Children in South African Families

Children in South African Families:

Lives and Times

Edited by

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and Nene Ernest Khalema

Cambridge
Scholars
Publishing

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This book first published 2016

Cambridge Scholars Publishing

Lady Stephenson Library, Newcastle upon Tyne, NE6 2PA, UK

British Library Cataloguing in Publication Data
A catalogue record for this book is available from the British Library

ISBN (10): 1-4438-9735-3
ISBN (13): 978-1-4438-9735-8

The support of the DST-NRF Centre of Excellence in Human Development towards this book is hereby acknowledged.
Opinions expressed and conclusions arrived at, are those of the authors and are not necessarily to be attributed to the CoE in Human Development

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ABBREVIATIONS AND ACRONYMS

ACRWC	African Charter on the Rights and Welfare of Children
AIDS	Acquired Immune Deficiency Syndrome
CBR	Community-based rehabilitation
CCD	Care for Child Development
CDAT	Australian Child Disability Assessment Tool
CDG	Care dependency grant
CHH	Child-headed households
CRC	United Nations Convention on the Rights of the Child
CSG	Child Support Grant
DHS	Demographic and Health Survey
DLA	UK Disability Living Allowance
DSA	Demographic Surveillance Area
EAs	Enumeration areas
ECD	Early Childhood Development
EPC	Education Policy Consortium
FAO	Food and Agricultural Organisation of the United Nations
GHS	General Household Survey
GPs	General practitioners
HIV	Human Immuno-Deficiency Virus
HIV/AIDS	Human Immuno-Deficiency Virus and Acquired Immune Deficiency Syndrome
HRiE	Human Rights in Education
HSRC	Human Science Research Council
ICF	International Classification on Functioning, Disability and Health
IMCI	Integrated Management of Childhood Illness
KZN	KwaZulu-Natal
MDGs	Millennium Development Goals
NDoH	National Department of Health
NDP	National Development Plan
NGOs	Non-governmental organizations
NMF	Nelson Mandela Foundation
OLS	Ordinary least squares
PCA	Principal component analysis

PCs	Principal components
PEPFAR	United States President's Emergency Fund for AIDS Relief
PHC	Primary health care
RDP	Reconstruction and Development Programme
RRR	Rights, Respect and Responsibility
SA	South Africa
SAIRR	South Africa Institute of Race Relations
SASH	South African Stress and Health
SDGs	Sustainable Development Goals
SES	Socioeconomic status
SSA	Sub-Saharan Africa
StatsSA	Statistics South Africa
STD	Sexually transmitted disease
STIs	Sexually transmitted infections
TCC	Thuthuzela Care Centre
TMC	Traditional male circumcision
TMI	Traditional male initiation
UK	United Kingdom
UNAIDS	United Nations Programme on HIV/AIDS
UNCRC	United Nations Convention on the Rights of the Child
UNCRPD	United Nations Convention on the Rights of Persons with Disabilities
UNICEF	United Nations Children's Fund
USA	United States of America
USAID	United States Agency for International Development
VMAMC	Voluntary medical adult male circumcision
WHO	World Health Organization

FOREWORD

As our democracy has matured and as our country has faced seismic changes, the life of the South African child has been coloured, moulded and forever altered. What childhood means, and the roles played by families has been challenged and similarly gone through significant change. This has created an urgent need in South Africa today for current and innovative policy responses which are in tune with the conditions in which the South African child exists.

"Children in South African Families: Lives and Times" is a valuable and necessary tool that responds to this crucial need to understand childhood and the societal, political and economic complex which will determine security and resilience of the African child. Over the years, the lives of children have been heavily impacted upon by economic transformation, social changes, and political emancipation. This anthology grapples with the social phenomenon that is childhood, but rather than simply list factors that may affect children, the authors anchor their contributions through a shared regard for social connectedness, complex social change, and conceptions of social justice.

In its vision *"to change the way society treats its children and youth*", the Nelson Mandela Children's Fund has made it a central tenant, not only to address the needs of children, but also to enter into conversation with the broader societies in which childhood is realised and secured. Noteworthy in this anthology is the authors' dedication to addressing varied economic and political realities, resulting in unequal experiences of childhood in a South Africa where severe deprivation and relative privilege live side by side. This book presents a comprehensive overview of the lives of African children in times of transition, transformation, and change some twenty-two years since political emancipation in South Africa.

Of particular interest is an attempt to locate the child's experience within conceptions of family and revised notions of parenting and child raising. In our work at the Children's Fund we are constantly reminded that diverse family forms are central to understanding the child's experience. The family, in its multiple manifestations and various locations is the site of the many value systems impacting on South Africa's children, and shaping the future of our societies. With a focus on communities as the context in which children exist; we engage with children's networks of

support beyond the transition from traditional or indigenous family structures to models of the nuclear family. But we advocate that the structure of the family should be embedded in community structures and a people's responsibility towards children who may not be their sons and daughters. This contribution grapples with what family means and the forms it has taken in our communities, and tracks the unraveling, questioning and reformulation of the modern South African family.

The affirmation of child and family diversity in South Africa articulates a demand for varying degrees of practical and policy responses that prioritise the different needs of diverse family forms. It is an understanding that the African family has taken many dynamic structures and research, policy and civil society action needs to dive deeply into the different worlds of children. We can easily identify child-headed households as one such family form, that not only means providing material support for such families, but requires psychological and emotional support through counselling, parental guidance and community engagement in individual families. It therefore makes perfect sense that this book should be incorporated into learning, practice, and policy as a invaluable resource for scholars and as well as development practitioners, policy makers and child advocates. For African philanthropic institutions with a focus on child development, the book will prove most useful in demonstrating the links between theory and practice.

The Nelson Mandela Children's Fund champions a rights-based approach as an integral element in the work of development and philanthropic organisations, as enshrined in the UN Convention on the Rights of the Child. "*Children in South African Families: Lives and Times* " underpins the diversity of South African children's experiences and the importance of adopting both children's rights and Afro-centric perspectives to account for the commonality and diversity of childhoods and routes to children's empowerment in diverse family systems.

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28 July 2016

INTRODUCTION

CHILDREN IN SOUTH AFRICAN FAMILIES

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NTOMBIZONKE A. GUMEDE
AND MZIKAZI NDUNA

We have produced this volume to inform, motivate and strengthen scholarship about and an understanding of children's lives in post-apartheid South African families. In the twenty-two years since political emancipation, children in many South African families have experienced true transformation. Since 1994, South African children have been born with the freedom to be who they want to be, unchained by the apartheid restraints of the past. The majority of these children live in varying degrees of disadvantage and privilege. For some, childhood is a state of enjoyment, fun, fulfilment, and positive growth, with most social, economic, and psychological needs met on a daily basis. For others though, their childhood days are a state of daily struggle with a lack of very basic amenities such as shelter, clothing, food, education and clean water; they suffer from neglect, abuse, and the absence of responsive support systems, and they live in a constant state of insecurity and with little time for fun and enjoyment.

Demographically, there are almost 19 million children in South Africa's present population of approximately 53 million (Statistics SA 2014). The average young South African goes to school for 13 years, and does not receive further education after completion of high school. 96% of children aged between 0 and 17 years are enrolled in educational institutions. What is the other 4% doing? According to the United Nations millennium goals the country should have 100% of its children receiving education. Furthermore, in South Africa three in every five children younger than 17 years old are living in poor households with a total income less than R1, 200, mostly in rural areas (StatsSA 2012).

Additionally, every fifth child in SA suffers from hunger and under-nutrition. Additionally, four out of ten children have to travel more than 30 minutes to the nearest available clinic, which can jeopardize their lives. Furthermore, one in twenty infants dies before their first birthday. Despite numerous policy interventions by the government [i.e. the Child Support Grant (CSG), and what the National Development Plan (NDP) stipulates], half of our children younger than 17 years old do not have access to a clean and reliable water supply in their house or yard. Even more so, one in three children younger than 17 lives in informal housing settlements; and, on a daily basis, three children are killed by perpetrators close to them (StatsSA 2012).

As a signatory of Article 19 of the UN Convention on the Rights of the Child (CRC), South Africa has an obligation to guarantee all children the right to protection from physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse. Article 19 obliges states to provide legislative, administrative, social and educational interventions to protect children from all forms of undignified treatment including sexual abuse by those who provide care to children. The Article further specifies the elements of the protective systems that States must establish for the purpose of monitoring progress towards achieving the rights and wellbeing of children: different forms of prevention measures; measures for identification, reporting, referral, investigation, treatment and continuous provision of services for children affected by abuse and neglect; support for those who care for children; and when appropriate the measures should include judicial involvement.

Focus of the Book

In the post-apartheid era there is a growing demand to channel collective energy towards justice and equity in ensuring that children live fulfilled lives, and to better understand the social processes that influence children's livelihoods. Caregivers, parents, frontline advocates for children, early childhood development (ECD) educators, and communities play key roles in responding to this demand, in building new knowledge, raising critical questions, and initiating policies and proactive actions that are responsive to children's issues, with the goal of transforming children's lives in South Africa. Utilizing key topics, contexts, approaches, methods, and capacities (old and new) in explaining and expanding what is known about children's lives in South African families, this book focuses on the everyday socialization of children in South Africa, particularly black children within diverse families. There is currency in understanding

children's lives and their positions within families in South Africa. These are understood from a life course perspective which recognises that developments during childhood, adolescence and young adulthood influence wellbeing and socio-economic outcomes in later life, while understanding that a life course trajectory is shaped and influenced by what Dornan & Pells (2014) and Dornan & Ogando-Portela (2014) suggest are broader socio-economic factors. The family, therefore, represents a key social unit to which children are born and subsequently socialised within the life course. The composition of South African families is a complex pattern of nuclear, multigenerational, extended and re-constituted families. The historical overview of families in South Africa reveals significant changes over the years brought about by the impact of colonisation and apartheid on traditional African family systems. In addition to the colonial impositions, the processes of development, modernisation, and globalisation have had an impact on how we understand family systems. Unlike earlier prediction, couple-headed families have only emerged in a small section of society. The majority of families are multigenerational, extended and single-headed in nature. This book examines the nature of the contemporary South African family where the majority of children are born, supported, socialised and protected. More importantly, the book examines whether the South African family is in crisis, unable to perform its obligations to children; or has it adjusted to the changes and found novel ways to perform its duties?

Families, Households, and Children in South Africa

The concepts of 'family' and 'household' are sometimes used interchangeably, although they do not mean the same thing. Household is a useful concept in quantitative studies, as it easily lends itself to quantitative analysis. Household refers to people who share a physical space and jointly provide themselves with food and other essentials of living. The individuals may pool their incomes and share some budget, and may be related or unrelated or a combination of both. On the other hand, family refers "to persons who are related to a specific degree, through blood, adoption or socially approved sexual union" (Makiwane and Chimere-Dan 2010). Adoption is prevalent in many cultures, although in some societies, especially non-western, it might not be accompanied by legal formalities. While a traditional western family is confined to two adults maintaining a socially approved sexual relationship with or without minor children who are their own or adopted, a traditional African family is usually extended to aunts, uncles, grandparents, cousins and other

relatives. Obligations to a wider kin might be invoked at certain occasions, typically during crises, or sometimes during certain lifetime events. A family might belong to the same household or, as is common in South Africa, may be dispersed across households and sometimes may be located across vast geographical spaces.

The family structure in South Africa has been impacted by a society that has suffered damaging domination over an extended period. While a traditional South African family has changed over time, a prototype Western family that is nuclear and dominated by an intimate couple relationship has only emerged in a few instances. The current South African family is in most instances multi-generational, co-existing with other emergent family types which include single-parent families, polygamous couple relationships, same-sex couples, and skipped generational, child-headed and reconstituted families. Factors that have influenced such changes are diverse and include modernisation, labour migration, the AIDS pandemic and the post-colonial and post-apartheid legal reforms. Many previous studies on family have concentrated on understanding the changes in the structure, and their antecedents. The modernisation theory and its variants have been the most frequently used lens to analyse family structural changes that are observed in many parts of the world. Industrial capitalism has been thought to have a homogenising effect on family structures leading to nuclearisation of families; Western and non-Western alike (see Burch 1967, Goode 1963, and Parsons 1951).

In South Africa, this global theory was mostly expressed through 'convergence thesis', a project that sought to monitor how far was the black family teetering towards the conventional white family structure (Steyn 1993a 1993b). As a result of recent evidence, some of which is presented in this book, which shows that previous predictions of changes in family structures have not been realised, the approach of this book is to accept and affirm the diversity of family structures that exist in South Africa, and examine how these diverse family structures function, specifically focussing on how they raise the next generation. This change of focus is in line with a genre of family scholarship that is critical of the overemphasis of certain preferred family structures (Siqwana-Ndulo, 1998). This ideological bias has left a wide gap in the understanding of the dynamics of family life in changing African societies.

The departure point of this book is that changes in the family structure, in conjunction with wider societal changes, have had a significant impact on family function. Historically, the functioning of the African family was underpinned by values of *ubuntu* that bound individuals beyond the

confines of narrowly defined blood relations. This value is expressed in a popular African proverb, which has been cited in a number of chapters in this book, which states that 'it takes a village to raise a child'. The values expressed in this proverb are also explained in Mandela's biography '*Long Walk to Freedom*'. Mandela says:

> 'My mother presided over three huts at Qunu, which as I remember, were always filled with babies and children of my relations. In fact, I hardly recall any occasion as a child when I was alone. In African culture, the sons and daughters of one's aunts and uncles are considered brothers and sisters, not cousins.'

Mandela lost a father at the tender age of nine, and was left to be raised by a 'single' mother. Yet it would be a misnomer to refer to Mandela's mother, Nosekeni, as a 'single' mother and Mandela as a paternal orphan. Such concepts did not exist in that society at the time. The Mandela household benefited from social parenting and, in the same way, other families who were less privileged also benefited from them. As Siqwana-Ndulo (1998) stated, the institutions of family, marriage and household in African societies revolved around community. Thus, not only is the family formation broader, its function is greatly enhanced by being interlocked with the general community. The widespread practice of social parenting is one manifestation of how family and community worked in unison for the benefit of children.

The book does not indulge in a nostalgic voyage into the past, for those days when the extended family and the community worked in unison are gone. It is neither an exercise in explaining how the family institution adapted to the onslaught of colonialism and apartheid nor is it based on how the newly established rights-based society has or has not been able to reach children locked in South African families. It is also not a rehash of the often told African story of a clash between modernity and traditionalism. The book is not meant to narrate an aftermath of a society that has been one of the worst ravaged by a 21st century pandemic. Rather, it is about the functioning of the contemporary South African family that is impacted by all of the mentioned issues.

Organization of the Volume

Following this introductory chapter, the book begins with a critical exposé of a children's rights framework to conceptualize the role of families in the lives of children in South Africa. This commentary chapter (Chapter 1) emphasizes the importance of collective justice and equity by

highlighting complications in the implementation of a children's rights framework in South Africa. The chapter gives particular attention to the changing dynamics of South African families and their impact on children's rights. Following this commentary chapter, the book proceeds by highlighting four themes, which include: 1) family structure and childbearing; 2) parenting; 3) fatherhood; and 4) support for children.

Theme 1- ***family structure and childbearing*** - Chapter 2 tackles the issue of how family formations have drifted beyond the boundaries of the marriage establishment. Reproductive life - which was constituted within this institution – has broken into new paradigms with an escalation of childbearing couples who do not live together. Chapter 3 highlights the notable growth of child-headed households in South Africa and looks at the everyday lives and lived experiences of children in child-headed households. The chapter further examines adaptations, adjustments and survival mechanisms of children from child-headed families within an African socio-cultural context of child rearing practices. Chapter 4 investigates the impact of family structure on schooling outcomes for children as measured by odds of school enrolment, grade repetition and average highest grade completed at any given time for children in South Africa.

Theme 2 – *Parenting* - Chapter 5 explores the fluidity of parenting in South Africa. It provides an overview of parental realities within South Africa in order to analyse parental dynamics or relational aspects in more detail. It seeks to understand how mothers and fathers in South Africa are trying to cope with the demands of parenting by drawing our attention to similarities, differences and the difference which differences may entail. Chapter 6 explores the nature and practice of sexuality communication between parents & children, particularly adolescent girls, and the factors which promote or impede sexuality communication between a parent and a child. Chapter 7 explores the lived experiences of young *amaXhosa* men in relation to *Ulwaluko kwa Xhosa* traditional male initiation [TMI]) and its impact on their sense of masculinity. Chapter 8 raises important questions about the role of fathers in their adult sons' lives, health and decision-making regarding their bodies, and the impact of this on the uptake of HIV interventions such as VMAMC in South Africa.

Theme 3 – *Fatherhood* - Chapter 9 draws attention to the importance of father-daughter relationships, and highlights the need for research on this relationship dyad in South Africa. Chapter 10 explores the probable reasons why mothers and guardians do not disclose the identity of the

biological fathers to the children under their care. Chapter 11 seeks to investigate what makes some children more resilient and able to cope with having an absent father, in comparison to others who are not able to cope with this.

Theme 4 - *Support to children* - Chapter 12 describes strategies used by young women in accessing psychosocial help in the small town of Butterworth in the Eastern Cape Province, South Africa. Its focus is on the subjective experiences of distress. Chapter 13 examines the issues of the support and assistance required by children and their families that will enable them to realise their rights, as outlined in international and national legal instruments, and to function optimally as a family unit. The conclusion offers a collection of ideas that summarise some of the important points highlighted by the authors, reflects on the implications of those findings arising from the review of the collected works, and discusses emerging key issues. The emerging issues are by no means absolute, but will guide further discussion about the nature of family dynamics and children's welfare with respect to: family structure, child bearing and wellbeing; parenting; fatherhood; and support to children in South Africa. While some ideas are distinctive and cut across themes as highlighted in the chapters, this concluding chapter centers on a brief discussion on further interrogation, placing the family and children in those families at the center of the synthesis.

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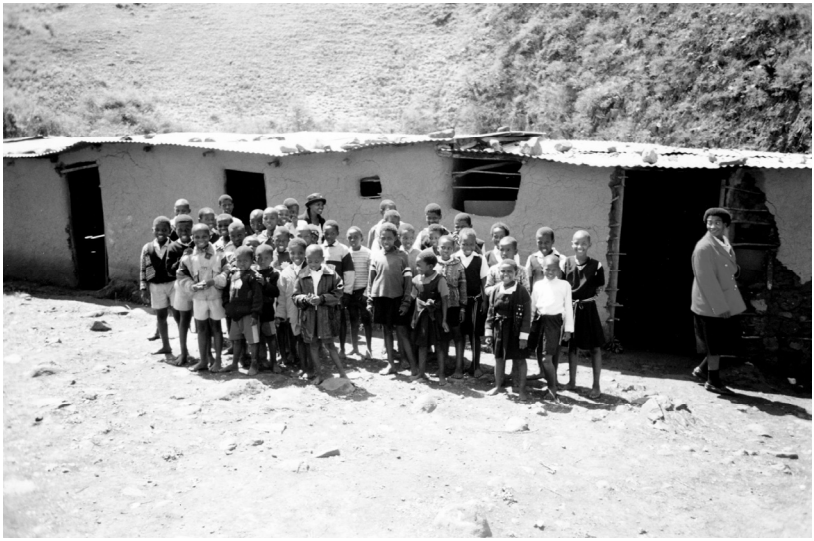
CHAPTER ONE

CHILDREN'S RIGHTS IN SOUTH AFRICAN FAMILIES

JACE PILLAY



"Children don't vote but adults who do must stand up and vote for them"

Introduction

There are various chapters in this book that shed light directly on the experiences of children in South African families. For example, one of the earliest chapters focuses on the complex relationships that result in the birth of children. Subsequent chapters articulate the challenges of children growing in changing family structures, such as single-parent, absent father, and child-headed families. The author of this chapter asserts that a critical understanding of children's rights within families is essential for the conceptualization of the role that families play in the lives of children in South Africa, as depicted in other chapters in this book. Hence, this chapter commences with an emphasis on the inception of children's rights and their implementation in South Africa. Particular attention is paid to the changing dynamics of South African families and their impact on children's rights. The author then summarizes findings of a study he conducted on the advancement of children's rights in South Africa and explores the implications of the results for children's rights in South African families. Finally, the author proposes the adoption of a social justice framework embedded in a rights-based approach to promote children's rights in South Africa.

Inception of children's rights

The United Nations Convention on the Rights of the Child (UNCRC), held in 1989, coordinated a worldwide focus on children's rights (Covell and Howe 1999; Covell and Howe 2001; Gose 2002; Howe and Covell 2007; Covell et al. 2009). The UNCRC defines children's rights as:

> "… a set of universal entitlements for every child and young person below the age of 18. These entitlements apply to children of every background and encompass what they need to survive and have opportunities to lead stable, rewarding lives." (Save the Children 2006, 4).

The definition of children's rights is controversial because it is dependent on different people's views about children, childhood, and the disciplines from which they interact with children (Franklin 2001; Arts and Popvoski 2006; Covell et al. 2010; Pillay 2014a). The problems around the definition of children's rights are further compounded by the wide spectrum of civil, cultural, economic, social and political rights that children are entitled to. All of these rights have a common purpose of empowering and protecting children (Mangold 2002), through: provision, which relates to the right to adequate education and health services

(Freeman 2000); protection, which is the right to be protected from all forms of abuse, neglect and discrimination (Hodgkin and Newell 2007; Nikku 2013); and participation, which concerns children as decision-makers in community programmes (Viviers 2010; Viviers and Lombard 2013). Generally children's rights fall into four categories, namely: the rights to survive, to be safe, to belong, and to develop.

Despite the challenges around the definition of children's rights, its acceptance by the UNCRC has resulted in numerous activities across the globe directed at promoting the rights of children (Verhellen 1993; Verhellen 1994; Detrick 1999; Ludbrook 2000; Smith 2000, Smith 2002; Child Rights Information Network 2008). As early as the 1990's, countries such as Belgium (DeCoene and De Cock 1996) and Canada (Covell and Howe 1999; Covell and Howe 2001) recognized education as a vehicle to promote children's rights, and designed programmes for use in schools to educate children about their rights. Robust programmes on children's rights have been developed over the years. For example, the Rights, Respect and Responsibility (RRR) initiative in Hampshire County, England, is known as one of the best models of children's human rights education (Covell et al. 2010; Covell and Howe 2008). Its purpose was to transform school cultures, build shared values, and promote educational practices based on the principles of the United Nations Convention on the Rights of the Child (UNCRC). In New Zealand the Human Rights in Education/Mana Tika Tangata (HRiE) initiative, based on children's rights and improved academic achievement of all children, aimed at developing positive school cultures from early childhood (HRiE 2009).

Even where the initiatives of education departments around the globe are recognized and appreciated, it can be argued that they are not the only ones responsible for the promotion of children's rights. Children are part of various systems and sub-systems which require an interactive and holistic approach. As such, Bronfenbrenner's bio-ecological systems model (1986) provides an ideal theoretical perspective for the conceptualization of children's rights. The family is the first system in which children find themselves, giving rise to the expectation that the parents, as their first custodians, know children's rights and how to implement them. As children grow older, their rights should be extended into other systems with which they interact, such as other families, peers, schools, communities, and places of worship. The role of the family plays a pivotal role in the understanding, implementation and advancement of children's rights. The focus on the family in this chapter should not undermine the importance of other systems which function interactively to provide a holistic experience of children's rights. In alignment with the

focus of this chapter, and the book as a whole, the transitions in South African families are discussed next.

South African families

A single definition of the family may be contentious since families differ in various ways. In the South African context, the definition of the family is complicated by the inclusion of not only nuclear families, but also extended families, care-givers and guardians (Holborn and Eddy 2011). The following definition, presented in the Green Paper on Families by the Department of Social Development (RSA 2011, 73), will be adopted in the context of this chapter: "A family is a group of persons united by the ties of marriage, blood, adoption or cohabitation, characterised by a common residence (household) or not, interacting and communicating with one another in their respective family roles, maintaining a common culture and governed by family rules." Generally, definitions of family have positive connotations, such as: a family is a pillar of society; it provides psycho-emotional and economic support to its members; it is responsible for socialization, nurturing and care, and the transmission of values, norms and morals (RSA 2011). However, families can also be viewed negatively, especially in the reinforcement of patriarchal traditions and the oppression of women.

Historically, family life in South Africa has been shaped by industrialization, urbanization, the migrant labour system, colonialism, apartheid, race and economic relations (RSA 2011). All of these factors placed, and continue to place, considerable strain on the African family. For example, the absence of able-bodied men in African villages, due to the migrant labour system, resulted in absent fathers and female-headed households (RSA 2011). The ravaging effects of poverty and HIV/AIDS have also radically changed family structures in the country (see below for a more detailed discussion). Census 2011 (Statistics South Africa 2012) shows the following: there is an increase in the number of couples that are cohabiting and delaying marriage; 15 per cent of households have female breadwinners; and a quarter of South African households have 'other' family structures, such as grandmothers living with their grandchildren, gay couples, and child-headed households. Children living in rural areas seem to be most affected by single-parent families, absent fathers and child-headed households.

The above description of South African families shows that many children grow up in unsafe and insecure families. Whilst poverty and the effects of HIV/AIDS appear to be the primary contributory factors to this

scenario, the effects of substance abuse, migrant labour and unresponsive parents must be taken into account. Clearly there are several challenges that negatively impact on children's rights in South African families, and this is evident in the discussion that follows.

Right to an adequate standard of living

Family income is a key factor that determines children's standard of living. At the time of writing, the situation in South Africa is dire, with 11.9 million children (64%) living in poverty (RSA 2011). Almost four out of ten children live in homes where no member is employed, whilst seven out of ten children live in homes with no economically active family members (RSA 2011). The incidence of children suffering from hunger increased to 22 per cent in 2009, with most of this percentage made up of children in the poorest and female-headed households. There has been a moderate decline in child poverty due to the Child Support Grant, but many eligible children do not access this, mainly because of a lack of documentation. Almost 1.7 million children (9%) still live in informal settlements despite the Reconstruction and Development Programme (RDP) or state-subsidised dwelling programmes (RSA 2011). Most children (83%) have access to safe water and sanitation but 1.4 million children (8%) have neither safe water nor toilet facilities in their homes.

Right to life and basic health

Research has shown that, in South Africa, HIV/AIDS and poor care are major causes of the over 270 maternal and child deaths that occur daily (South African Human Rights Commission/UNICEF 2011). An alarming revelation is that almost 75 000 children die before they reach the age of five (South African Human Rights Commission/UNICEF, 2011). Even though the school nutrition programme reaches six out of ten children in public schools, one in five children are stunted, one in ten are underweight, and nearly five per cent suffer from wasting and are at risk of death (South African Human Rights Commission/UNICEF 2011, 34). However, antiretroviral therapy for children living with HIV has increased since 2010.

Right to early childhood development and education

The South African government has made great progress in ensuring Grade R enrolment and community centre-based care for younger children.

However, only 43 per cent of children younger than five years are exposed to an early childhood development programme at home or elsewhere (RSA 2011). The right to education has been strongly promoted by the state through the provision of free education for poor children in public schools. Because of the free education policy school attendance has steadily increased at the primary school level. However, at the secondary school level almost 582 000 children are unable to attend school mainly for lack of money or because of disabilities. Learners perform poorly in international and national assessments, which indicate a major problem with the quality of education in South Africa. Research has shown that children from the poorest of households are more likely to repeat grades, perform poorly and drop out of school (RSA 2011). Violence in schools has also become a barrier to learning, especially when children feel unsafe to go to school.

Right to a family environment and alternative care

Statistics indicate that only one in three children in South Africa live with both biological parents, while one in five children have lost one or both parents (RSA 2011). The AIDS pandemic has resulted in an escalation in the number of orphans and child-headed households. The provision of alternative care has been quite successful in South Africa. For instance, many children have successfully been placed in foster care, children's homes, industry schools, or back into the care of parents or caregivers under the supervision of a social worker (RSA 2011). The adoption of orphaned and abandoned children has increased to almost 6000 annually. However, there has been an increase in the number of cases of sexual and physical abuse of children in the country, often with close family members being the perpetrators.

Right to special protection

The South African constitution makes provision for special protection of children who are in conflict with the law, or who may be open to exploitation. This special protection is offered through correctional services, secure care centres, places of safety or under home-based supervision. Rather than exposing them to the criminal justice system, child offenders are offered life skills or anger management programmes.

Challenges to children's rights in South African families

In a study conducted to determine the advancement of children's rights in South Africa, Pillay (2014a) intended to shed light on, and reach a deeper understanding of, children's rights issues within the African context (Bless and Higson-Smith 1995). For the study, participants were purposively selected who were actively engaged in the promotion of children's rights in South Africa (Henning et al. 2004; Krefting 1991; Merriam 1998; Merriam 2002). The sample was made up of eight reputable leaders in their fields: academics, policy analysts, directors of children's centres, legal experts, and members of national, regional and international committees on children's rights issues. The findings from the study shed light on some of the critical challenges facing the promotion of children's rights in South African families.

Children's rights and policies not adequately put into practice

The study revealed that there has been a phenomenal advancement of children's rights in South Africa through policies and instruments designed to protect the rights of children. This is explicit in the ratification by the South African government of the international legal framework for children's rights, and is further endorsed by national legislation and policies, such as the Children's Act, the Child Justice Act, and the Schools Act. Undoubtedly, the legal framework has created the opportunity for all children in the country to receive the essential services that they were previously deprived of, for example, early childhood education, free prenatal care for pregnant mothers, and free health care facilities for impoverished communities. Policies that make it possible for extremely poor families to receive child grants have been welcomed. Even though the grant is small, it keeps many poor families from starvation. Many aspects of the legal framework provide for greater visibility of children in the community and society. However, it appears that most of the policies are only good on paper and do not necessarily materialise in practice. The reality is that the most needy children and families do not actually receive the services.

Negative effects of poverty

It would be logical to expect that families living in abject poverty would experience difficulty in promoting children's rights. The reality of

the situation is that 40 per cent of families in South Africa live in extreme poverty with the worst cases in the rural areas (Department of Education 2001). Numerous studies show a significant correlation between poverty and its negative influence on early childhood development (Lee, et al. 2006; Conger and Donnellan 2007; Crosby, et al. 2010; Duncan et al. 2010). This is evident in poor cognitive development (Shonkoff 2010; Huston 2011); lower educational achievements (Holzer et al. 2007); health problems (Grantham-McGregor et al. 2007); low positive social behaviour (Halle et al. 2009); and psychological problems (Pillay and Nesengani 2006; Pillay 2012; Pillay 2014b). The Department of Education (2001, 12) stated that "children raised in poor families are most at risk of infant death, low birth-weight, stunted growth, poor adjustment to school, increased repetition and school dropout". Other studies found that children from low-income families are more exposed to detrimental social and physical environments (Benveniste et al. 2003; Bornstein and Bradley 2003; Bradley and Corwyn 2002; Evans and English 2002). These children are "exposed to more turmoil, violence, separation from their families, instability, and chaotic households" (Evans 2004, 77). Therefore, it makes perfect sense that there should be a deliberate focus on strengthening families for the promotion of children's rights.

According to Minister Xingwana (from the Department for Women, Children and People with Disabilities): "Childhood should be a happy time for all children. It should be a time when children have opportunities to grow, learn and develop; receive love and care; play freely and be active; feel safe and protected; be healthy; and be listened to when they share their views on matters that are important to them" (RSA 2011, ii). The minister aptly sums up the rights of children, but the serious issue is how to make this a reality in poverty-stricken families. Since the demise of apartheid, essential services have been extended in various ways to advance the rights of children. This is evident in the following policy endeavours: the extension of the age eligibility of the Child Support Grant; state provision of treatment for all infants who are infected with HIV; provision of early treatment and care for all HIV-positive pregnant women in state-run facilities; early childhood development support for young children; waiving school fees for children in the poorest schools; gender parity in primary and secondary education; nutrition support for children and families in distress; and sanitary dignity campaign for girls (RSA 2011, 3). In addition, child protection has become a major focus through the Children's Act and Child Justice Act. Despite all of these promising policy interventions, there are still significant disparities in children's access to the most essential services. This is largely due to the barriers