore it is important that opinions are respected and that intervention strategies focus on what kind of values matter to the children themselves, so they retain in control over their own lives. Children and adolescents like to keep a certain amount of autonomy to be able to adapt their personal needs, find a group of friends and develop personal skills. Some programs aim at changing the persons in question in order to be able to rehabilitate them. Literature states that an increased number of youngsters prefer the streets over programs, because they are unwilling to change everything in their lives or because they do not trust the social workers.¹⁶⁰ Organizations and their interventions should aim at seeing children in street situations as leading partners in processes to improve their communities.

Street children are often perceived as thief's, prostitutes and drug abusers. Some argue that it is the abomination of street life that pushes people towards illegal activities and that it is the only way for children to survive in such a harsh environment. Children on the street disregard the fact that they are labelled as delinquents and have shown several creative in ways to cope with street life.

"Car guards"



¹⁶⁰ A. CONTICINI, "Urban livelihoods from children's perspectives: protecting assets on the streets of Dhaka", *Environments & Urbanization* 2005, 71-73.

Njabulo: *“Alright euhm okay as you can see there is two gents they are basically trying to see what’s good for them and they are trying to make up money so they can able to get what they need. These are the guys that are trying to stop bad things, especially stealing from other people so what they’re doing. They are starting to do park guards which is, it’s their main thing they can do, they can bring money to them by not stealing from anyone else. So, also it’s one of the main things that’s like most of us as street kids, we like to do something that can keep us busy and able to earn our own money without going to people and stealing from them or going to the beach and take other people’s stuff and go sell them for small amounts of money but they know, they do park guards, they make more amounts of money than the ones that are stealing”*

There are several activities on the street that children can do in order to make money. These statements prove that children do find creative ways of making money in the urban informal market. Njabulo indicated that people themselves can decide what is good for them, and what kind of activities they want to engage in while being on the street. Thereby he focusses on people’s choices and their ability to find creative ways of making money in the informal market on the street.

4.2 Feelings of belonging and socialization in the street

The participants claimed that more than material assets, contact with others, feelings of love, affection and trust, are important values in their lives on the street. They also rely heavily on social interactions with others, also in the organizations they visit.¹⁶¹

¹⁶¹ A. CONTICINI, “Urban livelihoods from children’s perspectives: protecting assets on the streets of Dhaka”, *Environments & Urbanization* 2005, 73.

“Game shop”



Lwazi: “This one. This is the game shop. Jah, like Xbox and stuff. That’s where I used to put my time after surfing. Like, every time I go there and play games and the boss they knew me as a better guy and used to send me in the shop every time. Because we played games for free, there is a machine you put 50c and you press 5 numbers, then maybe it’s stuck on one, you get one Rand and then I used to go there and Gameboy and stuff even now I still go there. This morning I was there. Yeah it reminds me a lot.”

When children grow up in the streets, they lack certain educational, social and family environments. Nevertheless leisure and play opportunities are created through the cultural richness of street life.¹⁶² Through interacting with peers, children are able to gain trust relationships and a social life when on the street.

“shelter”



¹⁶² A. CONTICINI, “Urban livelihoods from children’s perspectives: protecting assets on the streets of Dhaka”, *Environments & Urbanization* 2005, 81.

Lwazi: "This is the shelter I always go to this shelter it's the cheapest place in town. Like there is there is people I know in this building. I sit here all the time outside. Like against this fence this is where I wait. Fixing cars, we watch movies there, guys sit down and then watch movies like street kids they sit and watch TV. I sit with them and stuff. Talk good vibes to them. Tell them you cannot stick with those guys who rob people and stuff, you know like, I go there because I want to show them how I am. You know how do I look and stuff, what do I want in life. How will I get there, like what do I do now, you know. Like sometimes I go there to give them safety and stuff cause guys come there and bully them I am older so I know most of the old guys so when they come and bully them. Yeah we used to smoke, so to go there and smoke with them and stuff, around surfing, I would sit there and watch them on the piers the whole time. So as time being that's when I started seeing them, I started getting involved because I knew that with these guys I am safe."

Because of the lack of private space, these children often find it hard to sustain social relationships.. Adolescents go through certain evolutions such as self-discovery and experimenting with sexuality. For street children, these first experiences have to happen in the public domain, which can intensify reactions in society. Repressive state measures often focus abandoned children that engage in gangs, delinquency and public indecency. Results of those reaction are repression, explosion and marginalization of children and youth in a street situation.

4.3 Experiences and resistance

Street children do not contribute to the image of a beautiful, rich city. By controlling children through the public space, adults want to re-establish their dominance over the city. The main goal of these measures is to keep these children out of the streets, mainly during big events or congresses. Hereby authorities forget that they are dealing with children, and not just dirty objects that can be cleaned up. These interventions force children to move to more ambiguous parts of the city and causes a displacement of the social problem.

“Metro Police”



Lwazi: “This picture reminds me, like it gives me memories of how far have I gone in life from the streets. Like the reason I took this picture is because we are, we used to be round up by metro police for nothing. They say that euh we are messing up their time. Like in 2010 they started doing it so badly that guys were getting hurt and they take us. They take you and go drive you by Pietersmaritzburg or something but jah the picture jah the picture gives me memories of how far have I come out of my struggle, through XX and XX and XX.¹⁶³ That’s what the picture means to me.”

In its non-discrimination principle, the CRC states that all children, including those that are perceived as anti-social have the same rights. Yet, their exclusion is being maintained as they are treated differently from the mainstream society. By introducing policies that enable street-connected children and youth to be rounded up by metro police, the principle of non-discrimination is explicitly denied.

¹⁶³ Names are left out to protect the anonymity of the organizations

“Lifesaving course”



Njabulo: “Third picture basically, Lwazi was one of the ex-street kids so we’ve grown up together and we did so many things together and we’ve made up our mind is in one thing, so we’ve planned good things in our lives basically. We wanted to inspire the rest of the kids: “okay guys this is how we do things, and also we want you guys to look up on us, even though you might not do the same we’re doing, it might be somethings else will come up on the side it might be different from what we are doing.” So for Lwazi what I could say is, you can see the smile on his face and it means a lot and it means a lot to me and to everyone so it actually makes the rest of the other kids to notice something from us and from him also himself that there is some things that guys are doing and we look up to them. Basically there is other kids, that’s what they look forward to. They looking forward to us, to make them see that people that have been talking bad about them, don’t getting anywhere. I mean like people used to look at us as trash. So, that’s what we try to do. We try to make the whole society change the way they think of us as street kids and stuff like that so we wanna make them understand and see that these kids are not in the streets because they wanna be here. It’s because they have different reasons, and there is different problems we have at home, and all that kind of stuff. So they mustn’t think that we just here because we wanna do our own thing in our own time, you know.”

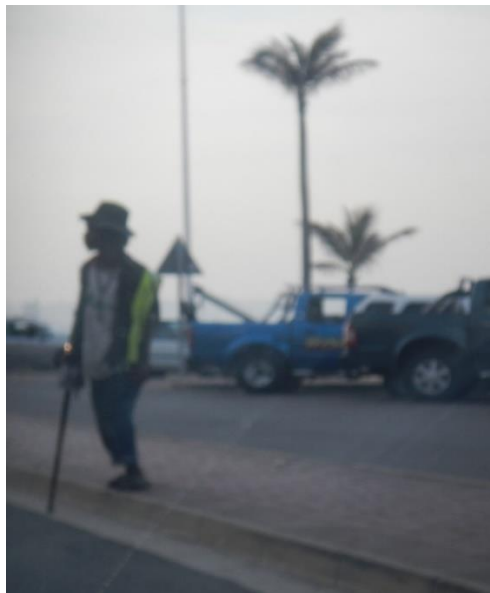
This fragment provided us with a lot of feedback on how these youngsters experience certain organization programs. By becoming a Durban Life Saver, these former street children can prove that they can accomplish things in life. Not only do they want to encourage other children to chase their goals and dreams, they also want to prove themselves towards society. By

showing what they are capable of they want to change perceptions towards street children. Further, Njabulo emphasizes that abandoning his home for the street was not all that voluntary. A variety of factors such as poverty, parental death and abuse can push children towards street life, whereas certain opportunities on the streets have a pulling effect. To him it is clear that nobody chooses street life because he wants to be in the streets, but he is rather choosing the lesser of two evils. Regarding the public opinion about street children he declares:

Njabulo: “In the last five years what I’ve seen yah what I’ve seen is: a lot of people have been changing the way how they look at us as street kids and they are starting to learn something from us basically as much as we do lot of TV shows and that’s the way how we want to spread the image to them and tell them guys: this is not the way this is not the way how you deal with problems this is not the way how you look at kids this is not the way you are supposed to be looking at a kid. And also instead of blaming kids why are you in the street you should ask and find out the whole information”

Hereby it is clear that these young people want to be heard, they want to get the opportunity of explaining why they ended up in the streets in the first place, and how they would like to be approached and looked upon by society, the policymakers and organizations.

“Choices”



Njabulo: “Ok this guy, we used to grow up together and we used to grow up and X [organization] used to help us. As people say: choices comes from you as in thing that people tell you: what do you want to do with your life what do you wanna do? You wanna change or what? I decided to change my life, he decided to stay the same way as he is right now. But it’s not, we are not going to blame anyone it’s his own decision, it is his own choice is

to be there you know, survive like that. Which is not a cool thing but we are trying to make him, him and the rest of the people understand that hey guys this is not a way to live life you know. And we trying to bring that bigger picture in front of their face you know, by doing something good.”

The activities of people on the streets shape their identities and create feelings of independency. Street children are social actors capable of creating attachments on the street. The citation above describes the importance of children’s own choice over livelihoods. Organizations aim at convincing street children and youth to move away from their life on the street and to change their lifestyle. They want to make children part of their programs for their own good and in the best interest of the child. Nevertheless, children’s perceptions opinions and choices should be respected. They have the right to say what they think should happen for them to have a better living situation.

4.4 Street child spaces

“My street”



Njabulo: “Okay this is my street basically. Euhm before, I used to sleep in the streets, same street as this. And basically this is where I used to hang around, like every 6 o’clock just chill here and have fun and with people and I ended up meeting people. So this is where I used to sleep and I used to have a lot of fun you know. Even though I used to get rounded up by metro police and they used to take me away from town and throw me far away out of town. So for me it’s also one of the things that makes me experience a lot of things about the streets and stuff. Because if you are in the street, you are not in a right environment you know, you are in a bad situation which is like pulling yourself down. But with that I’ve told

myself let me just think about something better, let me think ahead. And think what could get me out of the street. So I decided to do something better for myself which is I've joined up at X (organization) and I ended up doing good things, surfing and skating."

*"The concept of place includes both the social and spatial elements of children's lives, and the relationship with and experience of place is fundamental to children's feelings of belonging."*¹⁶⁴ Street children are constantly exposed in the public space and they are controlled by a number of social groups that are trying to negotiate these spaces. Consequently conflict is created between street children and the police, shop owners and people passing by. Street children have managed to reduce those encounters by resourcefully using the urban environment by creating their own home territories, away from public gaze. These places allow children and youngsters to explore the streets in a safer and more predictable way. They create the opportunity of being with others, stimulate solidarity and feelings of belonging.¹⁶⁵



Njabulo: "I sleep there and for me it as a safe safe place to be in before I moved into the street of Cool Runnings. So, that was the safest place for me, like a place of my own and used to be I used to be safe, there was no police coming arrest me and all those kind of things. So what we did, we ended up writing something good on the wall. Basically we drew this because we wanted to bring someone that can be able to help us so as we said: "we are waiting" and actually waiting for help and waiting for a good help that will come to us and make that would make us change our lives and make us understand how life it is and you

¹⁶⁴ A. CONTICINI, "Urban livelihoods from children's perspectives: protecting assets on the streets of Dhaka", *Environments & Urbanization* 2005, 79.

¹⁶⁵ L. YOUNG, "The 'place' of children in Kampala, Uganda: marginalization, resistance, and acceptance in the urban environment", *Environment and Planning D: Society and space* 2003, 613; H. BEAZLEY, "'Vagrants Wearing Make-up': Negotiating spaces on the Streets of Yogyakarta, Indonesia", *Urban Studies* 2002, 1666.

know. And finally what we wrote there it actually worked and even now it still works. And ja I am really proud of it. And it is always there and it will always be there.”

This empty building represents an untouchable place, forgotten and hidden in the city, away from public gaze and police repressions. By writing “*we are waiting*” on the wall, these children show that they remain present in the city, no matter what authorities do to chase them away. They are still waiting for decent policies to help them find a way out of street life.

4.5 Surfers Not Street Children ambassadors

“*Me surfing*”



Njabulo: “Yeah. Basically hmm nice! Euhm I wanna say more about surfing and generally about the rest of the other street kids that are out there in the ocean and for those that are willing to know how to surf. We just wanna tell them that there is still a chance. There is a chance to do everything you wanna do. It could be not surfing but it could be skating, soccer, rugby those are the things that can make you step away from the bad things. Also one of the main things that can make you step away from the bad friends, that will put you in a bad influence in what you get into. I’ve grown up in the streets and I’ve seen so many things, I’ve learnt so many things and I have experienced a lot and I’ve decided to take my steps forward and say: ‘okay, I want to surf. I want to get out of wrong things’. First things first I don’t want to get into prison for stealing other people’s stuff. I don’t want to get into prison for breaking into other people’s houses. I don’t want to get into prison you know for breaking others peoples cars. I want something that can make me happy. So what I did, I decided to do surfing so that would make me happy for the rest of my life. Even though I don’t earn anything out of it, but still I get a roof under my head, I get something that I want and I feel

warm. So what I wanna say to the rest of the kids, they need to be strong and all need to be together as brothers and sisters and let us work together and see where we can take this whole level and you know let the whole world understand about us. That is basically street kids and for those actually that are poor, and those who can't able to do school, I wish they have something they can do for themselves. Also, what I can say is for me, I know that I have been helped to. I've been helped so I also wanna see the rest of the other kids being helped. So I don't want to be like oh, I've been helped, so let me just forget about them you know, I wanna also help them and I wanna see them happy you know with a smile on their face, the joy they had when they were growing up. And euhm still where babies and stuff. So that is one of the main thing I would like to see from all of us."

This explanation, given by Njabulo summarized what being an ambassador for street children is all about. The youngsters from Surfers Not Street Children are determined to change the way society perceives street children. They want to share their stories and inspire other street kids through surfing, empowerment and mentorship. They emphasize their talents and abilities to be creative in finding solutions. They express their opinions against the cleanup sessions of street children by the authorities. And most importantly they want to make people understand that 'street children' are *children* and *full members* of society and therefore they deserve to be treated as such.

5. Conclusion

The first and theoretical part of this research aimed at dismantling definitions, perspectives, concepts, the myths about numbers and typical characteristics of street children. Further, attention was paid to children's rights and the Committee on the Rights of the Child. Through the deconstruction of concepts, we were able to draw following conclusions:

The social construction of street children is an important and powerful strategy to sensitize societies to children living and working in difficult circumstances and to create and guide interventions, but it does not come without negative consequences.¹⁶⁶ Those concepts emerge and can have a controlling and manipulating effect in favor of dominant, powerful and political interests which can lead to the exclusion of certain minority groups. We need to step away from seeing 'street children' as a homogeneous group of children with the same needs and characteristics.¹⁶⁷

As the community socially constructs street children as fictional characters, it stigmatizes them as "others" not belonging to the mainstream society. This implicates that they do not live by the same norms and values of other citizens, instead they are associated with deviants. This discourse exists in anomaly with the fact that street children are also socially constructed as victims of poverty. The use of the concept can therefore be problematic since it has a powerful emotional connotation. Moreover it implicates that street children deviate from accepted norms about childhood.

The term street child was never used in the literature to create labels and negative connotations, but because not enough attention was paid to the experiences of the children in question. It created a stigma that had a disgracing effect. Because of its connotation the construction of street children as a social problem has led to strong reactions towards this group. Yet, few practical alternatives are available to refer to this particular group of children. Consequently programs of interventions as well as authors writing on street children retain the concept.

With regard to use of classifications, it can be concluded that the concepts 'in' the street and 'of' the street cannot be implemented on the field and that many academics and practitioners

¹⁶⁶ S. LUIZ DE MOURA, "The Social Construction of Street Children: Configuration and Implications", *British Journal of Social Work* 2002, 359.

¹⁶⁷ B. GLAUSER, "Street Children: Deconstructing a Construct" in JAMES, A. en PROUT A. (Eds.), *Constructing and Reconstructing Childhood: Contemporary issue in the sociological study of childhood*, Londen, Routledge Falmer, 2003, 161-163.

consider the terminology unsatisfactory. Specific categorizations based on simple criteria create unrealistic distinctions and do not correspond to the complexity of children's lives.¹⁶⁸ Street children do not either live in the street, work there or go home to their families at night, but encompass several possible networks at once.

Because of a shift in perspective street children are becoming more recognized as a group that is shaped by a social construction. Both academics and policy makers are becoming aware of the heterogeneity of the phenomenon and a human rights based model is finding its entrance in interventions and policy decisions. Furthermore new attention is paid to the independency of children and their ability to adequately cope with street situations. In the empirical part of the research it was our goal to explore to what level these ideas and beliefs are implemented in the interventions on behalf of street children.

It can be stated that the organizations for street children in Durban make great efforts to step away from stigmatizing concepts and interventions. They are aware of the limitations in classifications and definitions towards their target audience. Welfare agencies tend to not separate street children so radically from other groups of children, but instead they refer to children and youth in a street situation. Hereby they argue that it is the circumstances, rather than the characteristics of the child that make an intervention necessary. Thus they promote the image of kids in a street situation as independent right holders and equivalent citizens. This kind of awareness raising can only be welcomed and encouraged. However it can be said that children's own strategies and experiences should be respected even more. Most organizations in Durban indicated that the children's participation in their policies was very important, but yet it remained unclear to which extent the opinions of the children were really taken into account.

Governments, NGO actors and academics need to move beyond stereotyped images of children in connection to the street. By conducting the photovoice project with two youngsters from Surfers Not Street Children we had the opportunity to listen to their story. We argue that this project has had an important added value to the study. It became clear that these young people are social actors, able to make adequate choices about their own livelihoods. Both positive and negative street experiences were discussed. The importance of associations to the public space, feelings of belonging and connections with meaningful others came out as important values in

¹⁶⁸ C. PANTER-BRICK, "Street Children, Human Rights, and Public Health: A Critique and future Directions", *Annual Review of Anthropology* 2002, 154.

the lives of these people. This proves once again that success of interventions highly depends on the information given by those for whom the intervention is intended for.

Social policies should promote empowerment and active participation of children in a street situation. Their experiences should not be underestimated and children's opinions should be correctly interpreted by the organizations. It is a basic right of children to be part of the decision-making process around policies towards them in a rights based holistic process. It is crucial to know how this group sees itself in relation to its family, community or society at large.

We emphasize the importance of reflecting on the principle of 'the best interest of the child', particularly in the case of programs that aim at reintegrating children back into their home environment. Some children do not wish to go home because of the benefits street life has over a home-based life. Children that have lived on the streets have been given certain labels that make it very difficult to return back to their community. Therefore in some circumstances it can be assumed that even when children will be successfully integrated, the chance of them returning to their previous situation in the streets is very likely. Reintegrating children in their home environment might be for the best interest of the child, but it is not always compatible to the perception of the children in question.

Besides that, less visible groups of children in difficult circumstances have been ignored by society. These groups need to be rescued and action on their behalf needs to be taken besides interventions and projects for the more visible children working or living in the street. Youth and young adults in a street situation are becoming a big issue in the city of Durban, yet appropriate interventions on their behalf remain inadequate. Therefore we argue that policies need to step away from a sole focus on interventions for children under 18 years old.

Children are not passive subjects of policies, instead they are very skillful at securing their independency. They are able to find ways to secure rights for themselves and to resist to controlling and repressive policy measures.

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Attachments

Code tree in depth interviews and photovoice

