TANGAZA COLLEGE

CATHOLIC UNIVERSITY OF EASTERN AFRICA

THE PROBLEMS OF STREET CHILDREN AND PASTORAL IMPLICATIONS

AUTHOR: SAVARIMUTHU JOHN PETER. SDB

TUTOR : REV. FR. MCINERNY. IC

A PAPER SUBMITTED IN PARTIAL FULFILLMENT
OF THE REQUIREMENTS FOR THE DEGREE OF
BACHELOR OF RELIGIOUS STUDIES

February,1996
Nairobi

STUDENT'S DECLARATION

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Signed: ...John Peter Sdb...
Savarimuthu John Peter SDB

DEDICATION

TO ALL OUR BELOVED POOR AND ABANDONED CHILDREN, ESPECIALLY THOSE WHO ARE IN THE STREETS OF NAIROBI

ACKNOWLEDGMENTS

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INTRODUCTION

Young people and children on the streets are a major concern of today's society. I am glad to undertake this paper on "Street Children", whom I love much. It is not by chance I have chosen this topic but out of love towards these children, and feeling that it is my vocation to love these children, it was the invitation and call from God to love these Children .

This paper is divided into 2 main parts, in the first part it deals with the Christian perspective on human dignity and rights of human person, from which it approaches Children's needs, rights and particularly the situation of children in Kenya, especially regarding Education . The importance of African Charter is mentioned from which 2 articles on <u>Education</u> and <u>Imprisoned mothers</u> are mentioned. Because the major cause of Street children are the expensive Education to the children, and the Broken families especially due to the single mothers phenomena in Kenya.

From there the paper proceeds to the main issues of Street Children , speaking, how the society look at them, and their problems, Causes for their problem, and their life experience in the street , the situation of Remand homes in Kenya is mentioned.

For past 4 years I have been working with these children, so with my experience I proceed to the last chapter , in which I dedicate to their situation, and offering some practical, pastoral solutions. Adding to it I have synthesized the work we do with these children for past five years.

PART I

CHAPTER 1

<u>CHRISTIAN PERSPECTIVE ON DIGNITY AND RIGHTS OF HUMAN PERSON</u>

1.1 DIGNITY OF THE HUMAN PERSON

God created man in His own Image and gave him full freedom to rule over the universe, Man's dignity falls on his own responsibility to construct, to preserve the universe. God gave man the dignity, freedom, and the life. Man is an advanced animal, man's dignity comes from God himself. Man has a life principle, or soul, and in this he is spiritual. He is a person composed of a body and soul, both are integral parts of his person-hood. Some might say that man's dominant characteristic is Freedom, and his freedom is limited to accepting or rejecting it.[1]

Man has an autonomy and freedom of his own but within certain limits. Man has different needs and goods which fulfill him, as different parts of his nature form one substantial unity so the different goods of man are ultimately oriented to a supreme good. This last end is the guiding light of ethics. Man-as-he-is seeking to be what he should be defined in the words of Alasdair MacIntyre. according to his telos.[2] The dignity of all men and women, created in God's image is grounded in their unique relationship of intimacy with God. Human persons are spiritual, blessed with freedom which guided by conscience, comes to its fulfillment in love of God and neighbor. This fulfillment can only

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[1]   Peter E. Bristow, <u>The Moral Dignity of Man</u> (Dublin: Four Courts Press, 1993, P.21)
[2]   I bid., P.22

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come through God's grace because man's freedom is damaged by sin and it is threatened by death. Dignity of human person is rooted and perfected in God. The dignity of every human person develops and is safeguarded only in communion with others. Apart from relationships with others we can neither live nor develop.[3]. "From the very beginning humanity is created as community. All men and women are called as a single family to universal communion of brotherhood towards God. This requires a social order ,Solidarity, interdependence within the world family, this is based not on individualistic ethic but on the common good. It must be founded on truth, built on justice and animated by love." [4] The transformation world can come only from the power of love.

1.2. FULL UNDERSTANDING OF MAN.

The dignity of man and his dominion over the universe are due to his rationality and freedom. It is in virtue of his likeness to God and at the same time distinct from the rest of the animal world. In the first chapter of Genesis we read." Then God said let us make man in our image, after our likeness and let them have dominion over the fish of the sea, and over the birds of the air, and over the cattle and over all the earth, and over every creeping thing that creeps upon the earth." (Gn 1:26)In this way man dominates the material world in a way animals do not. But this dominion does not extend to human life, The authority over his life remains in God's hands. Freedom is from God and for God, on its deepest level it is the capacity and responsibility in loving relationship with God. It is the gift of love the capacity for love and it finds its only true fulfillment in love. [5] Freedom is the capacity to choose who I am going to become as a person.

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3   John Sachs, R., The Christian Vision of Humanity, (collegeville: The Liturgical press, 1991). P.9
4   Ibid.,, P.10
5   Op. cit. P 28

Life is not only a gift, it is a task as well. We are not objects thrown into existence, determined by others, but we are responsible subjects, persons, who are challenged to say something, to do something, and to become some one. Each of us is becoming a certain person in a process of self- actualization which takes place in the concrete choices he or she makes throughout life. The capacity for good and evil for loving and hating grows in action. Through our actions we are always becoming more human or less human. We are what we do, of course in a certain sense not everything we do is conscious and intentional.

Sachs reflects the view of many theologians when he points out that in "the important choices of life taken together as a whole, each of us makes what might be called a `fundamental option' which forms the deepest core of our personal identity." [6] Fundamental Option expresses our basic attitude towards ourselves. it is the deeper meaning and significance of some of the decisions of our lives. It is not a once and for all reality True, it is a decision about the sort of person one chooses to be "It is an inner act of self definition. But it is not irrevocable not final or definitive." [7] The great theologian Karl Rahnner put it clearly "Freedom is the capacity to dispose finally of oneself to decide oneself once and for all". [8] This is the central project of our adult lives. When we analyze the situation and the life of the street children we come to know that there is no room to make a fundamental option in their lives.

The very existence of options and the importance of choosing make us aware of deeper questions; what do I really want? Who do I wish finally ? What am I hoping to accomplish? Who do I wish finally to become? These are the

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6   Ibid., P.30
7   Timothy O'Connell E., Principles for A Catholic Morality, (Minneapolis: USA, The Seabury 1978), P.65
8   Rahnner, Karl. Foundations of Christian Faith, (New York: seabury, 1978) P.96

questions of desire and they are fundamental to our understanding of freedom. Freedom is the capacity to desire. The most deep desire is "life". Life is found only in relationship with others. So freedom is the capacity for self-transcendence, and the power to reach out beyond ourselves. Throughout our life the desire which derives us in our interaction with other people and things is looking for life and love which is full and lasting. That is why St. Agustine said that our hearts will never come to rest until they rest in God. What we most desire is God. Created human freedom is ultimately a real capacity for God's infinity. So true freedom is not merely freedom from it is a freedom for. It is a freedom for others, a freedom for service, a freedom for love. It is the freedom to be with and for the others, the freedom which is the heart of true community.

In the Bible the book of Sirach tells us "God left man in the power of his own counsel" (Sir. 15:14), Quoting this sentence our present Holy Father in his Encyclical letter `Veritatis Splendor' explains the true meaning of genuine freedom. Taking up the words of Sirach, the Second Vatican Council explains the meaning of that, which is an outstanding manifestation of the divine Image in man: "God willed to leave man in the power of his own counsel, so that he would seek his Creator of his own accord and would freely arrive at full and blessed perfection by cleaving to God".[9]

1.3. BIBLICAL PERSPECTIVE OF PERSON:

Humanity's relationship with God is essential and human beings have need of God. He is the foundation of the value of their existence. Ancient and medieval Christian theology expressed the relationship between God and human life in terms of the image of God. The theme is a biblical one. It is the favorite theme of the Church Fathers of East, especially and the West. It is a

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9   John Paul, II <u>Veritatis Splendor,</u> No 38 ff.

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central topic in medieval theology and spirituality. The image of God can be explained in many ways.

IMAGE OF GOD:

In the biblical context the priestly account places humanity at the head of creation and gives us the concept which has proved most significant for Christianity's understanding of being human, the human being as image of God," let us make humanity in our image after our likeness..." (Gen 1:26). This is taken for granted in the NT, and sets stage for a specifically Christian understanding of God's saving act of recreation in which we are reconfirmed to the image of God's Son. (Rom 8:29). We could take Gen 1:26 to mean that although only an image of God,(and not the divinity itself) humanity has been established as God's representative on earth in a unique way. [10] In the actual life of the faithful, with the intent of asserting their self worth, their basic equality with other persons, the poor frequently say "I too am a child of God." in laying claim to this title, Christian persons proclaim their conviction that their value is somehow absolute, that they have a value in themselves. Simultaneously they proclaim their demand that their value be recognized. Why are human beings something more than a specimen of a species, after the fashion of the other animals? We human beings are " created by God as image and likeness of Him " Gen 1:26. We human beings claim a relationship with God. In other words we claim to be bound to the source of all value and meaning. We are determined to be related to the ultimate reality. [11]

Human beings live in relationship with God, this relationship ought to be experienced and lived subjectively. Religion is the subjective expression of our objective relationship with God. Hence our need for conscious relationship with God called prayer. Prayer is the culmination of human existence. The fullness of

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10   John Sachs, R, P.16
11   Robert, R. Barr, (Ed) <u>Retrieving the Human, A Christian Anthropology</u>. (New York: Maryknoll, 1990). P.45

our self-awareness is attained in the various forms of prayer. [12]

1.4. HUMAN FREEDOM:

The development of the Roman Catholic Church's doctrine makes clear that the theme of the dignity of the human person is the core of the social teaching of the Church. The certain prepositions are found in the second Vatican council's pastoral constitution on the Church in the Modern World. (Gaudium et spes).

The dignity of human beings requires freedom. I have mentioned about human freedom in the preceding pages. Freedom demands that men should act on their own judgment, enjoying and making use of a responsible freedom, motivated by sense of duty. The demand is also made that constitutional limits should be set to the powers of Government. At Vatican II . the Church sanctioned democracy. Freedom has become a constitutive of the human person. In the UN Declaration on human rights we can see some important statements on human freedom. They are four of them:

1. All human beings are born free

2. All human beings are born equal in dignity and rights

3. They are gifted with reason and conscience

4. Everyone, without distinction of any kind is entitled to all the rights and freedoms mentioned in the declaration. [3]

We can see that these statements are very important and astonishing. We are so used to seeing powerful people dominating others that we become almost resigned to it. The same thing is with equality, it sounds like something new since in daily life we find all kinds of discrimination. Then we should not be

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12   Ibid., P.218
13   Paul Mali, On Human Rights (Nairobi: St. Paul Publications), P.10

resigned at all to this state of things. If a situation is wrong we have to do something to change it. We should keep trying till we all breathe freedom and enjoy the full dignity that each one is born with. When the word became flesh we reached the highest point of the self realization of human freedom. By this act a man was called and responded to give himself completely to the mystery that is God. In the incarnation, a human being was called to communicate with God to the greatest depths of possibility and this human being responded in freedom, in his life that he lived and the human death that he accepted. The Word became man and fulfilled the possibilities of human freedom. The life and death of Jesus of Nazareth explains the possibilities of human freedom.

The freedom of Jesus was possible because man is spirit in the world, able to transcend the possibilities of his space and time and enter into communion with his God. Human transcendence is directed to the mystery of God because God has created man with an orientation and a possibility for communion with himself. The conclusion of such thinking is that God, as the foundation for transcendence and for freedom, is willed in every act of freedom, whether this is conscious or not. Man is not forced to accept his transcendence: there is always the possibility of consent or refusal and it is this possibility that constitutes his freedom. The Christian theology of freedom always related man and his transcendence to God. To speak of freedom as directed toward God does not imply however that freedom is divorced from this world. Freedom always presupposes the object that is in the world. Even the most profound acceptance of God in freedom is mediated in creation. We meet God in the most radical way everywhere and in the most powerful way in the presence of the neighbor. The free man is one like Jesus Christ who has given himself to his God through the giving of himself to others.

Finally, freedom is a trustful creative task that is given at every interval of life. It is trustful because it calls man to give up himself in order to find himself. "Freedom is a task because it is never given at one moment in full measure. Freedom is a gift, but a gift that is never ending and never complete in life. Freedom is earned and becomes operative only when the responsibility of life and to all creation is accepted by the individual."[14]

Freedom is the constant call to allow the presence of God's grace as the gift of himself to the human personality. Freedom is creative because it is never tied down to a system. The bonds of space and time are broken in the free man. The free spirit is the person who explores the new possibilities in the world through which he can perfect himself. Freedom offers a newness that is hidden within and it is waiting to be revealed. It is that the grace of God makes man to be fully free to choose the absolute good God. Grace is not a thing rather grace is essentially a relationship between a human person and God. The grace is the self giving of God himself to the human person, and the grace is the Holy Spirit himself, That is why St. Paul says that "God's love has been poured into our hearts through the Holy Spirit" (Rm 5:5). The theology of grace tells of what happens when a human being comes into contact with God. It insists that a person cannot come into touch with God without being changed, and then attempts to describe the details of change. [5] Grace is a power to love everyone an ability to see a divine dimension in all reality. Such a changed person is called holy, because that person is totally available to god.

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14   John Sachs R. P.18
15   Mleko Joel, and Laver Eugene (Ed), A Christian Understanding of the Human Person (New York: Paulist Press, 1982.) P. 51 ff

1.5. *HUMAN RIGHTS:*

Dignity of, human person is closely linked with human rights. For nearly two centuries, Roman Catholic Church had been allergic to the subject of human rights. There are two reasons for it. First, the French Revolution had published a Declaration on the Rights of Man and, citizen, directed not only against the absolutism of secular monarchs, but against the rights of tutelage claimed by the Church over society. Under these conditions, the human rights ideology constituted on assault on the position of the Catholic Church in the world. Second, human rights were formulated in the context of a philosophy of the exaltation of the individual over society. But the Christian message of the new person is essentially communitarian, and so it was unrecognized in the liberal society.[16]

In 1948 the UN Council unanimously approved, Universal Declaration on Human Rights. Fifteen years later, Pope John XXIII broke the silence and published encyclical letter *Pacem in Terris,* in which he enumerated a list of human rights, practically identical in content with the universal declaration. Thereby he recognized and accepted the latter. "Human rights may not be invoked against social solidarity. The common good has priority; community comes first".[17]

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16   Barr R. Robert. P.46
17   Ibid.,, P.47

1.6. CHURCH TEACHINGS ON HUMAN PERSON.

The social teaching of the Church and <u>Vat II</u> maintain that in the world there is nothing superior to the human being. Everything in the society and in the social institutions is to be subordinated to human persons. (GS No 25). Past 50 years the Catholic Church has spoken with greater emphasis on the human person and the dignity of that person. In *Octogesima Anno* no 54, the totalitarian society is condemned. Also the dignity of human person is the key, Catholic worker movements, such as Catholic Worker Action.[18]

Pope John XXIII in his encyclicals *Mater et Magistra* and *Pacem in Terris* speaks about the dignity of human person and especially the importance of the family. Pope John Paul II sums up that above mentioned teaching in the five following 'key points:

1. The sacredness of the family, and therefore also of love and sexuality: the family is gift of God, it implies a vocation that comes from above which cannot be improvised.

2. The morality of the family. Let us not be deceived, the Cross is always the only hope of salvation: the law of God is always there with its Ten commandments, these laws alone are the safeguarding of consciences and families.

3. The responsibility of the family. Pope John XXIII has confidence in the educational work of parents, sustained by divine grace.

4. The purpose of the family. On this point, Pope John was clear: the aim for which we are born is holiness and salvation, and the family is willed by God for this purpose

5. The good example of the Christian family. Pope John warmly exhorted Christian parents and children to be an example of faith and virtue in the modern world, on the model of the Holy family. The secret of true peace lies in

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[18]   Barr, R. Robert, P.19

the continuous and generous imitation of the sweetness and the modesty of the family of Nazareth.[19]

1.7. *THE UNIVERSAL DECLARATION OF HUMAN RIGHTS:*

The Declaration consists of 30 articles. Its tone is set by article 1 which says "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood". The document affirms the principles of liberty, equality and brotherhood in a comprehensive range of personal, political and civil rights as well as broad economic, social and cultural rights. And it contains that family is the natural and fundamental unit of society and is entitled to protection by society and the state. (Art 16:3) The Declaration maintains that the right to freedom of thought, conscience and religion includes the freedom to manifest one's religion or belief in teaching, practice, worship and reverence. (Art. 18). It protects the right to property, alone as well as in association with others.(Art. 17).

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[19]   Pope John Paul II, Charismatic Renewal (Social Teaching), 1981\5 P.133-134.

Extensive statements on the newer economic rights are strengthened by article 25: which explains as follows:

1. Every one has the right to a standard of living adequate for the health and well being of himself and of his family, including food, clothing, housing and medical care and necessary, social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood and childhood and in circumstances beyond his control.

2. Motherhood and childhood are entitled to special care and assistance. In the cultural area the right to participate and to enjoy the arts and to share in scientific advancements and benefits is included (Art 27). There is a detailed article on the right to education (art 26), that promotes free and compulsory elementary education, the article asserts also that technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit, the article protects the right of the parents to choose the kind of education that shall be given to their children.[20]

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20   T. Payzs "Human rights" New Catholic Encyclopedia. Vol. 7. 1966, P.214

CHAPTER 2

CHILDREN AND THEIR NEEDS AND RIGHTS

After having dealt with the human person, now I would like to deal with children in concordance with my topic "Street children". Childhood is the period from infancy to adult status, it is marked not only by the physical development but also by acquisition of a way of life. This article is concerned principally with the effects of major social trends upon the child's status in society.

2.1 THE CHILD'S ROLE IN THE SOCIETY. ✓

"The child is a link between generations, and receives his orientation towards group behavior in the family. As he learns what is expected of him he begins to fill social roles."[21] Before the age of 2, he learns that he has a subordinate role, and he acquires an appreciation of the necessity for obedience. By school age the concept of obedience is predominant and it is practically universal.

As the child grows and getting mature, his role expands. He learns to recognize the social expectation of the family and of the neighborhood, he is expected to conform to moral and religious precepts, he assumes the responsibilities of school life. During adolescence he prepares for adult roles. This is the stage the adolescent needs a lot of attention and guidance for his/ her vocational career. During this period the adolescent is trying to follow heroes.

The healthy family is very important for the growth of the healthy child. Not only financially, but physically, morally and spiritually, the family should be well

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21   F.G Woods, "Child" <u>New Catholic Encyclopedia,</u> Vol. 3, 1966 P.569.

balanced. In his *letter to the Families* Pope John Paul II states "The family originates from the same love with which the Creator embraces the world he created as expressed in the book of Genesis (Gen. 1:1). And in the gospel Jesus offers a supreme confirmation, "God so loved the world that he gave his only begotten son" (Jn 3:16). " Born of the virgin Mary, Jesus Christ was born in a family, and truly became one of us in all things, but sin. He grew up in a family, an obedient son to his mother Mary and to Joseph the carpenter. The divine mystery of the incarnation of the word thus has an intimate connection with the human family, not only with the family of Nazareth, but in some way with every family"[22]

2.2. *CHILDREN'S NEEDS:*

Child is the asset to the family and to the society, the Child is not only the Gift of God to the family, also to the Society, so the needs of the child must be provided by the family as well as by the society. A child requires various needs in order to grow healthier in the society. The basic needs are, food, clothing, shelter, and the child has the right to have these needs. Moreover a child needs a healthy family, conducive environment, health, education, when he or she grows needs employment to settle in his/her life.

Under education there are different types of education that the child needs Religious Education: a child needs catechism if he or she is a Christian. Moral Education: a child needs support, constant assistance, guidance, discipline, sex education. Physical Education: a child needs good food, recreation, games, cloth, health care, and so on. Sociological Education: a child has to be taught healthy relationships, and various skills of the child should be elicited. Psychological needs: a child needs love, approval, appreciation,

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22   John Paul II Letter to the Families, n. 2

recognition, guidance. **Academic Education:** a child has to learn different sciences.

2.3. _RIGHTS OF THE CHILD:_

Connected with the duties of obedience and filial piety, the child has basic rights. . Most essential is right to life. The child has a right to spiritual direction, for he is destined to be a citizen of the kingdom of God. Religion is an integrating principle, hearing about God the child develops sense of God, a sense of direction, a sense of responsibility, and a sense of mission in this life.[23]

What do we see in the society, especially in the developing countries? Generally children are exploited. There are boys and girls in almost every country in the world, but more especially in Africa, Latin America and Asia, who have no place to go, who live in drains, gutters, and who know nothing of mother's love. The child has a right to live in the family, and he has a right for education, and has a right to be loved by his parents. But what happens? According to one writer an incredible 30 million children live on the streets round the world today.[24]

After seeing the problem the Church does not keep silent and She begins to warn the world in her _Letter to Boys and Girls of the world,_ Pope John Paul II states,

" Dear friends! In what happened to the Child of Bethlehem you can recognize what happens to children throughout the world. It is true that a child represents the joy not only of its parents but also the joy of the Church and the World of society. But it is also true that in our days, unfortunately, many children in different parts of the world are suffering and being threatened; they are hungry and poor, they are dying from diseases and malnutrition, they are victims of war,

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23   F.G, Woods, P.569
24   Kibe Matthew, "Children of the Street", World Wide August \Sept. 1991,P.15

they are abandoned by their parents and condemned to remain without home, without the warmth of a family of their own.

they suffer many forms of violence and arrogance from grown-ups."[25] How can we not care when we see the suffering of so many children especially when this suffering is in some way caused by gown-ups? A Declaration of the Rights of the Child proclaimed by the UN General Assembly states that every child has a right to opportunities to develop physically, mentally, morally, spiritually and socially, to a name and nationality, to health and social security, and to education. A handicapped child has a right to special treatment, education, and care. Every child has a right to protection against neglect, cruelty, exploitation, and discrimination in every form.[26] A Child has a right to have all his/her needs, they are, Food, Shelter, Health, Family Environment, Education in various types; Now let
us see what is the aim of Education:

2.4. AIMS OF EDUCATION:

Education is measured in productivity and in overall quality of life. Education has a measurable impact on the multiple roles of women in national development and in house hold welfare. There is a high correlation between maternal education and child survival and development. When mothers are educated, many positive results occur, including reduced fertility, improved family care, health and nutrition and higher aspirations for their children. One of the main causes of street children in the uneducated parents especially the mother. If the mother is a street lady the child naturally become a street child and it goes on in a vicious circle.

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[25]   John Paul II, "Letter of the Pope to boys and girls of the whole world", Dear Children, (Nairobi: Daughters of St. Paul 1994,)P.5
[26]   United Nations: Convention on the rights of the child Adopted by the General Assembly, 20th November 1989

Man has involved in four basic relationships in his behavior they are:

1. Relationship of the person with God .

2. Relationship of the person with the material world.

3. Relationship of the person with other human persons.

4. Relationship of the person with the self.[27]

Education makes the person to mature himself in these 4 basic relationships. In the Bible we read God educated Israel through the prophets. God the Yahweh needed human educators who would CO-operate with him in educating Israel. Thus he spoke and operated through the prophets. Israel did not understand the words of Yahweh they needed to be spoken in human language by the chosen leaders the prophets. Through the prophets, Yahweh made known the contents of the education through the covenant, commandments.

Parents are the first educators of the children and the family is the first school of the children. If the parents are good teachers the children will become good. As I have mentioned in the preceding chapter, African Charter emphasizes the importance of education to the children. The parents are the first educators of the faith to their children, educating to the faith presenting, and explaining in the universal Slavic plan of God, which is centered on Christ. This does not mean to explain the theological meaning of salvation and redemption, but, simple explanation of God's love in Trinity and towards His creatures. Unless the parents are convinced and experienced such a love of God, it would be impossible for them to teach their children. Then how to explain this plan of God to children. As the OT Prophets used symbols, and words to explain the plan and love of God to Israel, likewise in a simple way "God performed his education in the midst of human history. time and space. While God is eternal, man's history began in time, created by the creator. God the creator revealed himself to the

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27   Mlecko Joel, P.1-5

created man and woman for the first time in the garden. God did not begin with man. However, man began after God, moreover with the existence of man, God began to exist for man. God created man in his own image and likeness. And he wished him to be so always. But man sinned and distorted the image to which he was created. Out of mercy, God did not abandon man but began to educate him. Through the prophets Christ and his church, God educated man and brought him back to his original image. All this occurred in human history of space and time."[28]

2.5. AFRICAN CHARTER.

"The organization of African unity in memory of school children who died in the uprising and massacre in Soweto, South Africa, between June 16 and June 19 in 1976, present Charter entitled African Charter on the Rights and Welfare of the child."[29]

The declaration on the rights and welfare of the African child, adopted by the Assembly of Heads of State and Governments, and the organizations of African unity, at its sixteenth ordinary session in Monrovia, Liberia, from 17-20 July, 1979 recognized the need to take all appropriate measures to promote and protect the rights and welfare of the African child. "Adherence to the principles of the rights, and welfare of the child, contained in the declaration, convention and other instruments of the organization of African unity, and in the United Nations and in particular the UN's convention on the rights of the child and the OAU heads of state and Government's declaration on the rights and welfare of the African child have agreed the African Charter on the Rights and Welfare of the child."[30]

28   Falcao Nelson, Educating Youth to the Faith,(Calcutta: Don Bosco editions,)1990, P.35
29   Robert Irungu,(edited), "Children's rights" The Voice, Vol1\no3, June 1993, P2-10
30   Ibid, P. 8

From the African Charter I have chosen 2 articles, on Education and imprisoned mothers because, experience shows that most of the street children are deprived of education and most of them are coming from broken families, and from single mothers. So I felt it is relevant to speak about the education and the imprisoned mothers who are normally single mothers.

ARTICLE XI- EDUCATION:

1. Every child shall have the right to education
2. The education of the child shall be directed to :

* The promotion and development of the child's personality, talents and mental and physical   abilities to their fullest   potential

* Fostering respect for human rights and fundamental freedoms   with particular reference to those set out in the provision of   various African instruments on human and people's rights and international   human rights declarations and conventions.

* The preservation and strengthening of positive African morals, traditional values and cultures.

* The preparation of the child for responsible life in a free society, in the spirit of understanding, tolerance, dialogue, mutual respect and friendship among all peoples, ethnic, tribal and religious groups.

* The preservation of national independence and territorial integrity.

* The promotion and achievements of African unity and solidarity.

* The development of respect for the environment and natural resources.

* The promotion of the child's understanding of primary health care.

3. States should provide;

* Free and compulsory basic education

* Encourage the development of secondary education in its different forms and progressively make it free and accessible to all.

* Make higher education accessible to all.

* Take measures to encourage regular attendance at school and the deduction of the drop-out rate.

4. States should respect the rights and duties of the parents, and where applicable of legal guardians to choose for their children schools other than those established by public authorities, to ensure the religious and moral education of the child in a manner.

5. States, to the present charter shall take all appropriate measures to ensure that children who become pregnant before completing their education shall have an opportunity to continue with their education on the basis of their individual ability.

ARTICLE XXX. CHILDREN OF IMPRISONED MOTHERS:

State Governments, to the charter shall undertake to provide special treatment to expectant mothers and to mothers of infants and young children who have been accused or found guilty of infringing the penal law and shall in particular;

* Ensure that a non custodial sentence will always be first considered when sentencing such mothers

* Establish and promote measures alternative to constitutional confinement for the treatment of such mothers.

* Establish special alternative institutions for holding such mothers.

* Ensure that a mother shall not be imprisoned with her child

* Ensure that a death sentence shall not be imposed on such mothers.

* The essential aim of the penitentiary system will be the formation and the integration of the mother to the family and social rehabilitation.[31]

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[31]   Wanjohi Wikuraya, (editor) "African Charter On The Rights and Welfare of the Child" Wajibu, Vol. 8, No 1 1993, P.2-5

In Kenya, Government's commitment is to give first call to children, seems to be sorely lacking at the moment. Government allows the police arrest the children from the streets often specially during the Christmas season or at the arrival of any foreign diplomats. Our remand homes are all always full with the street children. On the part of the Government there are some difficulties to solve the problem of street children: The poor economic system, the increasing corruption from the grass root levels up to the high level, the Government unable to introduce the free education due to financial inadequacy, also the refusal of aid from the donor countries, Besides these factors, the increasing poverty, drought, tribal clashes are hindrances for the Government to concentrate on the major problems like street children.

2.6 *AFRICAN CHILD DAY IN KENYA.*

African Child day was inaugurated in Kenya on June 9, 1993 by the Minister for Culture and Social Services, who said "You are Your brother's keepers so do not ignore a suffering child just because he or she is not your biological child." This is the message that was sent out to Kenyans by the Government. For the past 2 years the celebration of African Child Day has been organized by the Kenya Child Welfare Society. The day of the African Child represents a challenge to the society in Africa and beyond to address the immediate and future needs of every African Child a challenge embodied in the convention on the rights of the Child, the African Charter on the Rights and Welfare of the Child, and the Declaration and plan of action adopted at the 1990 world summit for children. The Kenya Government has accepted the moral obligation toward children contained in each of these documents.

The obstacles to child survival and development in Kenya today are formidable, Population growth continues to outstrip the current capacities to feed the people and particularly Children. Prolonged economic crisis, and

staggering foreign debt, and low commodity prices, and drought, have led to deep cuts in social programs, which are essential if children are to lead full and productive lives.

Africa continues to face challenges. Half of all Africans still have no access to basic health care, and today according to UNICEF, approximately 18 million people face malnutrition and starvation from famine and drought. UNICEF emphasizes that the day of the African Child is an occasion to broaden global attention beyond the "loud emergencies to the silent emergencies" beyond the crisis in Somalia to longer term challenges of human development.[32]

In 1993 the minister for culture and social services spelt out the government policy on the rights of the children. "All the children in the country are equal in the eyes of the government, and thus its effort to provide free education at a basic level of learning. The day of the African child is very important one because it is not always that children are noticed, much less an African child, a child who is faced with many problems such as hopelessness, hunger, diseases, civil strife to name a few."[33]

One third of the Kenyan population are Children, under the age of 15 years. The future of the country will be determined by, how they will be treated. So the Children's rights must be protected, from any form of exploitation. Children have to play, to shelter, to food, to education, to proper health care, a right to be taken care of by parents ,and to belong to a family.

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32   Ibid., P.110
33   Robert Irungu, P.10

PART TWO.

THE PROBLEM OF STREET CHILDREN AND PASTORAL IMPLICATIONS:

CHAPTER. 3.

THE PROBLEMS OF STREET CHILDREN.

3.1. *WHO ARE THE STREET CHILDREN.*

During the last two decades, particularly in the developing countries, rapid urbanization has led to an increasing of houseless population living on pavements, and public open space. The incidence of broken homes, child abuse, child abandonment, delinquency and destitution has also increased. Children in need of care and protection can be categorized as follows:

1. "A beggar child" is one who customarily indulges in begging, whither of his/her own volition or at the command of some grown up person.

2. "Street child" is one who spends considerable time living and finding livelihood on the streets, they essentially live there, having weakened or severed ties with their families.

3 "A destitute child" is one who does not have any apparent means of livelihood.

4. "An exploited child" is one whose labor is exploited by parents or guardians for financial gain or personal comfort, thereby causing a detrimental effect on the development of the child.

5."A depressed child" is one who suffers from emotional insecurity and psychological depression by virtue of his existential condition and social relationships. [d]

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[34] Pereira Bosco, "All you wanted to know about the streets and streets children", The Roofless Rootless, 1990. P.4-6

Street children are children of the street, who seek the street as their place of shelter, source of livelihood, and place of companionship. They have occasional or no contacts with their families for a variety of reasons: broken homes, maltreatment, neglect and abuse. Such children are largely, on their own and hardly have any material possessions. Large percentage of street children have had no schooling; most who went to school dropped out, even before completing their primary education.

Professor Shiundu, Academic Dean of Kenyatta University in his address to the workshop held at Ufungamano House Nairobi in 1994 says; "Street children are as neglected children sleeping on verandahs of shops in urban centers, in paper houses, in abandon trucks, open fields, market places, etc."[35] Street children are child workers on the streets, children living on the streets and children abandoned on the streets. Their source of food is dust bins. In most cases they engage in harassing people, guiding and directing cars, shoe shining, begging, thefts, bag-snatching, childhood prostitution, lethal fights, drug abuse, etc. They are exposed to total denial of basic needs of food, shelter, protection, and love. Street is defined in terms of their life style. They have been described as wandering, dust bin children, parking children, chockora, njugu njugu. These descriptions denote negative societal attitudes.[36]

The phenomenon of street children is almost world wide but prevalent in urban areas especially in the less developed countries. In Kenya the street children were initially identified in the late 60's as "PARKING BOYS" but the problem of street children began to be felt in the 1970's. The word "Parking" denotes the activity that these children were mostly engaged in, identifying and showing motorists empty spaces to park their vehicles and watching the vehicles to guard against thieves. The motorists usually pay the children some money for

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[35] Professor Shiundu John " Keynote Address" A Report of the workshop held at Ufungamano House, Nairobi: 27th Oct 1994 P.4
[36] Professor Shiundu John " The Status of Street Children in Kenya" Paper for a workshop, Nairobi: Oct. 1994 P.3

such services. The term "street children" gradually replaced "parking boys", mainly because girls also went into the streets to join the boys and both of them now engage in activities beyond just showing motorists where to park their vehicles.

Who is responsible for creation of street children? Clearly it is not their mistake they are on the streets. Nor are their parents responsible for their status. Rather it is today's social set up and the manner in which one has been brought up which are responsible. During the last two decades, particularly in the developing countries, rapid urbanization has led to increasing numbers of houseless population living on pavements, public open spaces or in improvised temporary constructions. The incidence of broken homes and child abuse, child abandonment and destitution have also increased.

All street children were not fresh migrants. While most had migrated with their families, some came to the city by themselves to make a living and to support their impoverished families, some including the very ones who had run away from their homes due to an intolerable environment arising from poverty, neglect, breakup of the family due to death or desertion, harsh working and living conditions and maltreatment. Some of the children who migrated alone were drawn by the glamour of city life.[37]

Street children hardly have a social status in the larger society, their existence is tolerated but not trusted, as their abode and background are not known. Many city dwellers would prefer street children not to be near their residential areas or places even though most of the children are not delinquent and are safe to deal with. Whatever their characteristics, the fact remains that street children are among the most deprived and marginalised, the worst

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[37]   Unicef, "Preparing Children to Participate in their Future, Report of the education for development Seminar for eastern and southern Africa" Oct. 1992, Nairobi, P.90-101.

placed being those children who do not have their own families or have lost contact with their families and are, therefore, unprotected. They live in a world of their own, alienated from the maintenance of life. They have to learn to cope with a wide rage of problems for their survival, problems which should have been the responsibility of adults. They are introduced to the harsh realities of adult life far too early. While they do develop survival skills and some degree of resourcefulness and self-reliance, their environment hardly holds out opportunities for access to social services and for the acquisition of education, skills, and the means needed for a wider choice of occupations and sources of livelihood.

> For the average person, the street children are juvenile youth who aimlessly roam the streets and feed on leftovers from dustbins. They are dirty, untidy and wandering children found to live and survive in the streets of towns and cities as though they had no parents or guardians to care for them. Social analysts describe this phenomenon as resulting from the inability of poverty stricken communities to care for their children .

In an attempt to seek better understanding of the street Children's root causes. It is necessary to perceive it in the context of the various contemporary issues such as added pressure applied on society by the structural adjustment policies, especially the effect of shifting the burden of costs for social services to the user. This is probably a major cause of school drop outs some of whom sooner of later find their way into the streets.

Undugu society defines, a street child as "Any school age child that is out of school"[38] This is probably, more pragmatic definition of street children. It is broad enough to include a variety of children who would qualify for street children. As matter of fact, poverty is the major factor contributing, the street

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[38]   Dollop Fibula, An Experience with street children, Nairobi: 1988, Published by Undugu society, P.11

children phenomenon, the gradual revelation is that these children may be largely victims of family conflicts and instability. Most of them are moved by Socio-psychological rather than economic factors from homes into the streets.. Specifically however, factors that lead children to the streets range from their potential inability to cope with demands brought about by rapid social change to instabilities in the family [39] They include among others crowded homes, poor family relations leading to child frustrations, poverty idleness and morally depriving environment. In fact it can be logically concluded that the adult society is fully responsible for the development of street children sub-culture. There are those street children with parents and relatives who could look after them but simply do not want to take up the responsibility. These are mainly part-time street children who come to the street in the morning to seek money, stay throughout the day but return home at night [40] These category of children are all coming from nearby slums like **Kibera, Mathare,** and nowadays we can see some children are in Karen market, they are all coming from near by villages and in the evenings they return back to their homes.

Another category of street children comprises of boys and girls who as a result of social conflicts and moral decadence have lost ties to any regular community and as a result live in gangs hopefully to satisfy their need to belong to a community. The rest of the street children are those who have been abandoned by their parents. The last two categories are relatively full time children who work and live in streets [41] "The rate at which children are abandoned in Nairobi alone is very high. The 1993 records for instance show that an average of 8-9 children were abandoned in the city every week" [42]

39   Ombaso, F. "Situation Analysis of Children and woman in Kenya": May 1992
40   Onyango, P.M. Crwa, K, Ayako, Ojwaf, and Kariuki:" A summary of a study of street Children in Kenya" Nairobi ,1991. P. 16
41   Onyango, 1991. P.18
42   Mwndwa, E "Street Children, Victims of Passive lip service." The Standard Focus, Wednesday 9th) 1994.P.10

3.2 BASIC CAUSES:

Among the major causes pushing children into especially difficult circumstances in Kenya are poverty, rapid urbanization and social disintegration, in particular the break up of families, In some cases civil conflict and political instability have contributed to their number. In addition, an absence of policies, and legislation designed to curb the escalation of vulnerability and to provide adequate protection to children.

In Kenya the law recognized the child's right to a standard of living adequate for his physical, mental, spiritual and social development. The same law punishes willful acts to deny a child adequate food, clothing, shelter or medical aid with a fine or with imprisonment. Such a law may be appropriate where parents or guardians, in situations of economic abundance, are clearly neglectful. But in situations of poverty it is unrealistic and at best theoretical: people in poor communities may be unable, economically, to provide life's basic necessities for their children. The majority of Kenyan children are in this situation. Kenyan law also provides for the protection of destitute orphaned and homeless children, chiefly through placing them in institutions. But the reasons why these children become trapped in especially difficult circumstances, for example growing urbanization and family breakdown, have received little attention.

The neglect of the underlying factors forcing children into difficult circumstances is a manifestation of the failure of existing child law to keep abreast of the social and economic developments within the Kenyan society, the law come to the aid of the street children ,this intervention has limited value, as long as political and legislative efforts, to address the Socio-economic conditions, which underlie the situation do not accompany it.

At present Kenyan laws and policies seem to operate in isolation from the realities of Kenyan society. Poverty in both urban and rural areas is a major underlying cause of disease and malnutrition among children in difficult circumstances. Poverty results chiefly from the lack of an opportunity to earn a living as a consequence of unemployment, or landlessness, or unwise government policies, resulting in an inequitable distribution of national resources.[43]

Poverty is a degrading human condition which may lead adults to despair and lose hope, to abandon their children, forcing them to tend for themselves. The number of street children for example, cannot be reduced on a long term basis without alleviating poverty at the household level. Later in the following chapters when I deal with the street children, I will explain about the causes of poverty which lead many children into the streets. Family breakdown also is the cause for the children to come to the streets.

Separation of parents, in modern Kenya, is caused by factors such as rural urban migration and hospitalization, imprisonment or death of a partner. All these situations lead to the single - mother phenomenon. Other situations contributing to this phenomenon include teenage pregnancies, extra-marital relationships, irresponsible sexual behavior, pregnancies arising from rape or sexual abuse in a domestic setting.[44]. Most young women and girls who find themselves as single parents are normally unprepared for their new lives, which involve many responsibilities. They normally set off for urban centers, with the hope of earning a livelihood, but they end up in situations which lead them or their children into the streets. "Thus single motherhood seems to be no longer a taboo but part and parcel of Kenyan society. The number of the single mothers is so overwhelmingly wide spread and rapidly growing that we notice the rapid

[43]   Unicef, 1992. P.11
[44]   Wachege, P.N , African Single Mothers, Socio Ethical and Religious Investigations, Nairobi: 1994, P.49-70

fading away of the attached traditional stigma and the great erosion of the shame attached to it".[45]

Family breakdown can lead to too much responsibility for one parent. This in turn leads to poor planning of family matters and non-observance of the basic duties that keep a family together. Children take to the streets as a clear option, especially in urban areas. Family breakdown also leads to increased poverty, especially in families of single mothers, who are disadvantaged by the inferior position to which women are often subjected in relation to property rights. Such poverty leads to a life in unsanitary environments like the slums of Korogocho, Mathare and Kibera, which are said to be the main origins of street children in Nairobi. This is a life without basic necessities with lack of education, or very poor education. Once more, taking to the streets becomes a real option for many children.

Apart from the single - parent situation, there are other factors which may lead a child into street life. These include child abuse (particularly of a girl), domestic violence lack of communication at home and at school and step - parent child abuse. Still other factors include very large families and families living in slum areas. A street family cycle is created when families emerge from those living in the streets already. Children in such situations lack the means of living in the society and are only left with begging as a way of earning a living.

Children who go to live in the streets, are in search of food, end up with bad habits and bad company. Some are seeking more open space, where they can have some" peace." Some are in search of an opportunity, to earn some money so that they can contribute to the home economy. Some are seeking new and "better" lives on the streets. Some are seeking new "families" (this may mean joining a street gang, which operate as a new family unit). Some take off in quest of an opportunity to take full responsibility for their own lives. ' Most

45   Ibid., P.105

street children are said to be in touch with their homes or families and usually go back to them in the evenings. It is said that only a few of them actually live on the streets day and night."[46]   ½,ㄱㄲ ʔʔ ʔ

3.3. *LIFE EXPERIENCE IN THE STREETS:*

The life of street children is an eye-sore, the sight is obviously pathetic. These are indeed neglected kids, playing around and running along open streets and dark alleys. They are usually sleeping under vehicles, in waste containers, scrap cars, on verandahs, covering themselves with waste cartons and polythene paper. Their sources of food are dustbins and refuse dumps. In real humanity what we observe and see of the status of street children, would make one think to do something, otherwise the whole essence of human life becomes question mark.

Street children fall within the broader category of children under difficult circumstances. Majority of street children move in groups and engage in various ethical and unethical means of earning money. These means include car parking, Washing and guarding, nagging for money and food, theft, robbery and snatching people or coercing people for money.[47] They are often involved in petty crimes such as pick-pocketing and breaking into motor vehicles. The female children get involved in prostitution quite early. Cases of rape and homosexuality have been reported among street children. Similarly, the children sometimes engage in lethal fights which are detrimental to girls and younger street boys. Street children both girls and boys are exposed very early to drug abuse and alcoholism and they risk becoming addicted to these antisocial and unhealthy practices.

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[46]   Undugu, <u>That Could Have been Me</u> Nairobi: 1992. P.18
[47]   Ombaso, 1992.

Whatever the case may be, what generally emerges from these experiences is that street children are 'training' in dangerous activities that will not only ruin their health and personality but also make them a great threat to society. They suffer on account of problems of the street; hunger, cold weather, malnutrition, police arrests, frequent fights, public harassment, various infections, effects of drug and sex abuse.   They risk becoming addicted to unhealthy practices and growing into adults with drug and alcohol problems; unhealthy bitter adults who do not have much respect for vital social institutions. One of the most disturbing off-shoots of street life is the developing of 'street families' where some of these youth live as husband and wife. This is essentially an abuse to the institution of marriage. There is sad evidence related to drug taking where a conception of certain drugs, for example paint thinner and crushed valium powder, is mixed and used to cook communally in the back streets. On such occasions the 'barbecue' turns into a night long orgy, actually a nightmare for the girls who are gang raped.[48]

The whole business of 'street children' is a social menace and potential bombshell. It is definitely a scare to people in all manner. It is threat to the well being and function of all social institutions and normal child growth and development. It is a problem that needs our urgent attention both collectively and individually. Street Children are also exposed to physical abuse and extortion by the older Children, adults . Sometimes there is violence over territorial rights, Rounding up by police on suspicion of being involved in thefts or other illegal activities is yet another hazard when they not only land in a linkup but also lose their money. Some Children have to seek the support and protection of local gangs to survive in a harsh adult world and learn the ways of street life. They tend to develop group identity, group bonds, and occasionally a spirit of camaraderie which, however imperfectly meets their emotional and psycho-social needs.

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[48]   Shiundu John, P.8

3.4. PROGRAMS FOR STREET CHILDREN.

It is important to recognize that the problem of street children is primarily the outcome of four major circumstances .

1. **Poverty** due to unemployment, underdevelopment, low uncertain income large number of dependents.

2. **Non-existence of a supportive social and economic structure** which can provide such children with opportunities for growth and development through facilities for education, training and still development.

3. **Rapid urbanization** leading to chronic shortage of affordable housing .

4. **Oppressive home environment or breakdown of the family.**

There are a few programs in existence which address the street child problem, most of which are run by Non-governmental organizations, NGOs. Certain religious organizations and individuals have also been in the forefront in establishing programs to help the street children. These include children's homes, rehabilitation centers, institutions, educational and training programs, shelter, health and nutritional programs, guidance and counseling programs, agricultural and other income generating programs. These programs are however inadequate. They tend to be remedial and supportive rather than preventive and developmental. They only serve a limited number of children, others especially girls have no access to them. Most of these programs have also been hit by the problem of cash-flow leading to the collapse of some.

The government - run programs are mainly institutional, approved schools, remand homes, which are very unpopular with the street children. In any case they are also hit by the problem of cash flow and growing mismanagement. in the subsequent pages I will say something about the Remand Homes.

I would like to propose some innovative and practical intervention programs for rehabilitation and developing the capabilities of street children.

1. Organizing income generating opportunities for street children and their families.

2. Providing information on jobs, income generating projects .

3. Providing credit and marketing facilities for the goods produced by street children and their families .

4. Promoting savings schemes.

5. providing residential shelters to those without homes.

6. Providing foster care to children who have no families or who have unsatisfactory home environments.

7. Organizing residential rehabilitation centers.

8. Opening centers for street children with bathing facilities, toilets, etc.

9. Opening informal schools with a curriculum that is different from conventional schooling systems which can help them to cope with their problems.

10. Trying to visit their families so as to settle the genuine cases or to send them to the school through their parents.

11. Providing access to health facilities and supplementary nutrition.

12. Providing counseling and guidance.

13. Meeting the child's needs for love, affection, care and security through counseling.

14. Mobilizing and training community volunteers.

15. Giving identity cards to street children thus protecting, from harassment by police and officials.

. 16. Organizing facilities for recreation

17. Organizing vocation training and skill development programs .

18. Providing legal assistance, Providing opportunities for socialization and interaction.

19. Organizing skill development programs like dramas, cultural dances etc.

3.5. *EDUCATION - SITUATION ANALYSIS IN KENYA:*

Since independence, Kenya has made significant progress in providing educational services. The combined efforts of families, communities, the government and NGOS have resulted in high participation rates in basic education, with a national enrollment rate in 1991 of about 95% at the primary school level, up from 50% in 1963. This percentage of enrollment is evidently gone down much. as a result of the high cost of education, school dropouts have increased.   Clearly national enrollment rates are no longer a reliable measure of achievement in the education sector. Because of the vast difference between the report of UNICEF and the Government reports. According to 1992 statistics there are about six million children below the age of six in Kenya. The overall participation rate in early childhood education has reached about 30% with significant variation across the country. In the 40 districts where the government has established district centers for early childhood education, enrollment has reached 50%. The participation of especially disadvantaged groups of children in early childhood education is still negligible. These includes street children, disabled children, children of refugees and children of urban slum dwellers. These are the same groups that are most vulnerable to malnutrition and disease and ultimately, to premature death. Integrating these especially disadvantaged children into existing and new early childhood education programs is matter of great priority.[49] Education has become very expensive and many children both boys and girls, are sent away from the schools due inability to pay the fees.[50]   Statistics shows that "of the 864,593 pupils who entered standard one in 1984, only 380,990 (44%) reached standard eight in 1991. The other 483,603 repeated or else dropped out, and the repetition and dropout rates for girls were higher than for boys".[51]

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[49]   Unicef, 1992.P. 93-98
[50]   Gichuru Joseph, "A New Phenomenon" The Voice, June 1993, P. 3-10.
[51]   UNICEF, "Education", Children and women in Kenya A situation analysis, 1992,P.97

3.6. REMAND HOMES:

There is evidence that the government and the public are aware and haunted by the problem of street children and yet they have not done much to address the problem. Children's remand homes, approved schools are under Children's Department in the Ministry of Home Affairs. Remand homes are temporary places of safety. Children, boys and girls aged 18 years and below, are committed to such places after they have been taken to court. But the children stay in remand homes awaiting further investigations and getting ready to go to subsequent institutions that may recommend, they be taken to approved schools or approved local authority or approved society. They can only stay in the remand homes for a maximum of 28 days. But in reality, some boys stay in side more than 2 years. In approved schools, children attend classes until they be sent back to the family or until they reach 18 years old. They continue with the education. But approved school are for children aged 14 years and below.

There are Ten approved schools in Kenya out of which nine are for boys while only one is for girls. This means that boys are graded according to education level, age offense and such other antecedents . For example the remand home at Kabete has a capacity of 80 to 90 children but in reality some times it reaches as high as of 400 boys ·· .

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52   Mudhai Fred, "Remand Homes, Temporary Places of Safety", East African Standard Society, Thursday, Sept. 21. 1995. P. 4-5

3.7. _EMERGING ISSUES AND CONCERNS._

My personal experience and the available documents reveal that Children do not choose to live in the Streets. The evolution of the street children sub-culture is not deliberate invention by the children. It is the prevailing Socio-economic situation. there is no evidence that the issue of street children has been given the serious attention that it requires, neither by society nor by the government. We may see the street children in severe problem, but in fact the sub-culture of street children is a problem for us all, government and society. The threat is imminent and we must face it. From what we see and read about street children several prominent issues emerge.

1. Our experience shows that we are yet to know more about this sub-culture, who belong to it and the activities therein. Similarly the reasons why children go into streets are yet to be known.

2. Most people say that the poverty is the main cause. If poverty is the key factor as it seems to be known, then rich are expected to meet part of expenses for basic services, such as education, health services.

3. The issue of policy is very critical. Although there is general awareness of the phenomenon of street children among the Kenyan public and the government, and its potential threat to the state security, there seems to be no clear policy regarding street children. Similarly there is no defined legal protection for them.

4. The existing program both public and private cannot adequately deal with the problem of street children. Awareness campaigns and rehabilitation programs have had some impact, but they cannot cope with the problem. There is also a lack of coordination among the bodies which run these programs and as a result many focus on the same or similar aspects of the problem, while other vital aspects are neglected.

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5. The State's attitude and contribution in the problem of street children is not very clear. Indeed, there are government- assisted institutions catering for destitute children, but these are inadequate and have had little impact. Government has the capacity to offer these children the basic needs for survival including free and compulsory education. With the appropriate group the government can implement the long awaited policy of 'free and compulsory primary education. The government is therefore morally bound to provide state protection for the street children and save them from any form of suffering and deprivation.

6. What is the public attitude towards the street children? What is the role of the society towards adults in this matter? Besides poverty, family and other social conflicts are partly responsible for this problem .Unwanted children and child rebellion are direct results of social decadence. Many members of the public encourage street childhood by offering them coins. They ridicule them, exploit and even harass them. The issue of street children indeed has not received serious address.

7. Despite the massive campaign on family planning, many people do not seem to have got the message. Children without clear and effective parenthood are still on the increase and they are likely to join the street culture.[53]

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[53]   Shiundu John, P.8

CHAPTER. 4

SITUATION OF CHILDREN IN KENYA:

4.1. STATISTICS.

The sub culture of street children has become a global concern. It is estimated that over 30 million children in the world are leading street life[54] In Kenya the number of street children was estimated at 115 in 1975. The number grew to 200 in 1976 and 400 in 1977. In 1989 it was estimated that there were about 3,600 street children in Nairobi alone, while the national figure was approximately 16,300[55] The 1992 statistics shows that area jump from 17,000.[56]. "The current figure of Street children is estimated to be about 30,000 in Nairobi."[57]

In 1990 Attorney General had requested the African Network for the Prevention and Protection Against Child Abuse and Neglect(ANAPPCAN), to study the situation of Street Children in Kenya. the study was completed in 1991, and three-part was submitted to the Attorney General. What emerged from this study was that Kenya was actually sitting on a time bomb with regard to street children.. The study used available information and considered age group 6-18 years, as well as the school average enrollment of 80 per cent , and the average drop-out rate of 40 percent. the study concluded that in Kenya as many as 3 million children could fall under the category gory of potential and actual street children, in any given year. Those in the streets were estimated to be 300,000 children."[58]

54   Unicef, 1992.P. 45
55   Onyango, 1991.P.18
56   Ombaso, 1992
57   Shiundu John, P.5
58   Dr. Onyango, Philista, "Address of Street Children" Hearing Street Children in Kenya": Nairobi: 1994. P.6

This is a very high rate of increase that definitely causes great concern. The Street Children are scattered in almost all urban areas and even small market places in rural areas. Contrary to the known rural-urban migration, recent studies have identified migration from big towns to rural markets by street children. The initial age range of street children in Kenya is 4-13 years, but there are increasing cases of the under and over that age range. More recent investigation give age range of 3-18 and others 2-20. A more accurate age is yet to be established.

Studies have also shown that street children come from diverse family backgrounds. A greater proportion of these children come from urban slums and poor families. Both parents may be alive but are in a poor and miserable economic situation, forcing children to prematurely leave the family for the streets to search for means of livelihood . The rest of street children are from single-parent families, broken families and from among orphans. Majority are fallen under this category. Most of the children found in the streets of Nairobi came from the slum areas of Kibera, Mathare Valley, Pumwani and Ngomongo [59], And have already been subjected to one or more form of child abuse such as malnutrition, health, parental neglect, child prostitution and child labor.[60] One of the main causes for Street children's problem is the expensive education. So Now I would like to say something about education

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59   Unicef, 1992
60   Mutiso, R, <u>A report on the urban Child. Case</u> Study National Presentation forum at Panafric Hotel, September, 1992, p.5

4.2 _PRIMARY EDUCATION:_

The government of Kenya has emphasized access to primary education as the principal means of meeting the basic learning needs of children in their formative years. The primary education provides the foundation for further life long learning and offers the best long term strategy for elimination illiteracy. In 1974 Government abolished tuition fees promoting a 49% increase in enrollment. In the second time in 1979 government free school link, due to this the enrollment increased by 23.3%. These events illustrate the financial constraints limiting participation in primary education in Kenya. "Also the statistics shows that of the 864,593 pupils who entered standard one in 1984, only 380, 990 (44%) reached standard eight in 1991. The other 483,603 repeated or else dropped out, and the repetition end dropout rates for girls were higher than for boys."[61]

The dropouts result from economic, Socio-cultural and pedagogical factors, including the inability to pay non-tuition fees. Lack of interest in schooling, poor health, cultural and nomadic practices and early pregnancies and early marriages. We can see generally that the desires of parents and teachers to see their children perform well in the Kenya certificate of primary education(KCPE) examination and thus gain a place in secondary school. This fact reflects both the competitive nature of education in the country and the limited chances of entry into secondary school. Also the results of late enrollment shows that lack of family resources or a need for child labor when the child is of school age, is particularly damaging for girls. Also most Kenyan social traditions discourage girls from competing with boys.

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61   Unicef, 1992,P.93-109.

4.3. SCHOOL DROPOUTS:

Among the causes identified for this decline of educational Interest are social and curriculum factors, including poor pedagogy, resulting from poorly trained teachers, inadequate supplies of teaching materials, and an initial and inappropriate use of Kiswahili as the sole medium for literacy teaching.

Training programs for teachers have been limited by inadequate funding and the number of teachers has fluctuated downwards because the terms of service were poor. Also lack of teaching materials caused for declining of literacy , also as a consequence of competing priorities at the individual household and national levels as well as a lack of appreciation of the value of literacy. Literacy, education has not received priority attention, either at the grass-roots level or in district development programs.

A number of factors determine the quality of person's education. These include a curriculum, the learning environment, the abilities of the teaching staff and the availability of appropriate learning and teaching materials. A person's education should also be relevant to his actual situation and experience that is it should be catered the person's needs inculcating skills and Knowledge which are appropriate to his style of life. The quality of the learning environment also depends largely of the creativity of the teacher in adequate training has serious negative implications for the quality of education.

Parents and communities bear almost full responsibility for providing school facilities and educational materials, because of their costs parents and community are unable to provide.

The 8-4-4 curriculum which is not used in all of Kenya' primary schools aims to provide a functional and practical education which will meet needs learners, especially the majority of learners, who will not advance beyond the primary level. Although the 8-4-4 curriculum covers many subjects its relevance to the actual situation and experiences of the learners depends on the ability of the teacher to make appropriate connections. When the teachers fail to relate learning to the learners environment, both the students and their parents loose interest in education , this is noticed in the number of drop-outs. Added to the problem the teachers are not well trained.

In Kenya's cities growing number of young people come from poor families who cannot afford to pay school fees, buy uniforms or meet the other demands of the formal school system. Informal schools have been sprouting up in response to this situation, most in slum areas. For example Sister Mary's primary school in Mukuru slum and the Don Bosco informal school for the street children in Ngara, Nairobi. There are 114 NGOs are working for street Children in Nairobi alone, (See the appendix). Because the government of Kenya is facing unfavorable economic circumstances it has embarked on structural adjustment programs intended to effect internal and external financial balances.[62]

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62   Unicef, "Education" Children and woman in Kenya Situation Analysis, Nairobi: 1992, P.109-110

4.4 *CHILDREN IN DIFFICULT CIRCUMSTANCES IN KENYA.*

After having seen the educational situation in Kenya let us get a view on children in difficult circumstances children are in especially difficult circumstances when their basic needs for food, shelter , education, medical care , or protection and security are not fulfilled, such children are at great risk of suffering malnutrition disease and possibly death, Unless their situation changes they may suffer ever grater misery and suffering. Disruptive social change is the principle cause of the growing numbers of children in difficult circumstances in Kenya and in other countries of the world. The rapid urbanization associated with Socio-economic- cultural and political transformation has resulted in numerous negative changes, disrupting the family and its traditional support system and weakening community organizations. Many parents are looking for non-existent jobs in the city end up poorer, with their children condemned to live in the overcrowded slums and in bad environments. Even in the rural areas children who are the victims of object poverty, frequent drought and famine. Besides these above mentioned categories other groups of children in especially difficult circumstances include street children, abandoned and neglected children, orphans, destitute and so on. All these groups undergo various forms of deprivation abuse or exploitation, and in Kenya, as in other parts of the world, they are on the increase.[63]

For this reason, the world summit for children in 1990 highlighted the special problems facing children in especially difficult circumstances and called for specific measures to eliminate them. In line with the recommendations of the world summit the national program of action for Kenya lists several strategies for assisting children in difficult circumstances, including enacting comprehensive children's act to regulate and protect the rights of the child, converting both the convention on the rights of the child and African charter on the rights of the child

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63   Unicef, 1992. P.111-112

into municipal law, creating effective and efficient institutions to implement child law and finally increasing the protection of children in especially difficult circumstances.

CHAPTER. 5

SITUATION AND SOLUTIONS

In the previous chapter I have spoken about Children's rights, needs, and their situation in Kenya, particularly the problem of street children and their situation . Now in this chapter I would like to concentrate on some important needs of the Children and offer some practical , pastoral recommendations. The important needs which I have chosen are , Family, Health, Education, Shelter and Environment, Criminal Justice, and Employment.

5.1. FAMILY.

"The family, in the ideal situation, is defined as the intimate relationship or union of a married couple which may or may not result in the conception, bearing and bringing up of children. This unit is normally referred to as the nuclear family. The view has been expressed that a responsible married couple must create the appropriate environment to conceive, bear and bring up children and that they should do this before bringing forth children. The definition of the family also includes the extended family, which is a common phenomenon in African cultures"[64] In this context, a family may be polygamous and at the same time include the smaller immediate community , and the larger community. The family also includes single - parent families, which are said to be the main origin of the problem of street children today.

If family is to remain together, it is necessary for that family to satisfy the basic needs of its members. These include food, clothing and shelter. Apart from ensuring the survival of its members, a family must provide a proper atmosphere for them to develop physically, socially. emotionally. morally, educationally and

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[64]   Philsta Onyango, 1994 "Anappcan" P.17

spiritually in order for them to live meaningfully in the society. When a family lacks or loses these fundamental elements of welfare, a break-down of the union will result, and the consequences are said to be the main cause of the problem of street children.

The traditional African family culture acted as a social security for members of a broken family, to the extent that there was no room for a large-scale family-related problem such as that of street children. The existence of this problem today is an indicator that such traditions are slowly being eroded by the modern culture of individualism.

"The problem of street children in Kenya first began in the early 1950s when the colonial system broke up families by imprisoning men and women or taking them away to concentration camps. The children were then left helpless, and they wandered off to the streets of Nairobi with the hope of finding some means of survival." [65]

Recommendations

1. Education in an institutional context is not a substitute for normal family life. Programs for street children, therefore. must focus on both the children and their families.

2. Families should learn to maintain good communication amongst their members as a way of preventing unnecessary family breakdowns.

3. The more vulnerable families should be empowered economically, to enab to provide provide an adequate care and protection for their children.

4. The State should ease the burdens of poor families by ensuring the availability of basic needs. These include free and compulsory primary education, reasonable and habitable shelter and recreational facilities.

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65   Anappcan. P.17

5. Fathers should be required to share in the financial responsibilities towards all the children .

6. Fostering and adoption institutions should be strengthened and promoted and able members of the society must provide homes and families for some abandoned children.

7. More care-giving institutions should be planned and established for homeless children. The basic aim of such institutions should be to rehabilitate children and then return them to their homes.

8. More family, social and community workers should be trained to work with such children and their families. Such workers should be properly trained.

9. Church can do more on this issue , the letters of Pope to the Families alone are not enough but the local ordinary can give more emphasis to promote the dignity of Families and Children.

10. On the Parish level, the parish priest can organize periodical seminars for the parents to educate and explain the duties and responsibilities of the parents towards their children.

11. Through the various associations in the parish the parish priest can organize the Family visit and counseling for the parents, especially for the single mothers.

12. The Parish priest can often visit the Families especially the families which are the difficult situations.

13. Poverty is the one of the main causes of family breakdown, so the parish priest together with his council can organize credit unions in order to help needy families to begin self help projects.

5.2. *HEALTH*

Street children are exposed to a large number of threats to their health, because of their lifestyle. Some of these are malnutrition, poor health, violence, sex abuse and substance abuse. These children not only look dirty, they also manifest health problems such as colds, coughs, skin rashes, cuts, and even ugly festering wounds. They have body lice, fleas and worms. Many children suffer poor mental health due to ostracism, lack of love, insecurity and emotional deprivation. To help cope with their lot, they soon involve themselves to the use of drugs.

Many street children, both boys and girls, are frequently abused. They are beaten and ill-treated on the streets and in the remand homes. They are raped by older street dwellers or adults in remand prisons. Some of them have contacted STDs and AIDS from adults and even tourists, sometimes even at birth. Most of the street girls contact STDs as early as eight years, and boys at as early as 13 years of age. Street children's access to medical care is limited due to their lack of finance They do not have information about where to obtain these services. In some instances health care is not provided due to the attitude of health workers towards these individuals. As a result, some even die on the streets from easily curable diseases. Some of the street children suffer severe disability due to injury inflicted by their drunk parents or other street children. Under the influence of drugs, some of them are involved in motor accidents that leave them physically disabled.[66]

Street children, due to ignorance, are sometimes not even aware that they are ill. Ironically, they cannot afford to fall ill, as they have to go out to make a living. It is a question of survival! Filthy environment, lack of proper shelter and exposure to extreme weather conditions further undermine the health of street

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[66]   Undugu, "Health" <u>An Experience with street children,</u> Nairobi: 1988, P.65-67

children. The primary health education and care services for street children are almost nonexistent. Young children are in need of nutrition, shelter, love and protection. Unfortunately, in some poor and unstable families, all these elements may be missing. Malnutrition is very common among young children in Kenya. There is a general lack of information on the kind of care that is provided for infants and young children in the very poor, unstable or single-parent families. Availability of this information would enable one to understand the underlying causes that are increasingly pushing younger children into the streets. A relatively new phenomenon to be observed on the streets is the arrival of children from fairly well-off families, who are running away from familial problems. In spite of the hardships of street life, these children do not want to return to their families. When forcefully united with their families they soon return to street life.

Recommendations

1. City health clinics should provide free health care for street children. Medical care must be accompanied by adequate counseling services, and follow-up action.

2. Qualified health personnel should be encouraged to offer free medical care to the poor, especially those living in very difficult circumstances.

3. CO-operation between government and NGOs should be strengthened, so that adequate health care services can be provided for street children.

4. It is necessary to improve primary health education and information services, especially on conception, family planning and protection from STDs and AIDS. This information should be targeted at the relevant groups of street children, youth, young mothers.

5. The Church can organize free medical services for the children tin the streets at least once in a month.

6. There are many Lions Clubs and Rotary Clubs are willing to provide the health services, so the NGOs can approach the clubs to get help.

7. We Salesians bring the street children to Upper Hill every Saturday for bath, and washing their cloths.

8. The Government can provide a health personnel, the NGOs which are working for these Children.

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5.3. *EDUCATION*

There were general consensus that education is the main instrument that can help rehabilitate street children into responsible and self-reliant persons. Most of the organizations involved with street children, therefore, have to integrate education into their programs of long-term rehabilitation. Furthermore, the right to education is enshrined in the UN Convention on the Rights of the Child. Every effort should be made to ensure that this right is given fulfillment under Kenyan law, especially in view of the fact that Kenya is a Party to that Convention. Besides, if children are given education and kept in school, considerably fewer children would find their way into the streets.

The curriculum for their alternative educational syllabus includes the following essential elements: basic literacy, numeracy, nutrition, some vocational training, socializing skill and moral values. Of necessity, these programs have to provide skills training to enable these young people to eventually play an economic and social role in the society.

The main purpose of these educational programs is not limited to imparting information of examination relevance; they seek to provide education that is relevant to the children's impoverished circumstances and to the need for them to earn a living. For the more capable children, most of these programs lead them on to regular schools, and in some cases they even provide support for university education. The interest accorded is based on an individual's capabilities and needs. It is noted with regret that there are currently more institutions and programs for boys than for girls.

The duration of these programs ranges from three to ten or more years. The more established rehabilitation programs have provided for three distinct phases - reception, rehabilitation and halfway-house. The kinds of skills training

provided for these children is varied. Boys, for example, have a choice of the following vocations: carpentry, electrical, masonry, mechanical engineering (turners and fitters), motor vehicle mechanics, tailoring, driving, welding and plumbing. the choice for girls is limited to the traditional final vocations of dress-making and secretarial training. On the whole, there are fewer institutes for the street girls.

Street children are either semi-literate or have never been to school at all, but, many have expressed a desire to study and become literate. Where this desire is met, they are very proud of what they learn. Many street children find it very difficult to participate in a regular classroom. Indeed, the schools too find it difficult to cope with such children, since schools have limited resources and untrained personnel. Such children present other problems as well, for example, the bad habits picked up by them on the streets, substance abuse and addiction, bad language, indiscipline, stealing, aggressive behavior. These make it difficult for these children to get along with other children in the classroom. The children from the streets tend to be academically backward and have a very short attention - span. Most street children find it difficult to adjust to mandatory school discipline. Well-trained, mature, and understanding teachers are needed in order to help these children make necessary adjustments, and make up for their lost-school - time. Unfortunately, the schools located in and around the slums of the towns have rather poorly trained teachers, often those who could not make it in other schools.

It is not easy to teach and rehabilitate street children. Additional effort needs to be expended to make lessons interesting in order to catch their attention and motivate them. Lesson plans that make an innovative use of art, drama and music will help; thus the teachers have to be equipped with additional resources, as well as more specialized training. School does not hold the interest of street children for a long time. Educational programs need to be

supported with additional resources, like health workers and counselors. Most street children are sick, malnourished and infested with lice and worms. A few of them have STDs and test HIV-positive. Most of them need immediate medical attention in addition to food, shelter and human solace.

Education can only . when they are ready to trust the field workers. This has to be followed up with regular medical check-ups and counseling. Once the children are taken on, there is need to keep a close eye on their movements to ensure that they do not get lost in the city on the way to school. It helps to have a school that is not too far from home, and an informed and willing mother who helps to keep track of the children.[67]

After placement there is still the need for continued follow-up on the children, both in school and at home. It has been found that street children take quite some time to settle into the disciplined routines of school after leading a self-directed life on the streets. The follow-up also offers support to the school authorities and the parents. Boys adapt to their school environment more easily than girls.

A number of girls, due to their street experience, easily find their way back into the streets. It is helpful for the non-Formal school authorities to work closely with the police, so that when the latter find the children loitering in the streets, the children are brought back to the school instead of being locked up in police custody.[>]

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[67]   Unicef, 1992. P.93-100

[63]   Anappcan, 1995. P.26

Recommendations

1 . Any educational programs designed for street children must be flexible. It must be an integral part of the child's physical (health, food, shelter), psychological (love and security for balanced development) and sociological (identity and sense of belonging) needs.

2. Essential components of this program should include literacy and vocational training with a strong - skills, training that makes the child a self-reliant, productive and responsible citizen.

3. Basic education should be made compulsory and free, and alternative education programs for the street children should be designed.

4. The schools should see themselves much more in terms of their community function. Teachers should see their role as central to the world of the child, both inside and outside of the school.

5. Studies should be carried Out to evaluate the relative efficiencies of the various educational and rehabilitation programs as a basis for improving the quality of service provided.

6. As we have seen above the poverty is the main cause for lot of school dropouts so the government should promote free and compulsory education at least for primary education.

7. We Salesians help these children who are unable to continue their studies. every year we stage a play in order to collect money. This project is called "Bosco Reachout".

8. More informal schools should be encouraged by the Government so that the minor expenses like uniforms and building funds can be reduced.

5.4. *SHELTER AND ENVIRONMENT*

While underlining large-scale poverty as the primary cause of the street child phenomenon, Kenya's present stage of social and economic development is marked by an extraordinarily high urban growth rate (about 8 percent) annually, and this position is unlikely to change until some time in the next century. Fertility rates are at present quite high (at 6 - 8 children per average family), both in the towns and in the rural areas. Within the urban areas there is pressure on land, and many families cannot afford to live in environmentally-safe dwellings. Hence, many families have been forced into slums. Over-population in slums has been enhanced by urban migration, which mainly involves children in search of job opportunities. It is estimated that about 50 percent of the population of Nairobi are slum dwellers. 'Many are mainly rented which are owned by absentee landlords. These landlords seek maximum returns on the most limited plots of land the houses are tiny, crowded and lacking in normal amenities.[69]

The bulk of the population of the Nairobi slums is made up of women and children, who are unable to meet the cost of residing in more pleasant areas. A number of them are single mothers with several children. Slum houses are invariably tiny in size, generally measuring no more than 9 meters square. These houses are usually inhabited by 10 - 15 persons, who use the single room for living, cooking, eating and sleeping. There is no condition of privacy for family living. There is no space for relaxation. There is no proper ventilation. There is no sewage system. 'there is hardly any space between one house and another. There are no safe passages between the buildings, especially at night. There is no easy access to these houses from the main roads. Such a shelter is pernicious to the safety and welfare of children. They cannot live in a relative comfort. They are permanently subjected to filthy conditions and undesirable

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69   Unicef, " A Situation analysis" 1992. P.109-111

associations.   They have no leisure, as there is no space for any kind of sport or outdoor recreation. They cannot walk about in safety as often they come face-to-face with criminals and violators who take advantage of the difficult slum areas. These environmental conditions, taken together with such other short comings such as lack of food and lack of access to ordinary social welfare have forced numerous children into the streets of the city center and the more fashionable suburbs.[70]

As long as slums remain a common aspect of urban shelter, more and more children will be forced into the streets. Not only will these children be unable to enjoy normal family life and to benefit from ordinary social welfare, but they will also become a problem for other parts of the city. They will outstrip basic infrastructure capabilities and constitute an entirely different kind of danger or source of insecurity. The slums themselves form a major problem as regards the possibility of their eradication. Measures to eradicate slums have flopped because of market realities. It costs substantial sums of money to initiate major building works to replace slums. The new houses invariably become much more expensive than slum dwellers can afford; hence, they end up seeking new slum sites rather than taking advantage of the improved dwellings. Measures to eradicate slums also fail because of an inability to relocate the many slum dwellers during the period of reconstruction.

Considerable numbers of elderly women, refugee women, disabled and battered women live in low-income areas and in slums. These categories of women are in a state of handicap regarding their responsibilities as home-makers and providers for the family. They are usually accompanied by considerable numbers of children with whom they mainly stay at home; thus, they are subjected to the environmentally-harmful home neighborhood. The children, who are more able-bodied, frequently find their ways into the streets,

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70   Unicef, 1992.P.69-70

where they live from begging and other disreputable engagements. They should be helped to be self reliant and to gain access to a legitimate mode of living.

Recommendations

1 . The street child problem requires that it be managed by long-term measures. This approach should place emphasis on imparting of education and literacy,

2. In cases where it is necessary to resettle street children.. More assistance should be given to the mothers of such children, to enable them to create conditions that are conducive to children staying at home rather than straying into the city's streets.

3. As the majority of street children come from a home, urgent measures should be taken in urban management and resettlement interventions aimed at improving the living environments of street children.

4. There is an urgent need for initiatives bringing together in collaboration with NGOs and local and national authorities.

5. The Church is interested in the poor and abandoned Children, Our Cardinal is very concern about these street children. He has been trying to CO-ordinate the Groups which are working for these Children. He has given 13 acres of land to the Salesians for this project.

6. The Church can insist more on this issue to the Government to set apart lands, money, personnel, programs, for these Children. Government can offer a free land for the landless families so as they can build their own house and they may cultivate.

5.5. *CRIMINAL JUSTICE*

The law that establishes the ways of dealing with children who come into conflict with the criminal law is the Children and Young Persons Act, (1960) (Chapter 141 of the Laws of Kenya). This law establishes the Juvenile Courts and sets out provisions on how children are to be dealt with in court. It was noted that most of the children appearing before this court are street children (in the case of Nairobi). There are mainly two types of cases that come before these courts: Criminal cases, which are usually petty theft cases, and cases where children are alleged to have engaged in delinquent tendencies and are therefore in need of protection or discipline. The police are said to arrest these children on sight, even when they have not committed any offense. This indeed is a negative picture because the presence of the police should be a sign of protection rather than a source of terror. The children, while on remand, are said to be mixed up with adults and hard-core criminals, who subject them to all sorts of abuse. 'There are very few remand houses for child- offenders, and the few are said to be in a poor condition. As a result the officers involved do not even think twice before remanding these children with adults.

The approved schools. were set up with the aim of rehabilitating the children back to normal social life, but they are said to be run on principles that have little room for the welfare of the child, and as a result they have failed to rehabilitate a large number of the children admitted there. Indeed, some of the children are said to have run away from these schools and back to the streets, where they feel safer.

Recommendations

1 .There is a need to review the penal laws affecting children.

2. The adversarial system as regards children should be replaced by an inquisitorial one with family courts setup to investigate not just the case, but the child, in order to fully appreciate the individual circumstances of each child.

3. Approved schools and remand homes should be improved and restored so as to serve as true agencies of rehabilitation for children.

4. More Juvenile Courts should be set up to deal with children's cases.

5. When the Police arrests the children instead of beating and put them in the custody, they can bring them to the rehabilitation centers , like Don Bosco's.

6. The Church can have understanding with the Government to collect boys from the court and the prisons.

7. The Remand homes and approved Schools can be given to the religious organizations who are interested in taking care of street children.

8. The Police and Officers can have a periodical seminars on how to handle the street children, and where they have to take them soon after they are arrested.

5.6. EMPLOYMENT

The active migration of people in general and children in particular from rural areas to urban areas, and even within urban areas, has caused exceptional crowding in the slums. Such migration has been caused mainly by the search for employment. The imperfect distribution of means of sustenance amongst the population, and the high rate of population growth have compelled disadvantaged children to wander into the streets in search of some kind of employment. Street children are in many cases the children of a parent or parents who have no proper employment. These parents are not in a position to satisfy the basic needs of their children. Such children rarely go to school; they are ill-fed, ill-clothed and inadequately sheltered. They have no access to basic social amenities, and the streets thus give them a practical option.

Kenya's economic sectors are not sufficiently developed to fully provide for the country's large and rapidly growing population. There are many pockets of extreme poverty all over the country and in particular in the urban areas. A major factor in this scale of poverty is joblessness. The public sector is not able to employ all graduates from the universities, colleges and schools; even the private sector can absorb only a limited number of these graduates. A good number of young people are engaged in the informal sector, where they use their skills to make commodities and items that have sufficient market value.

Education and training is not universally available for the public, private or informal sectors. The very poor, especially those living in the slums, cannot pay for their children to acquire such education and training. This leaves many children idle, and, given the misery, and hopelessness in which many of such children live, especially in the slums of the urban areas, they trickle into the streets, and they engage in all kinds of marginal or even disreputable employment. In most cases they engage in garbage collection (for recycling),

hawking, vehicle parking, car washing or toy-making. Experience shows that a number of serious initiatives have been undertaken in the interests of street children. "In 1993 the Chokora CO-operative Society was set up for the purpose of managing the collection of garbage for recycling. Its members are children and the proceeds are invested for these children." [71]

The national approved schools have, over the years, housed children and provided them with marketable industrial, technical and vocational trades. Valuable private initiatives, such as the Don Bosco Boys' Town and the African Housing Fund; have been set up for the purpose of giving accommodation and training to children taken from the streets. The Don Bosco Boys' Town has established projects for vocational training for street children in the slum areas of Mukuru, Kibera- Laini Saba, Dagoretti, Kiserian and Ting'ang'a. These projects provide training in masonry, carpentry, joinery, welding, tailoring, motor mechanics and electrical. The skills gained have enabled them to become self-employed persons: find employment in the public and private sectors,

Recommendations

1. The social welfare of children should be assured by all people, Major programs should be initiated for the children who live in slum areas, especially with regard to opportunities for health care, education and training.

2. Appropriate arrangements should be made for the training of street children in industrial, technical and vocational trades.

3. More cross-sectored co-operation should be initiated for the establishment of appropriate institutions of accommodation, education and training for street children.

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[71]   Anappcan, 1995.P.36.

4. Those street children who gain marketable skills, but are in their work through lack of equipment, should be provided, at public expense, with essential hand tools and machinery;

5. The general public should be sensitized more and more to the problems of street children.

6. Kenya has been facing an employment problem, it is impossible to find job for everybody so the Government can promote self help projects, and more people can be trained for these type of projects, like _jua kali,_ and Agricultural training, and so on

7. Government and Banks can come forward confidently to offer loans for self help projects.

8. Religious groups which are working for these children can jointly plan for the program for these Children.

9. Street Children can be trained more on technical line rather than academic, if a child shows interest in the academic studies he can be helped.

CONCLUSION ,

-> I have attempted to review the status of Street Children in Kenya, and to have highlighted the key issues that are emerging from my experience and Research point of View. The Vital message however is that the child survival cannot stand alone. The Child does not exist in the vacuum. The Society has to play a very important role to rehabilitate these children. The Government has a duty and obligation to do something urgently for the welfare of the street children.

Because the problem of Street Children is a potential time bomb, if this poblem is not considered seriously, Kenya will be facing a big problem in the future. Although I have 4 years of **experience with these Children**, I mostly depended on the other materials, like **Undugu Society, UNICEF publications, Nation, Standared News papers** and other materials from the **Nairobi University**, because they have a larger and wider experience with these children. Since I am going to be with these children as a priest,I took more interest to know more about the other organizations' approach towards these children so as I can learn from them in order to help these Children in the future.

As I have mentioned in the previous chapter, there are more than 114 organizations taking care of these children in Kenya. Most of them are working in Nairobi alone. There are more than 30,000 Boys and Girls in the Street of Nairobi. Don Bosco Street Children's Project is also one among them. I would like to say something about our work with these children.

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This project was begun in 1990 in Nairobi, in the place called Kariua near the Globe roundabout. Now the center accommodates around 80 boys. We take care of only boys whereas our Salesian Sisters take care of girls. The Center for Girls is situated in Ngong, and it is called Simba Village.

In Kariua there are 3 teachers staying with the boys whole time and taking care of them. Once boys come to our place they stay with us . Two more teachers are coming during the day time in order to teach. Since it is an informal set up   teachers   give them only the basic education. This   center is considered as   A reception center for the street children. From here Boys are chosen for Savio center in Karen.

There is an another Center in **Karen Langata** for the street children. It is called **Savio Center.** This is the second phase of our project. There are 30 boys staying here , and most of them are going to the St. Mary's Primary School in Karen. A few of them are staying back in the Center in order to learn technical trades. From here boys are chosen to go to Don Bosco Boys' Town for further technical training. At present there are 8 boys learning trades in Boy's Town. This is the third phase of our project. From here boys try to settle in their lives.

OUR APPROACH TOWARDS THESE CHILDREN:

We as Salesians follow the method of our founder Don Bosco, "Love the boys, it is not enough , but the boys must know that they are loved" Don Bosco used to say. He has taught us a new method that is " The Preventive System". Which means a Salesian is always with the boys as a friend and as a guide, so as to prevent them from committing sin and from all moral dangers. We follow this method.

Our approach to these children is that in the first place we contact them in the streets and have a rapport and create   confidence and trust. Then we bring them to the center in Kariua. When the boy reaches the center, he is taken care of. We try to give him basic education, on religious, moral, physical, social, and academic levels. Every Saturday boys are taken to Upper Hill,   our headquarters, for a Bath and to wash their clothes, because the center in Kariua

lacks water facilities. Meanwhile we try to find out the background of the boy. If the boy wants to go home, we take him back home.Generally most of the children are from broken families, especially from single Mothers.

Also boys are brought from juvenile courts, and also from Prisons, and remand homes. These children are mostly in need of LOVE, CARE, and SECURITY. Experience tells us that food , clothing, shelter, are all secondary, because they are used to getting food from the streets, even from the dustbins. They can wear any type of clothes, they can sleep anywhere in the pavements. Once they realize that they are loved and being taking care of, or that someone is interested in them, they change their attitudes, and they become good. It is very sad to know that still society sees them as Dangerous criminals. If the society knew that they are the victims of social sin, then the societies attitude towards them would change.

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APPENDIX

NON GOVERNMENTAL ORGANIZATIONS - WORKING FOR THE STREET CHILDREN.

I.   Action Aid

2.   Aids Orphans Support Organization of Kenya (ADSOK)

3.   African Housing Fund

4.   AMANI

5.   AMREF

6.   Ananda Marga Mission

7.   ANPPCAN Kenya Chapter

8.   Urban Family Development Programme   .

13.   Childlife Foundation

13.   Children for Change

14.   Child Life Foundation

15.   Child Rescue Programme

16.   Child Welfare Society of Kenya

17.   Christian Women Works of Charity

18.   Church Army Africa

19.   Christian Children's Fund (CCF)

20.   Christian Works of Charity Foundation (CWOCF)

21   Dagoretti Corner Child Care Centre

22.   Dorkas Aid International

23.   Drug Abuse Education Programme Kenya

24.   Disabled Child Monitor

25.   Development Alternatives Network (DAN)

26.   Eldvale Homes

27.   Epidemiology and Diseases Control

28 Family Planning Education   *me*

29. Family Support Institute

30. Feed the Children

31. FE

32. FIDA Kenya

32. Food for the Hungry International

33. Foundation for Sustainable Development in Africa (FSDA)

34. Forum for African Women Educationalists (FAWE)

35. Gender Sensitive Initiatives

36. Genesis Youth

37. Goodhope Pilot Foundation for Street Scouts (CDC)

38. Green Africa Society International

39. Ghetto Child Foundation

40. Handicapped Community Action Centre

41. International Childcare Trust

42. Imani Rehabilitation Agency (for street children)

43. International Development Research Centre

44. Interlink Rural Information Service (IRIS)

45. Islamic African Relief Organisation (IARO)

46. Islamic Foundation

47. Kenya Alliance For Advocacy and Chddren's Rights

48. Kenya Anti-Drug Misuse and Juvenile Delinquency Organisation

49. Kenya Aids Society

50. Kenya Association of Youth Organization

51. Kenya Association for Retired Officers

52. Kenya Association for Professional Counselors (KAPC)

53. Kenya Family Development Association (KENFDA)

54. Kenya Girl Guides Association

55. Kenya Street Children Organization (KESCO)

56. Kenya Muslim Welfare Society Neglect Organization (Kachano)

57. Kibera Young Youth

58. Kwetu Home of Peace

59. Kenya Scouts Association

60. Kenya Medical Women's Association

61. Kenya Children Fund Trust

62. Kenya Women Fellowship Association

63. Kenya National League of Disabled

64. Kenya Youth and Habitat Organization

65. Kenya Anti-Rape Organization

66. Koinonia Street Children

67. Maendeleo ya Wanawake Organisation

68. Maridadi Kangemi Resource Centre

69. Maryknol

70. Mathare Street Children

71. Mazingira Institute

72. Mbaga and Associates for Jua Kali Action

73. Mukuru Promotion Centre

74. Mukuru Street Children

75. Nairobi Cares for Children

76. National Cooperative of Housing Union

77. National Council of Churches of Kenya

78. National Nurses Association of Kenya

79. NGO Council

80. Ngong Family Development Project

81. Our Lady of Mary Youth Group

82. OXFAM-Sudan

83. Pandpieri Street Children Programme

84. Pangani Street Children

85. People for Peace in Africa

86. Plan International

87. Prisons Fellowship

88. Provide International

89. Recreational and Sports Evangelism

90. Rescue Dada Centre

91. Riruta Street and Needy Children's Centre

92. Salvation Army Children's Home

93. Shelter Children Advisory Network

94. Simon Peter the Rock Children's Home

95. Sinai mission and Youth Centre

96. Sinerga-Kenya Branch

97. Shangilia Street Theatre

98. SIDA

99. Starehe Boys Centre

100. St. Martin's School Kibagare

101. St. Charles Lwanga Street Children Project

102. Sober Youth Organization

103. The Good Samaritans Committee

104. Terres des Homes

105. Undugu Society of Kenya

106. Watoto wa Lwanga Project

107. Westland's Children's Mission

108. Wezesha Watoto Wa Kenya Limited

109. Widows and Orphans Welfare Society of Kenya

110. Women Federation for World Peace

111. Word of Life-Kabete

112. World Outreach

113. World Vision

114. Don Bosco Rehabilitation Center (Cf. Hearing of Street Children 1994.)