

Children's involvement in government policy and budget analysis

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Children's right to participate in decisions affecting their lives is highlighted by the new Children's Act.¹ The Act came into effect in 2010 and provides a new imperative for government to engage actively with children in the formulation, implementation and monitoring of policies and laws to ensure that these contribute to children's best interests. Similarly, the United Nations Convention on the Rights of the Child (CRC) places an obligation on states to ensure that children actively participate in governance and are not merely passively governed.²

Democratic governance is ideally the engagement between the public and government to ensure that rights are realised. It is the translation of rights into laws, policies, programmes and services, and related budgets. Active participation in governance includes people's involvement in processes such as the development of laws, policies and budgets. This participation process requires that governments should listen to, and act on, the views of the public in order to deliver more effective services.

Engaging children in expressing their views on issues that impact on them is crucial to ensure that only the best quality services are provided for children. More importantly, the parti-

cipation of children in governance processes is essential to the recognition of their rights.

Given that government is the highest level decision-making body that affects the lives of children, are they doing enough to involve children in governance? Not many genuine opportunities have been created to facilitate children's involvement in governance in South Africa. The language of policy documents and budgets is one of several barriers that inhibits children's engagement; yet a number of local initiatives have supported children's meaningful participation in democratic governance.

The essay addresses the following questions:

- Why should children be involved in governance?
- What are the opportunities for engaging children in governance in South Africa?
- Which child-oriented techniques build governance knowledge and skills?
- What are some of the challenges for children's participation in governance?
- What is needed for decision-makers to take children seriously?

Why should children be involved in governance?

Children's involvement in governance processes has a range of benefits. Taking children's perspectives and priorities into account during service design and delivery is essential if services are to become responsive to children's actual needs. Listening and responding to children's expressed needs can improve their situation. And children can acquire the knowledge and skill through participation to take action to promote and protect their rights.³

Children are able to be active members of society when they are supported with knowledge and skills. One such initiative is the Children Participating in Governance projectⁱ of the Institute for Democracy in South Africa (IDASA), where children were able to achieve many successes and benefit in many ways:⁴

I learnt that children do have a voice and that there are people willing to listen to us ... I learnt to use my power I have as a child and I've become confident around a lot of people.

Personal journal of child participation peer facilitator,
Western Cape, 2006⁵

The children assessed the National Budget of 2006/7 and contributed to a budget brief that was published on the internet. Following their experiences in the project, representatives from the Life Hunters group in KwaZulu-Natal, one of the participating children's organisations, successfully advocated for a child-friendly Integrated Development Plan in Port Shepstone. As one of the child facilitators reflected on the process:

I didn't expect to learn so much about how government operates and how the country's budget links with children's rights...

Personal journal of child participation peer facilitator,
KwaZulu-Natal, 2005⁶

Focusing on the experiences of children is an investment in both the present and future. When children's inputs are valued and their worth acknowledged, it impacts directly on the development of their capacities and the quality of their lives. They are empowered to act as good members of society while they are young and develop the political experience required to participate in decision-making processes.⁷

What are the opportunities for engaging children in governance in South Africa?

Parliament has recognised that current public participation processes have to be improved to ensure that all sectors of society are reached.⁸ This includes children – an important sector that is often ignored, perhaps because children do not have the right to vote. But there are also other complex and interwoven reasons for excluding children. These relate to conceptions of childhood, patriarchal and authoritarian societies, as well as preconceived ideas about children's capacities for governance.

As was discussed in the rights essay on pp. 22 – 29, a number of South African laws, policies and structures specifically promote the right to participate in governance. For example, the Local Government Act⁹ provides for local communities' right to participate in the decision-making processes of their municipality, and this includes children.

Case 4: How Zoleka's recommendation changed the law

Lucy Jamieson (Children's Institute)

Zolekaⁱⁱ (15) heard about virginity testing and the Children's Bill at a conference for street children. She was concerned that young girls identified as virgins in her community were often abducted and forced into marriage. With the help of a local organisation, she wrote three case studies describing how these young *amakoti* are often forced to have sex with their husbands, beaten and deprived of an education.

The Children's Institute gave her information on the laws on marriage, which stated that people who forced children into marriage could be fined a maximum of R200. Zoleka claimed that this was insufficient penalty for ruining a young girl's life. She recommended people face a heavy fine or a

long prison sentence. Working in partnership, the young girl and adults wrote a submission on the Children's Bill. The motivation for changing the Bill included case studies in Zoleka's own words, whilst the recommended amendment to the Bill was written by legal experts in technical language.

The Children's Institute paid for Zoleka and a caregiver to visit Cape Town to present at the parliamentary public hearings. The head of the Human Rights Commission described Zoleka's testimony as one of the most powerful submissions he had ever heard. The Select Committee on Social Services adopted her recommendation and now people can be imprisoned for up to 10 years for forcing a child into marriage or engagement.

i This project aimed to build knowledge and skills of children aged 12 to 18 to monitor government budgets for the realisation of children's rights. See: www.idasa.org/our_products/resources/output/reflections_from_childrens/?pid=imali_ye_mwana.

ii Not her real name.

Yet challenges – such as limited participation opportunities and government’s inability or reluctance to translate children’s views into policy debates to shape laws and services – often prevent participation rights from being realised in a meaningful and genuine process. Visits to Parliament will only be valuable when children influence the development of laws to enhance the quality of life for all children. Yet Parliament’s efforts have mostly been limited to inviting children to visit on Youth Day or on the Day of the African Child as observers of parliamentary processes. This clearly is not enough when children are expected to be active participants in – and not passive observers of – the parliamentary process.

Even when children have been invited to make representations to the legislature, their views are rarely taken into account in developing laws. For example, there is no report on the 2005 Youth Parliament. In fact the event is not even recorded in Parliament’s annual report.¹⁰ Only a handful of members of Parliament attended for the entire duration of the event; during which a group of adolescents were asked to comment on the draft Combating of Trafficking in Persons Bill.¹¹ As there was no report, their voices were lost long before the Bill was sent to the portfolio committee for consideration years later.

Despite these problems, there have been some examples where children have shaped the development of laws through submissions on the Children’s Bill (see case 4) and the Child Justice Bill. These engagements have mostly been facilitated by non-governmental organisations.

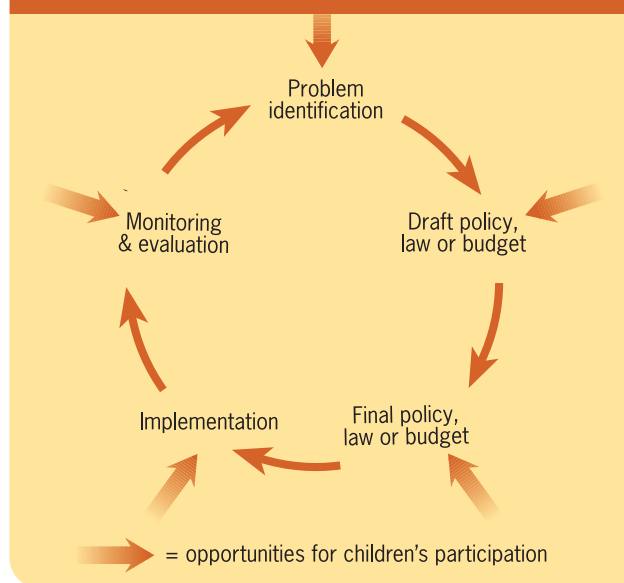
For governance processes to address children’s needs and concerns, there must be meaningful participation by children at each stage of the process – from the initial identification of problems, through the drafting and implementation of policy, to monitoring and evaluation (see figure 2). Depending on the length of the process, one set of children may be involved in the entire cycle or a single step.

Public participation in the first phase of this process involves sharing information and exchanging views about how a particular problem is affecting children’s lives. Here engagement with children, if we accept the current adult paradigm, could take place through informal discussions, surveys, focus groups or workshops.¹²

In the drafting of policy, law or budgets, children could engage directly with local government ward committees or influential officials who draft policy; forward suggestions to Treasury for budget policy formulation; send petitions or make submissions to public hearings in Parliament.

Children, however, may have their own preferred formats of engagement with influential adults. For example, in a UNICEF roundtable on children’s participation,¹³ children valued organisations that support them with child-friendly and accessible information, and recommended that engagements at local government level

Figure 2: Opportunities for children to participate in governance processes



address their immediate concerns. These processes should strengthen consultation and shared decision-making by taking children’s views into consideration during the formulation of laws and policies.

Shared monitoring of development plans, implementation and outcomes is also essential to ensure that the policy, law or budget has indeed improved services for children or impacted positively on their lives. Children’s views could be tapped through questionnaires, interviews and focus groups, if adult monitoring tools are used.

Which child-oriented techniques build governance knowledge and skills?

Due to the level of abstract and conceptual engagement required, the Children Participating in Governance project involved children between 12 and 18 years old. It was also important that the children were already committed to trying to improve their communities from a child rights perspective.

Co-creation of activities and peer-facilitation model

For the first two years, the project focused on training 25 peer facilitators. They developed and shaped the training activities in preparation sessions, and then implemented the activities with their own constituency groups. In total approximately 100 children were involved in the project. From the second year, the peer facilitators were involved in budget analysis. One group of children also participated in local government processes.

The training activities were structured into three modules:

1. *Linking budgets and rights* introduced the concept of progressive realisation of children’s socio-economic rights entrenched in the South African Constitution and the process for

the division of revenue between national, provincial and local government. Sessions included: understanding rights, progressive realisation, household budgets, and how government works.

2. *Budget analysis as a monitoring tool* introduced budget analysis tools and visits to community development projects to analyse their budgets. Sessions focused on: understanding the integrated development planning process, organisational budgets, basic budget analysis tools, personal experiences of rights and empowerment.
3. *Developing a strategic budget advocacy campaign* introduced a range of advocacy strategies and included attending a meeting of Parliament's Joint Monitoring Committee on Finance. Sessions covered: advocacy concepts and strategies, engaging in the budget presentation process in Parliament, preparing responses to the budget, and planning an advocacy campaign.

As children are often valued least in society, it is particularly important to build children's trust that their views will indeed be heard and respected.¹⁴ Children are often sceptical of processes run by adults, which may affect their willingness, for example, to express opinions. The project's training activities therefore took into consideration the different cognitive levels of the children and adults recognised the prior knowledge that children bring to the process. Affirming this knowledge helped level the playing field between adults and children.

The project also made sure that children were valued and their experiences and needs catered for. For example, many children needed support to attend training workshops held in venues far from their homes, because surroundings were unfamiliar and they did not necessarily have the skills and knowledge to be safe.

Using games in children's workshops

The language of governance is very complicated to share with children, so novel ways were used to break down the technical language of rights, policies and budgets. The adult and child facilitators developed games such as treasure hunts and puzzles to explore these. Experiential learning techniques such as role plays and community project visits were also valuable. These techniques were recorded in a training manual¹⁵ and tested by peer facilitators. By the end of the process, when the children were asked to watch the budget speech in Parliament, a child participant noted:

...since we now understood everything, it was easy for us to just sit down and listen, but this time we understood what was being said.

Personal journal of child participation peer facilitator,
Western Cape, 2005¹⁶

As the Disabled Children's Action Group (DICAG) was a project

partner, it was necessary to adapt the materials to accommodate different levels and styles of learning. Facilitators worked in small groups with children with similar cognitive abilities. Some members in the DICAG group struggled to concentrate for long periods and did not do well with discussion as a method for learning. They fared much better with role play and drawing. Much more preparation was needed – as well as plenty of patience. But this customised approach was more empowering than the “one size fits all” option. This group's experiences were reflected in a IDASA policy brief for inclusive education.¹⁷

What are some of the challenges for children's participation in governance?

Meaningful and genuine participation in governance can take place only if children are treated with respect, and if there is a willingness to listen and learn from them, and to understand and consider their views. Adults are however hampered by their limited understanding of what children's participation is and a lack of knowledge on how to involve children. Arguments against the participation of children tend to focus on their lack of competence or experience. Adults argue that participation takes away children's childhoods, leads children to lose respect, challenges parents' authority, places children at risk, or simply takes too much time.¹⁸ These prejudices show the need for advocacy about the potential benefits of children's contributions to governance.

There are other challenges to children's participation in governance both at a practical level (when working with children) as well as within the governance system. Some challenges in the IDASA project related to simplifying concepts, finding enough time and money to implement the project, and ensuring that children were safe. Other projects have noted that adults do not take children seriously¹⁹ and that there is little feedback and acknowledgement of children's contributions after the participation process²⁰.

The structure of society and the system of governance also pose challenges for children's participation. The main challenge is adults' perception of children's role and position in society.²¹ Children's age, class, gender²² and disability create further barriers that inhibit participation.

What is needed for decision-makers to take children seriously?

Adults are more comfortable with the protection rights of children and often ignore their participation rights as these may challenge adults' superior position in society. This limits the participation of children in governance.²³ Adult knowledge is more respected in society and children's views are seldom appreciated and taken into account.

Create a safe and enabling environment

If children are to engage meaningfully, they should be treated with respect, be given opportunities to participate, and be given support. Often, views are solicited and children drawn into processes, but they are not taken into account. Alternatively, children's views are manipulated to suit adult agendas, or children are featured only in once-off events. For effective participation, adults should create a safe and enabling environment for children, provide them with access to appropriate and useful information in a language they can understand, listen to their views, and support their participation in decision-making about solutions to problems affecting their lives.²⁴

Government officials as participation advocates

Government needs to facilitate engagements with children using child-oriented approaches. This involves using facilitators who have the training, commitment and sensitivity to work with children and support them. This process will require more time and resources than the current methods of engagement with civil society.

Decision-makers can play an important facilitation and support role for children's participation in governance. Parliamentarians can act as conduits and mediators of the political system by explaining political processes to children. At a local level, councillors can engage with children to provide input into particular services for a community,²⁵ as was noted by a child participant:

Some of our municipal officials are interested [in] this project. This will surely break the concrete that I assumed was between children and government.

Personal journal of child participation peer facilitator,
KwaZulu-Natal, 2005²⁶

Conclusion

Children's participation in policy-making, law reform and budgeting fulfils their rights. It will lead to more effective policies, laws and programmes and will improve service delivery for children. Participation in governance also contributes to children's development as active members of society and deepens their understanding and experiences of democracy. However, there are not sufficient opportunities for children to participate meaningfully in governance. The challenges for engagement include the attitudes of decision-makers towards children, and the time and resources needed to build the capacity of children and adults to engage meaningfully.

There are several examples where civil society organisations have successfully worked in partnership with children to facilitate their participation in governance. Yet political will is also required from government to include children as valued partners,

and to invest in special mechanisms to include children in governance. In South Africa, initial steps have been taken to commit to children's participation in governance. Real progress in this arena requires the concerted effort of all in South Africa – be they in civil society or government – no matter what their age.

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