ORPHANS IN FOSTER CARE AND THE STATE:
A *BIOPOLITICAL* ANALYSIS OF THE RELATIONSHIP

by

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Anthony Kaziboni

Declaration

By submitting this minor dissertation electronically, I declare that "**Orphans in Foster Care and the State: A *Biopolitical* Analysis of the Relationship"** is my own, original work, that I am the sole author thereof (save to the extent explicitly otherwise stated), that reproduction and publication thereof by the University of Johannesburg will not infringe any third party rights and that I have not previously in its entirety or in part submitted it for obtaining any qualification.

Anthony Kaziboni

Abstract

Due to the scourge of AIDS deaths in South Africa, there has been a significant increase in the number of orphans. Against this backdrop communities have evolved alternative parenting strategies to mitigate this. This research focused on the foster care system as a nexus of how the state exercises *biopower*. This qualitative study was carried out in order to understand the nature of the relationship between orphans in foster care and the state. This was done to illuminate the functionality of social services and the foster care system through analysing the subjective experiences of the actors involved in the foster care process. This study probes Foucault's concept of *biopower* and how it is useful in locating the South African state's role within the schema of foster care. The study was conducted in a rural district called Ha-Makuya, which is located in the North Eastern Limpopo province. Sixteen participants were interviewed; one magistrate, four social workers, three school teachers, five home-based care workers and three foster parents. The study found that the agents of the state (magistrate, social workers and school teachers) had an intricate *biopolitical* role in the foster care system. The agents worked together with the home-based care workers and foster parents, who were the mediators of this relationship as they were not directly linked to the state. The state was only able to assist orphans in foster care through a combination of the roles and responsibilities of both the agents and the mediators. The magistrate's key role was ratifying foster care. He relied heavily on the social workers for a comprehensive psycho-social report which he consulted when evaluating a foster care application. The social workers were the greatest *biopolitical* agents who were at the heart of this system as they worked very closely with the other actors. The teachers' role was to monitor the children's academic performance and in the event that they noticed any anomalies, they were required to bring this to the attention of the social workers. These agents were "technicians" and "normative judges" who were responsible for monitoring, distinguishing, qualifying and ranking orphans, hence facilitators of normalisation. Due to the shortage of social workers across South Africa, the home-based care workers in Ha-Makuya filled in this void and assumed some of the responsibilities that the social workers were required to carry out by the state. This was, however, putting a strain on the relationship between the orphans in

foster care and the state since home-based care workers were not being remunerated for these responsibilities.

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Acronyms

AIDS	Acquired Immunodeficiency Syndrome
DSD	Department of Social Development
FCG	Foster Care Grant
HBC	Home-Based Care
HBCW	Home-Based Care Worker
HIV	Human Immunodeficiency Virus
OVC	Orphans and Other Vulnerable Children
PLHIV	People Living with HIV
RACAP	Registry of Adoptable Children and Parents
SANCO	South African National Civic Organisation
SASSA	South Africa Social Security Agency

CHAPTER ONE

The Orphan "Crisis" in South Africa

1.1 Introduction

The HIV and AIDS pandemic has had a huge negative impact on South Africa. South Africa has the highest number of people living with HIV, at an estimated 6.30 million of the population of 52.98 million in 2013 (Joint United Nations Programme on HIV and AIDS (UNAIDS), 2014:30). Recently it was documented that the HIV prevalence rate has been on the increase (Shisana et al., 2014). The national estimate for HIV prevalence was 12.2% in 2012 and this figure is statistically significantly different from the 2008 national estimate of 10.6% (Shisana et al., 2014:35). The number of people living with HIV increased by almost 1.2 million from 2008-2012, an escalation from 5.25 million in 2008 to 6.42 million in 2012 (Shisana et al., 2014:35). As parents and family members become ill and succumb to AIDS, it is the children who are left vulnerable. In South Africa it is believed that the level of orphanhood is 16.9% (n= 3.13 million orphans) of the population of children who have lost either or both parents (Shisana et al., 2014:105). AIDS has been attributed to be the leading cause of orphanhood, contributing to well over half of the cases (United Nations Children's Fund (UNICEF), 2013). The AIDS epidemic has adversely impacted the well-being of children as it threatens the realisation of children's rights in South Africa (Shisana et al., 2014:119).

Alternative parenting for orphans and other vulnerable children (OVC) is a possible solution. This has been achieved informally (informal kinship care and informal foster care) and formally (adoption, orphanages and foster care). Orphans are vulnerable and if they are not cared for by a responsible and concerned person they have limited life chances as they are more likely to be trapped in poverty, more likely to contract HIV and AIDS, and are exposed to prostitution and slavery (World Orphans, 2015). The chances of them having access to education, food, accommodation, healthcare, love, guidance and counsel will be very limited and this will negatively influence the way they will grow up (Loening-Voysey and Wilson, 2001:6).

The South African state is responsible for the welfare of all people who are within its borders, whether they are citizens or not. This is stated in the Bill of Rights (1996), which makes a strong point that all persons deserve to be treated humanely. According to Section 7(1) the Bill is "a cornerstone of democracy in South Africa" and "affirms the democratic values of human dignity, equality and freedom" (Republic of South Africa, 1996). It integrates a full range of civil and political as well as economic, social and cultural rights. In redressing the apartheid legacy, the South African state has evolved a very well developed social welfare system to assist all citizens in need (Foster, 2004:80-81). Among the different forms of assistance available through social welfare, social grants have benefited a significant number of the population.

By definition, social welfare generally refers to the state's provisions and services designed to protect its citizens from economic risks and insecurities and at the same time improve their well-being (Kwok, 2003:2). Social welfare is based on the premise that the state is "responsible for protecting all those unable to care for themselves for whatever reasons" (Kwok, 2003:2). This role that the state plays in the lives of those in need conjures Michel Foucault's (1978) concept of *biopower*. In his seminal text, *The History of Sexuality: An Introduction, Volume 1* (1978) Foucault argues that *biopower* operates in two ways. Firstly, in disciplining the body; people are fashioned through facets like education and the workplace into a disciplined population. Secondly, the population is controlled and monitored through demographic statistics; analysis of class and income, health and reproduction, and ideology. The state exercises this to control the population on a statistical level. Foucault (1978) argues that the state exercises power over its citizens through monitoring them and controlling their *bios* (life) (i.e. *biopower*) (Foucault, 1978:140).

Approximately one third of the South African population are social grant beneficiaries (approximately 16.37 million according to SOCPEN System (2014) of an approximate population of 52.98 million (Statistics South Africa (StatsSA), 2014). South Africa offers the following grants to different categories of its population: old age grant; war veteran's grant; disability grant; grant in aid; child support grant; care dependency grant and foster care grant (see Appendix 1: Social grants by grant type and region as at 31 August 2014). Foster care grant

(FCG) beneficiaries in South Africa number 548,421 and these account for 3% of all grant beneficiaries. Within the practice of *biopower*, the state has "the right to make live and let die" (Foucault, 1978:241). The "make live" aspect of *biopower* is entrenched in the state's awarding support, and more especially the FCG, to orphans in foster care. On the contrary, the "let die" aspect is reflected by the state's lack of support of orphans not in foster care to the same magnitude. This study, therefore, pays particular attention to orphans in foster care within the context of Ha-Makuya, a rural district located in the North Eastern Limpopo province, in ex-Venda homeland.

1.2   Problem statement and research questions

When a child loses either or both his/her parents he/she may be taken in by relatives or non-relatives; and in the event that they are two or more siblings, they may choose to live by themselves as one sibling takes over the household[1]. Unfortunately, there are also instances whereby others become street children[2]. Within the South African context a significant proportion of orphans have been taken care of by the extended family (Thomas and Mabusela, 1991; Foster, 2004:65; Kuo and Operario, 2010; Kiggundu and Oldewage-Theron, 2009). This has been attributed to the intense emotional bonds that have existed between the orphans and the foster parents who are related to them by blood (Thomas and Mabusela, 1991; Foster, 2004:65; Kuo and Operario, 2010; Kiggundu and Oldewage-Theron, 2009).

However, it has been documented as early as 2002 that extended families are struggling to cope with the ever increasing number of orphans (Schönteich, 2002: 30; Foster, 2004; United Nations Children's Fund (UNICEF), 2006; Mathambo and Gibbs, 2009; Nkuta, 2011; Ngonyama; 2013). This indicates that there is an "orphan crisis". As the extended family struggles with this crisis the South African state is working towards bolstering its position regarding the welfare of orphans.

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[1] The Republic of South Africa (2007) recognises and acknowledges the existence of child-headed households.
[2] "Street children" refers to children who work and/or sleep on the streets who may or may not necessarily be adequately supervised or directed by responsible adults (United Nations Children's Fund (UNICEF), 2001).

The state is working together with a wide range of stakeholders including home-based care (HBC) organisations, academics, business organisations, non-governmental organisations and other civic organisations. South Africa is the only country that offers a foster care grant (FCG) and this grant was introduced to mitigate the escalating numbers of orphans due to the AIDS epidemic (Hearle and Ruwanpura, 2009:427). This grant is also the most direct way through which the state impacts the lives of orphans.

Research conducted on orphans has largely focused on how they are cared for. Within the context of HIV and AIDS, research has been done in sub-Saharan Africa that focused on how societies are coping with caring for orphans (Foster and Williamson, 2000). Other research has focused on means and measures on how best to take care of orphans and other vulnerable children (Loening-Voysey and Wilson, 2001). State responses to the escalating number of orphans consisting of: community child care committees, placing adults (usually older women) in the homes of orphaned children and "create a family" or "cluster foster care" programmes (in which family units are set up headed by surrogate mothers taking care of the children) have been proposed (Bradshaw et al., 2002). What is pronounced in this research is that there is no specific emphasis on orphans within the context of foster care.

There is research on the consequences of HIV and AIDS on African societies, and its particular impact on children (Foster, 2004). Some has been focused on the willingness of people to take in foster children (Townsend and Dawes, 2004). Thiele (2005) conducted a study which was centred on the support structures of orphans in rural KwaZulu-Natal. This study also looked at the profile of those who were willing to take in orphans as foster children. Freeman and Nkomo (2006) in an article entitled "*Assistance Needed for the Integration of Orphaned and Vulnerable Children – Views of South African Family and Community Members*" note that a significant number of people were unwilling to take a child or children into their family if they were HIV seropositive, and non-relatives were reluctant. The above studies demonstrated a void in investigating the profile of the preferred foster care parents.

Some research has argued that crime levels in South Africa are likely to increase over the next two decades because of the AIDS epidemic and this has been attributed to "an unprecedented increase in the country's orphan population" (Schönteich, 2002:30). This will be exacerbated by the impact of the epidemic on staffing of the police. It has been argued that the AIDS epidemic in South Africa might lead to a change in the demand for, the quantity of and complexity of services required of the South African Police Service (SAPS) (Schönteich, 2003). It has been suggested that SAPS will battle to cope because an increasing number of police officers will be suffering from the disease (Schönteich, 2002; Schönteich, 2003). The possibility of orphans being victims of child labour has been documented, and this is attributed to the absence or lack of parental supervision "due to AIDS morbidity and mortality and a failure of community and government intervention and care" (Vass, 2005:10). Based on the above, it was evident that there was limited research on the actual way in which the state was able to assist orphans and thus improve their life chances.

Some studies did not look at the role that was played by different figures in the sustenance of the relationship between the state and orphans in foster care. The lived experiences of orphans residing in townships has been documented (Frood, 2007) together with the experiences of orphans in kinship foster care (Tissiman, 2008). Both studies were conducted within the context of South Africa (Frood, 2007; Tissiman, 2008). Motene (2009) looked at the experiences of orphans in Maseru, Lesotho. In this study, the researcher paid particular attention to the experiences of orphans to contribute to the development of programmes that are more in tune with the needs and requirements of AIDS orphans in Lesotho. Hlabyago and Ogunbanjo (2009) on a different note looked at the experiences of family caregivers of AIDS orphans. These studies, therefore, do not look at the role in which the state was involved in the care of orphans in foster care.

There are studies that have been conducted on the AIDS orphan/foster parent relationship. These include one by Mutandwa and Muganiwa (2008) which was centred on determining "social and behavioural characteristics of foster parents that promote relationships with orphaned and vulnerable children" in Zimbabwe (Mutandwa and Muganiwa, 2008:98). In South Africa, Hearle and Ruwanpura (2009) conducted a study that explored the relationship between AIDS orphans

and their foster parents in the KwaZulu-Natal province. This study assessed how the relationship was impacted by the FCG. Most research on orphans was undertaken in the hope of understanding their plight and on the relationships between the orphans and their foster parents. These studies were conducted to improve the relationship between the orphans in foster care and their foster parents. There were, however, no studies that have looked at the relationship between the state and orphans in foster care, a gap this study fills.

Another area of significance was the study of the FCG. Research has been done on the child support grant (CSG), and its impacts have been well documented (Case et al., 2002 and Hearle and Ruwanpura, 2009). Very little information is available on the FCG as it only exists in South Africa (Hearle and Ruwanpura, 2009:427). Among the limited number of publication is an editorial opinion written by Professor Ann Skelton of the Centre for Child Law based at the University of Pretoria in November 2012 entitled "Foster care crisis: Kinship grant a solution". In this piece, Skelton (2012) looks at the FCG, and how, according to her, the way forward for orphans should be a "kinship care" grant (Skelton, 2012). In this piece, there is little discussion of the impact of the FCG on the welfare of orphans in foster care. A recent article has investigated the problems in foster care in South Africa - from the huge number of beneficiaries to the new clause to review placements once every two years (Breen, 2015). No research has been done within the South African context that has looked at the FCG in the exercise of *biopower*. This theory was conceptualised in the West and it will be probed within the South African context to assess its applicability. This will make a contribution to the body of knowledge in the global south.

Based on a rigorous data search, it was found that there is limited research that looked at the relationship between orphans in foster care and the state. This study was, therefore, centred on analysing the nature of the relationship between orphans in foster care and the state. Since the South African state introduced the FCG in response to the AIDS pandemic (Hearle and Ruwanpura, 2009:427), it became important to probe the manner in which the state is involved in addressing the "orphan crisis". This would be achieved though analysing the role played by the different actors involved in this relationship, in light of Foucault's (1978) notion of *biopower*. The two research questions for this study were,

therefore, **"What is the nature of the relationship between orphans in foster care and the state? How does the provision of foster care by the state demonstrate *biopower*?"** This study made a contribution to understanding the primary needs of the orphans and it also illuminated the functionality of the foster care system and social services.

1.3   Research objectives

Based on the research questions above, the following objectives were formulated:

1. to describe the roles of the agents of the state in the provision of foster care;
2. to describe the roles of the mediators in the provision of foster care; and
3. to assess the applicability of *biopower* in explaining the foster care system in South Africa.

1.4   Brief summary of the chapters in the minor dissertation

This minor dissertation is composed of five chapters; this introductory chapter, a literature review chapter, a methodology chapter, discussion of findings chapter and the conclusion. Each chapter paid specific attention to a specific aspect of the research.

Chapter Two provided a comprehensive analysis of literature on the topic of orphans in foster care and Foucault's arguments on *biopower*. The chapter started with the conceptualisation of "orphan" and included a discussion of the implications of orphanhood in South Africa. The "state" was also problematised and a working definition of the term was arrived at. The chapter also looked at strategies that have evolved formally and informally to deal with the "orphan crisis". In the discussion of formal foster care, I demonstrated the relevance of *biopower* in analysing social welfare.

Chapter Three gave an account of the research methodology and the research methods that were employed to answer the research questions. A qualitative research methodology was utilised in this study. As a qualitative researcher, focus was on understanding "things" in their natural environment, attempting to make sense of, or interpret phenomena in terms of the meanings people bring to them (Denzin and Lincoln, 1994:2). The findings of this research were focused on the data that was gathered from semi-structured interviews; content analysis; and field notes. There was also a discussion of the data collection tools and their appropriateness in light of the methodology. I discussed the manner in which the participants from different categories were selected. This chapter also looked at the data analysis process and I reflected on how my subjectivity influenced this process.

In Chapter Four the findings of this study were presented together with an analysis. The chapter began with a vivid description of how the participants viewed orphans in foster care within Ha-Makuya. It investigated the orphans' lived experiences from the perspectives of the participants. This chapter also considered the orphans' most important needs. In order to understand the relationship between orphans in foster care and the state, it was also important to establish who the most preferred foster parents were in Ha-Makuya. In looking at the role of the participants, it was noted that the magistrate, the social workers, and the school teachers supported the state's exercise of *biopower*. This was manifest in the manner in which they worked together to make sure that the orphans in foster care were raised in a "normal" setting. In support of orphans in foster care, the home-based care workers (HBCWs) and the foster parents also facilitated the exercise of *biopower* by the state.

The last chapter, Chapter Five, was an evaluation of *biopower* within the context of foster care. This concluding chapter began with looking at the problem statement. It revisited the first two objectives; describing the roles of the agents of the state in the provision of foster care and describing the roles of the mediators in the provision of foster care. It closed with a critique of the applicability of *biopower* in explaining the foster care system in South Africa. This chapter encapsulated the key findings of the research, and looked at both the limitations and recommendations of this study.

1.5   Conclusion

This chapter presented the introduction, problem statement and the research objectives of this study. Due to the paucity of research on orphans in foster care and the state, it was important to examine this. This study investigated the roles of the mediators involved in the sustenance of this relationship and it also illuminates the functionality of social services and the foster care system. In light of the above discussion, it was crucial to ground this research in the relevant body of knowledge; empirically and theoretically. The following chapter is a comprehensive discussion of the implications of orphanhood to children and strategies that have been used to ameliorate the "orphan crisis" in South Africa. It also looked at *biopower*, as espoused by Foucault (1978), and how it links to foster care in South Africa.

CHAPTER TWO

Orphanhood and the State: A Review of Literature

2.1   Introduction

South Africa has an intricate social welfare system in which there is a conscious attempt by the state to ameliorate the condition of its citizens in need. The Bill of Rights (1996) constitutes the minimum standards of socio-economic rights and these include social security, social assistance and social services (Republic of South Africa, 1996). According to Section 28(1) of the Constitution of the Republic of South Africa,

> every child has the right…(b) to family care or parental care or to appropriate alternative care when removed from the family environment [and] (c) to basic nutrition, shelter, basic health care services and social services.

The Constitution considers above all the best interest of the child in issues around his/her custody and childcare. This is evident in Section 28(2) which states that "the best interests of the child are of paramount importance in every matter concerning the child". A child is defined as a person below the age of 18 (Section 28(3)).

Against this backdrop, the term orphan has been understood differently in different contexts. I started my discussion by looking at these various definitions that have been posited and I drew out one for the purposes of this study. Having established this I also explored the challenges that orphans faced through the eyes of the agents of the state and the mediators. This steered the discussion towards the various strategies through which alternative parenting for children in need has been provided in South Africa. These were divided into two; informal strategies which included informal kinship care and informal foster care; and formal strategies which included adoption, orphanages and formal foster care. Informal strategies owed their development to South African history, and more particularly the migrant labour system that evolved during apartheid. The formal

strategies are administered by the state. These formal strategies require detailing, monitoring, controlling and regulating the environment within which the orphans are raised. In the practice of foster care the state exercises power and it controls the environment in which orphans in foster care are living through its ability to regulate and influence their lives *(bios)* through the agents of the state and the mediators.

2.2   Conceptualisation of "orphan"

The English word "orphan" is derived from Greek and Latin roots meaning "a child bereaved by the death of one or both parents" (Foster and Williamson, 2000:s275). There are debates that surround the defining criteria of orphan. Monasch and Boerma (2004:56) define an orphan as a child below the age of 15 whose mother or father, or both parents have died. This definition was problematic as it took 15 to be the defining age limit. Considering Foster and Williamson (2000:s276), using the age 15 and below to define orphans draws attention away from the needs of older adolescents including the sexual and economic exploitation of adolescent girls. The South Africa Constitution defines children as being persons below 18 years of age, and most policy-makers would agree that children under this age are not expected to be self-supporting. In defining an orphan it is, therefore, argued that 18 years is a more appropriate upper age limit, as it is consistent with the UN Convention on the Rights of the Child (UNICEF, 1989). The Community Agency for Social Enquiry (CASE) (2008:4) also notes that *The Framework for the Protection, Care and Support of Orphans and Vulnerable Children Living in a World with HIV and AIDS* defines an orphan as a child below the age of 18 whose mother, father or both parents have died from any cause. In South Africa there are 3.13 million orphans who have lost either one or both parents and they account for 16.9% of the population of children (Shisana et al., 2014:105). Orphans can further be distinguished as:

- single orphan – a child who has lost one parent.
  - maternal orphan – a child whose mother has died. The number of maternal orphans was 809,778 in 2012 (Shisana et al., 2014:105).
  - paternal orphan – a child whose father has died. Paternal orphans were 1.73 million in 2012 (Shisana et al., 2014:105).
- double orphan – a child who has lost both parents. Double orphans were 593,461 in 2012 (Shisana et al., 2014:105).

The Department of Social Development (DSD) (2005:5) defines an orphan as "a child who has no surviving parent caring for him or her". This definition of "orphan" is centred on the child not having both parents and is used regarding the FCG eligibility.

This research only looked at double orphans receiving the FCG, and thus the term "orphan" was used in reference to a person under the age of 18 with no surviving parents caring for him or her since the focus was on children in legal foster care. With this definition in mind, how then would life unfold for an orphan upon the death of their parent(s)?

2.3   The implications of orphanhood in South Africa

In South Africa orphanhood has been monitored since 2002 (Shisana et al., 2014:119). The children are exposed to varying forms of challenges (Schönteich, 2002; Foster, 2004; Commission on HIV/AIDS and Governance in Africa (CHGA), 2004); Foster and Williamson, 2000 and AVERT, 2011). After losing a parent, finding someone to fulfil the caregiver role is immensely difficult. If no one takes it on, the children might end up living alone in either a child-headed household, in cases where their parents leave a home for them, or they might become street children.

In cases when an orphan does find someone who takes him/her in, the person should be genuinely concerned about the child's welfare, and should try to improve the child's life chances. Orphans have a greater chance of being malnourished and stunted compared to children who have parents who care for them. In most instances orphans are the ones who are first to be denied

education when extended families cannot afford to educate all of the children in the household (Schönteich, 2002:30). In their survey, Steinberg et al. (2002:22) confirm that the threat of not having access to education begins prior to orphanhood. In situations when there was an ailing parent, almost 10% of girls were not in school. For the boys, the number out of school was about 5%. Since the extended families cannot afford to educate all of the children within the household, orphans are the first ones to be denied access (Schönteich, 2002:30). The main reason for leaving school was lack of money for tuition, uniforms, books and stationery due to the AIDS pandemic. The lack of schooling, often combined with poor nutrition, makes it particularly difficult for orphans to escape poverty. The majority of the orphans who will grow up under dire levels of poverty will venture into crime for basic survival (Schönteich, 2002:30).

Orphans can experience trauma which can have negative psychological ramifications. Losing parents is not easy. This is more intense for children who might have lost their parents to AIDS, particularly if they were involved in caring for them. From witnessing their parents' sickness to death, the children suffer from grief and anxiety which culminates in stress in most instances (Schönteich, 2002 and HLSP 2011). Orphaned children in the future may lack the necessary parental guidance through crucial life-stages of identity formation and socialisation into adulthood. This impact on the children's ability to participate constructively in social and economic life is likely to be significant (Schönteich, 2002).

Orphans have also been stigmatised and discriminated against, more especially if their parents succumbed to AIDS (Schönteich, 2002 and HLSP 2011). This will have negatively affected their self-esteem. In some cases they may be rejected by their peers, or at health centres, when they do fall ill. As one 16-year-old South African girl puts it:

> They [community members] treat you badly. You don't feel
> like walking in the street, they give you names. They
> whisper when you pass. They take it that when one person
> in the house is sick, all of you in that house are sick (Save
> the Children (UK), 2001).

Orphans are in some cases overburdened with multiple responsibilities. These include domestic tasks (i.e., cooking, cleaning, carrying water and laundry); caregiving activities (i.e., feeding, bathing, toileting, giving medication and accompanying relatives for treatment), agricultural or income generating activities and childcare duties (Foster and Williamson, 2000:s278 and AVERT, 2011).

Gender discrimination and the challenges attached to orphanhood reinforce each other in a number of ways particularly for girls (CHGA, 2004:8). Female orphans are victims of a "double vulnerability". They are vulnerable on the basis of their gender, and also on the basis of their orphanhood. They are prone to sexual abuse and other forms of exploitation. Foster (2004:68) argues that girls may be taken in because of their "economic value" which included the execution of domestic work and even obtaining a bride price. Girls are particularly abused as some are forced into unwanted marriages, sexual activity and exposure to HIV infection (Foster, 2004:68; CHGA, 2004:15). It, therefore, becomes more complex for girls to access adequate nutrition, primary healthcare, accommodation and clothing; they are so overburdened with responsibilities that they can barely cope (Foster and Williamson, 2000:s278 and AVERT, 2011).

All of these challenges have detrimental consequences on the children's psycho-social and physical wellbeing; school attendance and educational achievement, development of knowledge, skills and values for constructive participation in society. The high number of orphans in South Africa has wider social and economic ramifications. There is more likely to be increased juvenile delinquency, reduced literacy and employment prospects, and increased welfare costs (Schönteich, 2002; HLSP, 2011). The threats to basic survival (food, housing, healthcare and education) and security (protection from exploitation and abuse) frequently experienced by orphans can be aggravated by these psycho-social threats. It thus becomes imperative to explore the measures that have been introduced to alleviate the "orphan crisis".

2.4   Strategies to mitigate the "orphan crisis"

Various strategies have been implemented by society and the state to mitigate the "orphan crisis" in South Africa. Alternative parenting for children in need is a solution. This has been provided informally and formally. Informally, a private arrangement can be made in which a child can be fostered between the child's parents and the carers. Informal kinship care and informal foster care are the two informal measures that orphaned children can be taken into a family. These "informal safety net mechanisms" are responsible for the care and support of a significant population of orphans and other vulnerable children (Foster, 2004:65). Formal strategies on the other hand encompass adoption, orphanages and formal foster care. There is a difference between informal strategies and formal strategies. In an informal arrangement the state is not responsible for the placement of the child, whereas in formal strategies there is an administrative or judicial authority or a duly accredited body, such as the state, which is responsible for the child's placement.

2.4.1   Informal strategies to deal with the "orphan crisis": Ubuntu

South Africa's history has had a major influence in the development of the "informal safety net" as alternative parenting within the family. During apartheid there were childcare problems and restrictions by many employers on children of their workers residing on their premises (Thomas and Mabusela, 1991; Bigombe and Khadiagala, 2004; Madhaven, 2004). The counter effect of this was the strengthening of the roles of African grandparents in bringing up their grandchildren (Thomas and Mabusela, 1991; Bigombe and Khadiagala, 2004; Madhaven, 2004). This culminated in the reinforcement of the customary practices of multi-generation households where mutual support between generations guarantees the well-being of a person born into African families throughout their life cycle (Bigombe and Khadiagala, 2004:163-164). There are two forms of informal safety nets; informal kinship care and informal foster care.

(i)   Informal kinship care

This is short to medium term, and it is a temporary measure in instances where the children's parents have been, among other reasons, incapacitated or have passed on. Kinship care is "family-based care within the child's extended family or with close friends of the family known to the child…" (EveryChild and HelpAge International, 2012:7). By definition informal kinship care is:

> Any private arrangement provided in a family environment, whereby the child is looked after on a continuous or indefinite basis by relatives or friends (informal kinship care)... At the initiative of the child, his/her parents or other person without this arrangement having been ordered by an administrative or judicial authority or a duly accredited body" (UN, 2010, Article 29).

Kinship care, therefore, involves the relatives; aunts or uncles or older siblings (siblings above the age of 18), or close family friends. There are times when a child is placed in the care of those guardians long-term and this is informal foster care.

(ii)   Informal foster care

This is when the biological parents allow their child(ren) to be taken care of in the custody of adults other than themselves (Foster, 2004:67). These "informal safety net mechanisms" are responsible for the care and support of a significant population of orphans and other vulnerable children in South Africa (Foster and Williamson, 2000:s279; Foster, 2004:65). The arrangement is long-term and has permanency to some extent.

(iii)   The role of the extended family in informal child care arrangements

The main difference between informal kinship care and informal foster care is the permanency of the arrangement. In informal kinship care the arrangement is short to medium term, whereas informal foster care is long-term. Informal kinship care and informal foster care serve as solutions when the biological parents cannot

bear the cost of raising their child (Djebbari and Mayrand, 2011:2-3). Within Africa, and South Africa, families assist each other in numerous ways; socially, economically, psychologically and emotionally. In childcare, this may occur when financial markets and labour markets are failing (Djebbari and Mayrand, 2011:2-3). The first line of support for orphans and other vulnerable children is their biological family, from this it goes on to kinsmen, starting with the extended family and lastly the distant relatives (Foster, 2004; Madhaven, 2004). The extended family is widely proposed and preferred for the placement of orphans and OVC (Freeman and Nkomo, 2006:504). Kinship care and informal foster care centre around the fact that childcare is a social task that is executed by the extended family in its entirety rather than by a single family (Townsend and Dawes, 2004:7; CASE, 2008:v).

This intimacy and cooperation is reflective of the philosophy of Ubuntu which is a Nguni word which addresses our "interconnectedness, our common humanity, and the responsibility to each other that owes from our connection" (Nussbaum, 2003:21). Ubuntu calls Southern African families to "believe and feel" that, "Your pain is My pain, My wealth is Your wealth, Your salvation is My salvation" (Nussbaum, 2003:21) and in the case of orphaned children, I add, "Your child is My child". Informal kinship care and informal foster care centre around the fact that childcare, within Southern African culture, has conventionally been perceived as a social task that is executed by the extended family in its entirety rather than in a single nuclear family (Townsend and Dawes, 2004:7; CASE, 2008:v).

(iv)   Problems with informal strategies

In reality, however, research is revealing that the extended family is being overwhelmed by the influx of orphans (Foster and Williamson, 2000:s279; Foster, 2004:69; Bhargava and Bigombe, 2005; Freeman and Nkomo, 2005). Several scholars argue that Africa's "age-old social safety net" for orphans and other vulnerable children – manifested in the form of "deep-rooted kinship systems" and the extended family, is battling to cope with the pressure of AIDS and ever increasing numbers of orphans in the most affected countries (Schönteich, 2002:30; Foster, 2004; UNICEF, 2006:14; Mathambo and Gibbs, 2009; Nkuta, 2011; Ngonyama; 2013). As a socio-cultural system, the African extended family

is the "most shaken" one and this worsens the situation because it is the cornerstone of caring for the sick and orphans in society (United Nations Children's Fund (UNICEF), 2006:v). The informal care of children in need by the extended family is mostly carried out by the grandparents.

Grandparents are often elderly and in most instances do not have the necessary resources to take care of the children. Grandparents are more frequently recruited as caregivers in areas where the AIDS epidemic is more severe or where the extended family is weakened (Foster and Williamson, 2000:s279). In most cases the grandparents, particularly the grandmothers, play a key role in childcare (BESG/CAP, 2008:6; Hlabyago and Ogunbanjo, 2009:508; Kuo and Operario, 2010:5; EveryChild and HelpAge International, 2012:4). This is widely recognised as cost-effective, preferred by children and families alike, and leading to better outcomes than many other types of alternative care (EveryChild and HelpAge International, 2012:4).

The main problem mentioned above with informal strategies is that most of the carers are in dire poverty and this makes childcare difficult for the carers. Since the state is not responsible for the placement of the child there is limited assistance that it can give since it is unaware of the arrangement. It is also difficult for the state to monitor the welfare of the children.

2.4.2   *Formal strategies to deal with the orphan crisis*

Formal care is when a child is taken in by an adult under the authority of an administrative or judicial body or duly accredited body. Under formal strategies, focus will be on adoption and orphanages/places of safety and children's homes.

(i)   Adoption

Adoption is the ideal because a child is taken into a new family unit where they are looked after by parents who are not their biological ones. According to Section 228 of the New Children's Act 38 of 2005:

> A child is adopted if the child has been placed in the permanent care of a person who is not the parent or guardian of the child as a result of a court order that has the effects contemplated in section 240…

Adoption means that the court has permanently agreed to other parent/s who are deemed by it to be capable of taking care of the child. The adoptive parents become the child's legal guardians. The Western Cape Government[3] (2014) states that adoption can only take place legally when a child is in dire need of a permanent alternative placement. Adoptions have two forms; open adoptions and closed adoptions. Open adoptions are adoptions where the identities of the various parties are known to each other, for example, where other family members of a child adopt the child. With closed adoptions, identities of the parties are not known from the start of the process. Open and closed adoptions are usually done through accredited and designated child protection organisations or private practitioners. Social workers are involved in this process. Their role is to give advice to both parties on the implications of sharing their identities with each other in the best interests of the child. An illustration would be to ensure that they retain contact with the child's culture and roots.

Different family arrangements are allowed for adoption. These embrace married couples, partners in a permanent life-partnership (including same-sex partners) or a married person whose spouse is the parent of the child, or by a person whose permanent domestic life partner is the parent of the child. A widow or widower or an unmarried or divorced person can also adopt a child. Other persons sharing a common household and forming a permanent family unit can adopt a child and a biological father of a child who does not have guardianship in respect of the child in terms (Chapter 3 of the Children's Act 38/2005) or the foster parent of a child has the right to be considered as a prospective adoptive parent when the child becomes available for adoption.

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[3] The Western Cape Government seems to be the only provincial government with accessible online information.

(ii)   Orphanages/places of safety and children's homes

Within South Africa, a popular way that the state has introduced to mitigate the escalating number of orphans is the establishment of residential facilities, popularly known as children's homes and orphanages/children's places of safety (Children's Institute, 2004). And orphanages/places of safety are an interim placement for a child whilst a permanent placement is being coordinated. In orphanages/places of safety it is crucial that there is a daily routine that is caring and developmentally stimulating since some children may be there for longer periods than originally intended. Akin to orphanages are children's homes. These are formalised childcare facilities that are designated for developmentally, emotionally and behaviourally challenged children.

(iii)   Problems with adoption, orphanages/places of safety and children's homes

Problems have been encountered with adoption, orphanages/places of safety and children's homes (Children's Institute, 2004; Blackie, 2014). Adoption as a practice is facing challenges and the rate at which people adopt has slowly been declining. The year 2013 recorded 1,699 adoptions which is a sharp decline from 2,840 in 2004 and in 2014 there are only 29 possible parents for around 429 children registered on the Registry of Adoptable Children and Parents (RACAP) (Blackie, 2014). Adoption has been problematic because the rates of child abandonment are extremely high in contrast to the low rates of adoption (Blackie, 2014). South Africa also exhibits conflicting cultural perceptions of child adoption, as the practice is considered to be "unAfrican" (Blackie, 2014). In instances when parents adopt a child of a different race, many adoptive parents have experienced judgement and discrimination from their communities, the social workers that they are supposed to work with and even the DSD. It has been argued that,

> [A]doption is not an option as it is believed that the child is born
> spiritually linked to rituals peculiar to that ancestry, and a cross-
> pollination of rituals will anger the child's ancestors and cause all
> sorts of misfortunes for the child, including sickness and disease
> (Blackie, 2014).

On the other hand, orphanages in an economic sense are costly for the state to run. More children can be supported in different arrangements compared to this residential care. Poor developmental outcomes have also been documented of raising children in this kind of setting. Orphans, especially AIDS orphans, raised in these residential facilities/institutions can also be stigmatised and/or discriminated against because of their association with HIV/AIDS by members of surrounding communities. In the event that the children are there until they turn 18, these children are left with no "home" when they have to leave these facilities because that is the cut-off age.

Having noted the problems above with orphanages and adoption it was crucial to look at formal foster care, which is the thrust of this study. This form of childcare fuses family together with state support.

2.5   Formal foster care

Foster care is a form of alternative placement that can be ordered by the children's (Chapter 12 of the Children's Act 38 of 2005). A child may be placed in foster care when the child has been deemed by a children's court to be a child in need of care and protection as defined in section 150 of the Act or if a child is transferred to this type of placement in terms of section 171 of the Act. According to Section 180, a child may be placed in foster care with:

(a) a person who is not a family member of the child,
(b) a family member who isn't the parent/guardian of the child; or
(c) a registered cluster foster care scheme.

Section 181 of the Act cites the purposes of foster care. This care can be as a result of being abandoned, or if the child is an orphan (without a caregiver), or when the child's parent/guardian has abused or deliberately neglected him/her. Foster care, however, is provided in the best interest of the child. It is done to ensure that the child is protected and nurtured through providing the child a safe, healthy environment with positive support. The environment should be conducive to promoting the goals of permanency planning by connecting children to other safe and nurturing family relationships intended to last a lifetime. Adoption is done

in a way that respects the child and the family by demonstrating respect for cultural, ethnic and community diversity.

Section 7 of the Social Assistance Act 13 of 2004 renders a foster parent eligible for a foster child grant (FCG) for the child concerned if the child is *"placed in his or her custody in terms of the Child Care Act of 1983"* (repealed by the Children's Act); that the *"child remains in his or her custody"* and that the *"foster parent is a South African Citizen, a permanent resident or a refugee"*.

2.5.1   The formal foster care process

Fostering is an inherently social process in which numerous demographic factors which include cultural, religious and linguistic background are taken into consideration when a child is being matched with prospective foster parents. Other factors include the age of the prospective foster parents, their health, the family composition, the suitability of accommodation, the general environment and closeness of social amenities like schools, clinics and public transport (Western Cape Government, 2014). The foster process also has a psycho-social aspect in which the prospective parents' views about child rearing and education, their ability to accept responsibility, their attitude towards the child's biological parents, and their reasons to foster a child, also are considered. The choice of the foster home for a particular child is dependent on the needs of that specific child. In instances where the child is acquainted with and emotionally attached to particular prospective foster parents, this will be an important factor that the social workers and magistrate's court will consider when doing the assessment. When the magistrate is satisfied with the evidence that has been furnished, the magistrate can ratify the foster arrangement. It is from this time that the foster parents can apply for a FCG.

2.5.2   The foster care grant (FCG)

This is a social grant that foster parents receive from the state on behalf of the orphans in foster care. Notably, there is no means test in order to be eligible for a FCG, and this distinguishes it from the other social grants to combat poverty like the CSG. The FCG has benefited a significant number of households as it is

significantly higher than the CSG (Meintjes et al., 2005:33). The amount paid for a FCG as of 1 April 2012 was R770 per month (South Africa Government Services, 2012). Each foster parent can access grants for a maximum of six children (Gow and Desmond, 2007:20). The difference between the CSG and the FCG is based on the premise that orphans have a greater chance of being malnourished and stunted than children who have parents who care for them (Meintjes et al., 2005:33). In most instances, orphans are the ones who are first to be denied education when extended families cannot afford to educate all of the children within the household (Schönteich, 2002:30).

The FCG is the only direct financial contribution that the state makes to the welfare of orphans (Thiele, 2005:43). Children in foster care are exempted from paying tuition fees in state schools and receive free medical attention at state hospitals and clinics (Thiele, 2005:43). The FCG is paid by the South African Social Security Agency (SASSA) by means of one of the following; cash paid at a specific point on a specified day; an electronic deposit into the foster parents' bank account, or a payment from an institution acting as an administrator of the grant (e.g. a welfare organisation). In instances where the foster parents cannot collect the grant, they can nominate a procurator at the South African Social Security Agency office, or give someone power of attorney to collect the grant on their behalf.

The grant is reviewed on expiry of the court order, and this is once every two years. The foster parent will be advised three months in advance of the need to review the grant. If they receive the grant through the bank, an institution or procurator, they are required to complete a life certificate (a document to prove that they are still alive) at a SASSA office every year. The application for the foster grant is free. The following section looks at the difficulties that foster parents have experienced when applying for the FCG.

2.5.3   Behind the scenes: Complexities in accessing the foster care grant

Accessing the FCG, and other social grants, has been marred with various complexities. It has been noted that the death of parents, accompanied by the migration of the children may result in the loss of important documents such as

birth certificates. The parents' deaths can make it difficult for the children to replace that documentation (Foster, 2004:82). In a study by Foster (2004:81) it was noted that many eligible children did not receive grants because they lacked the necessary documentation. The lack of necessary documents required to obtain the FCG has frustrated foster parents (Hlabyago and Ogunbanjo, 2009:510).

The issuing of the grants may take several months, and in some cases up to two years (Hlabyago and Ogunbanjo, 2009:510), for a grant application to be processed. In a situation like this the children are required to live at the household with the guardian stipulated in the application, and in some instances movements of this nature are likely to hinder efforts to obtain social grants for them. In studies by both Foster (2004:81) and Hlabyago and Ogunbanjo (2009:510), it was found that foster parents were frustrated in accessing social grants for the orphans due to administrative delays in processing grant applications.

Corruption was an outflow of the complexities of getting the grant; incompetence and delays have tarnished the issuing of social grants in South Africa (Yeap et al., 2010; Hlabyago and Ogunbanjo, 2009:510; Kuo and Operario, 2010:3). The former Minister of Social Development, Bathabile Dlamini announced that social grant dependents needed to be re-registered in 2012 because corruption in the awarding of the social grants had been rampant (SASSA, 2012). Having noted that SASSA is responsible for distributing the FCG, and other social grants, how then is the "state" conceptualised?

2.6   Problematising the "state"

Weber (1918) in his lecture entitled "Politics as Vocation" defines the state as "a human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory" (Weber, 1918:1). The reference to "territory" implies that the state is defined by a physical space which is marked by geographical boundaries. The right to use physical force is ascribed to state affiliated or controlled institutions such as the police, the prison services and the state secret police. According to Weber, the state is considered to be the "sole source of the 'right' to use violence" (Weber, 1918:1).

Foucault (1977), on the other hand, proposed a fuller conception of the state. His definition comes from the state's ability to "govern". According to Foucault (1977), in a disciplinary society the state is in command of the means and methods of coercion in society, and has the discretion on how these means and methods operate. A disciplinary society exercises discipline and this is power which is about training and influencing the actions and behaviours of people. This aspect has taken us further than solely the state's ability to exercise surveillance. Hence there is a heavy presence of numerous "techniques" (Foucault, 1978:180) and technicians whose key role is to qualify and classify people into categories and to make sure that they are "normal".

By government, Foucault (1991:95) refers to,

> …A right manner of disposing things so as to lead not to the form of the common good, as the jurists' texts would have said, but to an end which is 'convenient' for each of the things that are to governed. This implies a plurality of specific aims: for instance, government will have to ensure that the greatest possible quantity of wealth is produced, that the people are provided with sufficient means of subsistence, that the population is enabled to multiply, etc. There is a whole series of specific finalities, then, which become the objective of government as such. In order to achieve these various finalities, things be disposed - and this term, *dispose*, is important because with sovereignity the instrument that allowed it to achieve its aim - that is to say, obedience to the laws - was the law itself; law and sovereignity were absolutely inseparable.

From the above, it is apparent that by "government," Foucault did not refer only to political structures or to the management of states; rather it designated the way in which the conduct of individuals or of groups might be directed: the government of children, of souls, of communities, of families, of the sick (Dino, nd). His conception of "government" did not only cover the legitimately constituted forms of political or economic subjection, but also modes of action, more or less considered and calculated, which were destined to act upon the possibilities of

action of other people (Dino, nd). To govern, in this sense, is to structure the possible field of action of others. The relationship proper to power would not, therefore, be sought on the side of violence or of struggle, nor on that of voluntary linking (all of which can, at best, only be the instruments of power), but rather in the area of the singular mode of action, neither warlike nor juridical, which is government (Dino, nd).

For the purposes of this study, the "state" was used in reference to institutions that have a direct bearing on the manner in which the orphans in foster care are placed into foster care; receive assistance in the form of grants, psycho-social support and food parcels; and are monitored. Within a Foucauldian sense, the state in this study would refer to SASSA and the DSD. Having come up with an explanation of the state, it was important to look at the role of the state in social welfare in a Foucaldian sense.

2.7   The state and social welfare

A characteristic of an ideal welfare state is that the state plays a key role in the protection and promotion of the economic and social well-being of its citizens, based on the principles of equality of opportunity, equitable distribution of wealth, and public responsibility for those unable to avail themselves of the minimal provisions for a reasonable standard of life (Kwok, 2003:3). This is indicated in the Bill of Rights (1996). South Africa has a sophisticated welfare system which is akin to the "western style" of social welfare. Programmes that western states, and South Africa engage in include public provisions of education, health, housing and public assistance (Kwok, 2003:2). This links to Foucault's concept of *biopower. Biopower* is a "modern form of power" reflected in "the growing importance assumed by the action of the norm, at the expense of the juridical system of the law" (Foucault, 1978:144). He argues that the idea behind *biopower* is no longer "deduction" in which there is an attempt to "suppress" life with the threat of death (Foucault, 1978:136), but in the modern world "power…exerts a positive influence on life, that endeavours to administer, optimize, and multiply it, subjecting it to precise controls and comprehensive regulations" (Foucault, 1978:137). In the exercise of *biopower* the role of the state is to manage the births, deaths, reproduction and illnesses of a population. This explication of

biopower is supported by Hardt and Negri (2000) in their text *Empire*. According to them,

> [B]iopower is a form of power that regulates social life from its interior, following it, interpreting it, absorbing it-every individual embraces and reactivates this power of his or her own accord. Its primary task is to administer life. *Biopower* thus refers to a situation in which what is directly at stake in power is the production and reproduction of life itself (Hardt and Negri, 2000:24).

Biopower, "expresses the increasing scientific effort of measuring and regulating all dimensions of life: birth, mortality, education, employment, and criminality" (Pereira, 2009:45). In this quotation, it is apparent that *biopower*'s core thrust is to manage and control people. Social policy is primarily concerned with governmental institutions and arrangements for promoting social welfare through the amelioration of individual and collective needs as socially defined (Hewitt, 1983:69). The state maintains power over its citizens through its "provisions" and "services" (Foucault, 1978), and social welfare is an instrument for achieving this.

Social welfare is a measure of redressing poverty and it is an entitlement, a citizen's right. Funds for social welfare programmes are generated from public revenue mostly collected through taxes. Social grants have been seen to assist families most in need. In an article by Alistair Anderson in the Financial Mail (2015) entitled "Social Protection: Grants rise higher than inflation" the South African Finance Minister Nhlanhla Nene in an inaugural national Budget speech, delivered on 25 February 2015 in parliament, was quoted as saying, "social grants play an important role in protecting the poorest households against poverty". Whilst the child support grant has been researched and its positive effects noted (Case et al., 2002 and Hearle and Ruwanpura, 2009:427), very little has been done on the FCG (Case et al., 2002 and Hearle and Ruwanpura, 2009, Breen, 2015), a void that this study filled.

Within *biopower*, subjects of social policy, including orphans, are not analysed as "social givens or as the results of processes of causacation", rather they are founded within the discourse of social policy as categories in which individuals and groups are classified (Hewitt, 1983:67-68). This classification/categorisation operates in a way that states use these statistics in planning and the distribution of resources. *Biopower* is manifest in "an explosion of numerous and diverse techniques for achieving the subjugation of bodies and the control of populations…" (Foucault, 1978:140). The South African state employs political strategies designed at regulating aggregate biological occurrences at the population level and these include health and social welfare. This is in a bid to reduce the "population's mortality rate, increasing its average life expectancy, stimulating its birth rate, decreasing its morbidity levels" (Elbe, 2005:406). It is, therefore, in this context that social policy becomes one of the main apparatuses of the state for harnessing and circulating power; *biopower*. Welfare provisions can improve labour power and regulate the unproductive in disciplinary institutions.

The different social welfare programmes that are available in South Africa came into existence once they had been ratified as social policy. The South African state provides social welfare assistance to orphans and other vulnerable children. According to HLSP (2011) this is achieved through the provision of:

- free education;
- free healthcare;
- psychosocial support;
- skills training;
- measures to deal with cases of child abuse, neglect and exploitation; and
- social grants.

The validity of *biopower* can be linked to the South African state's giving out of social grants to the "needy". *Biopower* "needs to be rationalized and justified" (Pereira, 2009: 45). The South African state has three social welfare grants available for children paid by provincial Social Development Departments through their social security budgets (SASSA, 2015). These are:

- the child support grant;
- the care dependency grant; and
- the foster care grant.

The concept of *biopower* is related to the concept of *biopolitics. Biopolitics* is the agent of *biopower* (Pereira, 2009:46). Foucault (1978:136) argues that a *biopolitical* state exposes its citizens "to precise controls and comprehensive regulations" (Foucault, 1978:137). The exercise and successful implementation of *biopower* enables a citizenry of "docile bodies" (Foucault, 1977). "Docile bodies" are, therefore, the end result of "disciplinary techniques" which are "the general form of an apparatus intended to render individuals docile and useful, by means of precise work on their bodies" (Foucault, 1977:231). Theorised by Foucault in the West, *biopower* is a Western notion which needed its applicability to be probed within the contemporary African, and more specifically a rural South African context.

2.8 Identifying the agents of the state and the mediators

In this section I brought together the centrality of the agents of the state and the mediators within the context of foster care, and how their roles supported the *biopolitical* nature of foster care. The agents of the state are all the actors involved in this process that are affiliated with the state, and the mediators are the facilitators. The relationship between the state and the orphans is seldom linear and clear cut as depicted in Figure 1, one could argue that the magistrate, the social workers and the school teachers represent the state, whereas the HBCWs and the foster parents mediate the relationship. There are instances where some mediators are not in the process. The mediators who are not always included in the process include the HBCWs and the school teachers.

Figure 1: A representation of the agents and the mediators
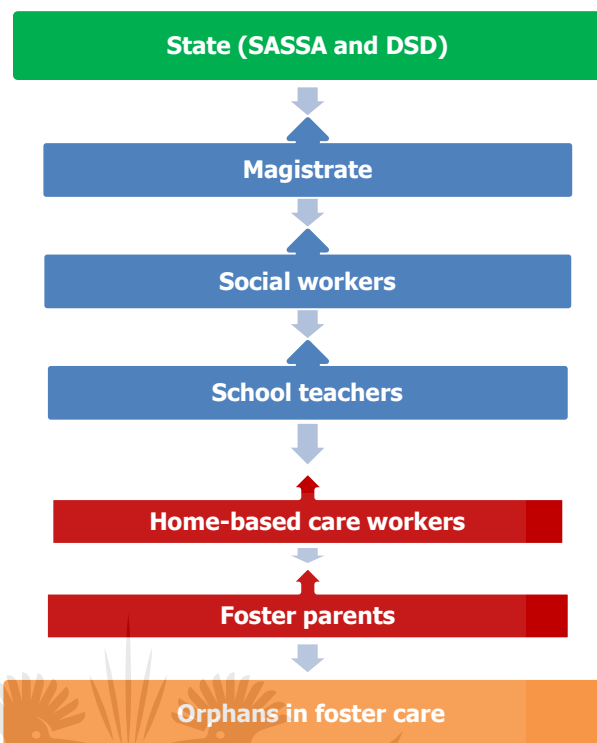
From the figure above, the colour green is representative of the South African state (i.e., SASSA and the DSD), blue is indicative of the agents of the state (magistrate, social workers and school teachers), red is indicative of the mediators (HBCWs and foster parents) and orange represents the orphans in foster care. What followed was a discussion of both the roles of the agents of the state and the mediators.

2.8.1   The agents of the state within the context of foster care

In a *biopolitical* state, its interest in the caring of the orphans is because it wants them to be raised in a "normal" atmosphere. This process of "normalisation" is a crucial consequence of *biopower* (Foucault, 1978:144). A "normalising society" exercises disciplinary measures and the result of a "technology of power centred on life" (Foucault, 1978:144). Orphans in foster care are then fashioned into "docile bodies" (Foucault, 1977) through the roles of agents. In his classical text, *Discipline and Punish: The Birth of the Prison,* Foucault (1977) articulates that these techniques involve,

> …distributing individuals, fixing them in space, classifying them, extracting from them the maximum in time and forces, training their bodies, coding their continuous behavior, maintaining them in perfect visibility, forming around them an apparatus of observation, registration and recording, constituting on them a body of knowledge that is accumulated and centralized (Foucault, 1977:231).

In a *biopolitical* sense the magistrate, the social workers and school teachers are potentially the agents. The *biopolitical* agents are "technicians" and "normative judges" whose role is to help in distinguishing, qualifying and ranking individuals (in this study orphans) according to their ability to conform to the "normative prerequisites of disciplinary technology" (Foucault, 1977:17-22). When looking at their responsibilities, they assist in the elimination of all social and psychological irregularities and facilitate the production of useful and "docile bodies" through the refashioning of minds and bodies. Below is an explanation of each agent's role in foster care.

(i)   The role of the magistrate

A magistrate is a "public civil officer, invested with some part of the legislative, executive, or judicial power given by the constitution. In a narrower sense this term includes only inferior judicial officers, as justices of the peace" (LECTLAW, 2012). It is the responsibility of all magistrates to exercise the power and authority, bestowed upon them for the good of the people, in regards to law, and with enthusiasm and loyalty. They are also not above the law as malpractice on their part to exercise their duties, when required by law, is a violation of their mandate (LECTLAW, 2012).

In foster care, there is a children's court which is concerned with the welfare of children. This court has the authority to make orders which protect and guarantee the welfare of children. It was noted that any magistrate's court can be constituted as a children's court, just as any magistrate can act as a Commissioner of Child Welfare (The International Child and Youth Care Network (CYC-Net), 2015). The magistrate (known as the Commissioner of Child Welfare) presiding at any

Children's Court Inquiry has the right to order a medical examination and to request a report from a social worker (The International Child and Youth Care Network (CYC-Net), 2015). Based on this report and the evidence furnished to him/her, the magistrate can ratify foster care (The International Child and Youth Care Network (CYC-Net), 2015).

(ii)   The role of the social worker in foster care

Social workers are core agents in the exercising of *biopower* by the state. They provide counselling; assist individuals in accessing social services and other benefits; lobby for the disenfranchised; and engage in actions designed to influence social policies (UNAIDS, 2008:ix). Social workers are considered to play the crucial role of assessing,

> [t]he social needs of individuals, families and groups, assist and empower people to develop and use the skills and resources needed to resolve social and other problems, and further human well-being and human rights, and social development (Ministry of Labour, 2008: 12).

In the South African context social workers are found both in government organisations and non-governmental organisations. According to the Ministry of Labour South Africa (2008) in their National Master Scarce List for South Africa, looking at skills requires the ability to identify services that are at the focal point of negatively impacting on socio-economic growth and development (Ministry of Labour, 2008:1). Since I was exploring the relationship between the state and orphans in foster care, I looked at social workers as employees who work for the DSD under the title "Social Worker".

The screening and selection of foster parents is done by social workers. At the Children's Court hearing, the social worker recommends to the court that the child be placed in foster care with the foster parents, who have already been selected (Republic of South Africa, 2015). The foster parents often did not have to go to court at all. Foster parents will, however, need to go to court for Children's Court proceedings if they are called as witnesses by the Commissioner of Child Welfare

(the magistrate) (Republic of South Africa, 2015). The presiding officer will issue a court order approving the placement of the child with the foster parent. The court order will show the names of the foster parent, the foster child and the duration of the foster placement.

Once the court order has been issued, the foster parents can apply for a foster care grant at their nearest SASA office. The foster child may also be exempted from paying fees at public schools and public health care institutions (Republic of South Africa, 2015). For the child to be exempted from paying school fees, the foster parents have to complete the exemption form which is available from the school, and submit a letter of recommendation from the social worker to the school (Republic of South Africa, 2015).

(iii)   The role of school teachers in foster care

There is very limited literature that documents the role of teachers in foster care. This is, therefore, a gap that this research is filling. The teachers' role is confined to the class setting in which they monitor and assess the performance of all children.

Based on the above the agents play an important role in the process of normalisation and thus normalisation becomes one of the great instruments of power through which the state manages people and exerts influence over them (Hewitt, 1983:69). It was, therefore, evident that it was through the "technicians" and the "normative judges" that the state managed to "let live or make die" for they were responsible for distribution of the state's resources. What followed is an explication of the mediators in the foster care process.

2.8.2   The mediators within the context of foster care

The term 'mediate' is derived from the Latin word "mediare" which means to be in the middle (Law Reform Commission Ireland (LRCI), 2010: 19). In its simplest form, it can be said that mediation is negotiation facilitated by a third-party (LRCI, 2010:20). Since orphans do not have a direct link to the state, there are "third-parties" that help in bridging this gap. In this study, the term mediator was used

in reference to an individual who plays a part in the establishment of the relationship between orphans in foster care and the state. It is through the role of the mediators that the orphans can receive their entitlement from the state, since they cannot directly claim the FCG. The mediators are the HBCWs and the foster parents.

(i)   The role of the home-based care workers in foster care

Before I looked at what a HBCW was, it was very important to look at home-based care (HBC) *per se.* HBC is defined as the "provision of comprehensive services, including health and social services by formal and informal caregivers in the home" (DSD/DOH, 2003). This includes physical, psychosocial and spiritual care (DSD/DOH, 2003), such as counselling and teaching, palliative care, promoting the health of the patient with symptom control and lightening the care load. The carers also assist in preventing the further spread of HIV and to mobilise community resources for PLHAs[4] and their families. This thereby provides hope and comfort through good quality and appropriate care that helps patients and families improve their quality of life. HBC extends from health facilities to the home and vice versa. There are various models of HBC: integrated HBC where all service providers are involved; single service HBC involving one organisation; and the informal HBC model with no formal support structure (Uys in Young and Busgeeth, 2010:3).

The role of HBCWs in the context of foster care specifically could not be found in the literature. For the purposes of this study, I looked at HBCWs as individuals who were important care providers and are of trained health workers or volunteers. They may have assisted with much of the care provided by families including household chores and providing and cooking food, as well as performing more clinical tasks such as administering pain relief or medication. They may also make referrals for more professional medical help.

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[4] Acronym for People Living with HIV/AIDS

(ii)   The role of foster parents in foster care

Foster care is when a child is placed under the guardianship of foster parents. The South African state considers a foster child to be one that has been put in the custody of a foster parent by the courts for being either orphaned, abandoned, at risk, abused and neglected (South African Government Services, 2013). A foster parent is a person "who has foster care of a child by order of the children's court, and includes an active member of an organisation operating a cluster foster care scheme and who has been assigned responsibility for the foster care of a child" (Republic of South Africa, 2007). The Children's Amendment Bill (2007) describes how a child is fostered in South Africa. According to Chapter 183, the prospective parent must be a "fit and proper person to be entrusted with the foster care of the child," the person must be "willing and able to undertake, exercise and maintain the responsibilities of such care," "have the capacity to provide an environment that is conducive to the child's growth and development" and "be properly assessed by a designated social worker…" Based on the above, the nature of the actual actions is not stated and hence I investigated their actual roles.

2.9   Conclusion

In this section the key terms used in the study were conceptualised and working definitions were developed. For this study the "state" was used in reference to SASSA and the DSD. *Biopolitical* agents were identified within the context of foster care and these included the magistrates, the social workers and the school teachers. The mediators of this relationship were also identified, and those identified were the HBCWs and the foster parents. There was also an analysis of what orphanhood entails in South Africa, and also informal and formal strategies that have been implemented in countering the orphan crisis in South Africa. The informal safety nets were marked by the absence of a legal or court order that ratifies the process, which in the case of this study was informal care. Formal strategies include adoption, orphanages and formal foster care.

From looking at the literature on foster care, it was noted that the extended family was also responsible for childcare in both formal and informal foster care scenarios. Within Southern Africa, childcare has been regarded as the task of the extended family as opposed to a nuclear family (Townsend and Dawes, 2004:7 and CASE, 2008:v). The extended family is widely proposed and preferred for the placement of orphans and other vulnerable children (Freeman and Nkomo, 2006:504).

This study was centred on formal foster care in South Africa; the foster care process, the application process of the FCG together with the roles and responsibilities of the actors. South Africa's stance on the orphans can be assessed using Foucault's (1978) notion of *biopower*. The exercise of *biopower* in the care of orphans in foster care is manifest in the FCG. The FCG has benefited a significant number of orphans as it is significantly higher than the childcare social grant (Meintjes et al., 2005:33). The culminating effect of *biopower* and its distribution is to create what Foucault refers to as "docile bodies". There are different normalising agents that are involved in the orphan's life, and all this is in a bid to make sure that the orphans grow up as "normal people". In the following chapter I looked at the methodology that was used to answer the research questions.

CHAPTER THREE

Researching Orphans in Foster Care and the State

"Not everything that can be counted counts, and not everything that counts can be counted" (Albert Einstein)

3.1 Introduction

In Chapter One the research problem was presented from which the research questions were formulated. From the research questions, research objectives were then identified. The study looked at the nature of the relationship between orphans in foster care and the state. As noted in the previous chapter, there were *biopolitical* agents and mediators in this relationship. The agents included the magistrate, the social workers and the school teachers; and the mediators included the HBCWs and the foster parents. In a Foucauldian sense, the agents played a crucial role in helping to distinguish, qualify and rank orphans and thus they were *biopolitical* "technicians" and "normative judges" (Foucault, 1977:17-22). The mediators played a critical support role to the agents. This chapter presents a detailed discussion of the choice of methodology, the research design, the selection of participants and the research methods that were employed to answer the research questions.

3.2 Research objectives

In order to have a better understanding of the subjective experiences of both the agents and the mediators (the magistrate, the social workers, the school teachers, the HBCWs and the foster parents) regarding the state's responsibility towards caring for orphans in foster care, I formulated the following research objectives:

1. to describe the roles of the agents of the state in the provision of foster care;
2. to describe the roles of the mediators in the provision of foster care; and
3. to assess the applicability of *biopower* in explaining the foster care system in South Africa.

To meet these research objectives, the following is a description of the research design that was adopted.

3.3   Research design

Based on the research questions, **"What is the nature of the relationship between orphans in foster care and the state? How does the provision of foster care by the state demonstrate *biopower*?"** a qualitative research methodology was utilised in this study. This approach was selected because qualitative research is defined by its focus on understanding how social life operates, and its methods which generally generate words, as opposed to numbers, as data for analysis (Patton and Cochran, 2002:3). As a qualitative researcher, focus was on understanding "things" in their natural environment, attempting to make sense of, or interpret phenomena in terms of the meanings people ascribe to them (Denzin and Lincoln, 1994:2).

When looking at the nature of the research questions and the participants that were to be interviewed; the magistrate, the social workers, the school teachers, the HBCWs and the foster parents; the employment of a qualitative research methodology enabled the researcher to obtain data that was rich and complex and gave a detailed account of the participants' subjective experiences (Creswell, 1998:15). In light of the first two objectives, describing the roles of the agents of the state and the mediators in the provision of foster care, a descriptive and an exploratory research design was utilised. Descriptive research was ideal for this study because it presented "a picture of the specific details of a situation" (Neuman, 2006:2) within the context of Ha-Makuya. De Vos et al. (2002:106) point out that an exploratory study is undertaken when more information is needed in an area of interest, or when the researcher wants to understand a certain situation better.

3.3.1 Data collection tools

The main data collection tool used in this study was semi-structured interviews, which were used together with field notes and photographs.

(i) Semi-structured interviews

Interviews are the most popular data collection method in social research (DiCicco-Bloom and Crabtree, 2006:341), because of their ability to get rich and in-depth data from participants. A comprehensive interview guide was constructed for each of the groups. Each interview guide was structured in a way that it teased out the participants' backgrounds and their experiences in their field in relationship to foster care (see Appendices 3; 4; 5; 6; and 7). The study also wanted to investigate how the mediators viewed the state's FCG, its application process and whether or not they thought the grant was sufficient to cover the needs of the orphans. The questions on the guide were arranged in order, together with suggested key questions (Kvale, 1996:124 and Gill et al., 2008:291). Semi-structured interviews were selected because of the imperativeness of acquiring a rich description. By "rich description" reference is made to the process of taking into cognisance the influence of temporal and spatial contexts in observing and interpreting social meaning when conducting qualitative research, and also looking at the social structures and social processes that influence the interview process. It is an in-depth understanding of social phenomena (Gill et al., 2008:292), and in this study, the nature of the relationship between orphans in foster care and the state.

Based on the above, the main reason for using semi-structured interviews was for the researcher to empathise and sympathise with the participants, thereby drawing closer to understanding the world from their viewpoint; as Spradley (in Kvale, 1996:125) so eloquently puts it:

> I want to understand the world from your point of view. I want
> to know what you know in the way you know it. I want to
> understand the meaning of your experience, to walk in your
> shoes, to feel things as you feel them, to explain things as you

> explain them. Will you become my teacher and help me understand?

From this quotation, just like Spradley, 1979 (in Kvale, 1996:125) I wanted to feel and understand the participants role in the relationship between orphans in foster care and the state.

3.3.2   Site selection: Ha-Makuya

In order to do this study on the nature of the relationship between orphans in foster care and the state, it was important to conduct it in an area where people are economically poor and marginalised, and where there was a very high number of orphans in foster care. There is very limited research on orphans in foster care and the state in South Africa. Following a preliminary investigation in the form of desktop research which was conducted in order to better understand general demographic trends in South Africa, it was noted that the Limpopo province was ideal for this study.

The Limpopo province has almost 10% of the FCG beneficiaries, and thus the third highest number of FCG beneficiaries in South Africa, and of the seven grants in the Table, it had the third highest number of beneficiaries (See Appendix 1). Limpopo province had the highest unemployment rate in South Africa in 2009, where 54% of the employable people were not employed (South African Human Rights Commission (SAHRC), 2011:22) and also the highest number of children living in poverty from 2002-2008 (SAHRC, 2011:21).

The researcher was in a very fortunate position to be introduced to Doctor Lara Allen, who was then the Director of Tshulu Trust, a not-for-profit organisation operating in the Limpopo province in a rural district called Ha-Makuya; by Professor Kim Berman, a professor in the Department of Fine Art, at the University of Johannesburg, who was conducting community engagement interventions there. Ha-Makuya is a rural district in the North Eastern Limpopo province, in ex-Venda homeland. Ha-Makuya falls under Ward 13 of the Mutale Municipality (Vhembe District). Ha-Makuya is composed of 18 villages and it covers 1,200 km^2. It is serviced by 13 primary schools; one secondary school;

two clinics and one police station. There are no tarred roads, and water is available from communal taps. Most of the villages have electricity and cellphone coverage. During the apartheid era, Ha-Makuya suffered systematic underdevelopment and is now considered to be a "national poverty node" (Berman and Allen, 2012:81). The rural district is made up of 6,000 people. The typical Venda family is composed of a polygamous union in which there is one central male and two or more females. There are a number of children (some of whom are not theirs), and grandparents in the family.

Figure 2: A typical Venda family in Ha-Makuya

Source: Picture taken at Ha-Makuya, Mukomawabhani, on 20 May 2013

Access to the site was facilitated by Doctor Lara Allen. She had worked in the community for a decade, and she has established strong relationships with most of the major stakeholders in the community. These include the chief, the headmen, the Makuya Traditional Council, the Makuya SAPS and Makuya Clinic, among others. Professor Kim Berman supported me with accommodation, food, and transport to and from the different homesteads where the interviews were conducted and in addition to that she hired a translator who assisted me during the course of this research. Ha-Makuya is constituted of Venda people who are deeply traditional and place a high premium on cultural values. For the researcher to conduct his field work, he had to be transported in a four-wheel drive vehicle

as the terrain is sandy and rocky. Below is an image of the vehicle that was used during this study.

Figure 3: The researcher's mode of transport during the study

Source: Picture taken at Ha-Makuya, Tshulu Camp, on 22 May 2012

3.4   Selection of participants

After several meetings with Professor Kim Berman in Johannesburg, the researcher went to Ha-Makuya in May 2012 on a reconnaissance trip to assess the feasibility of this research. The selection of participants was guided by Mr. Oliver Connell, then the Programme Manager for Tshulu Trust. He, in most instances, was the one who organised the interviews with the participants as I was in Johannesburg (the research site is a 10-hour drive from Johannesburg). Mr. Connell worked with the school teachers, HBCWs and the social workers on numerous projects and interventions that they did with Tshulu Trust.

On my first day in Ha-Makuya Mr. Connell arranged a meeting with the head social worker in Ha-Makuya, Mr. Masese, so that I could get acquainted with him. The meeting was at his office located at the Thusong Service Centre Building, in Makuya[5]. I was escorted to his office by Doctor Lara Allen, who had met him at various community meetings. This meeting was immensely fruitful, and Mr. Masese assisted me with invaluable information on what I was to do in order to get authorisation to interview the social workers by the DSD (Polokwane). During this brief meeting with Mr. Masese, I also had a discussion with him on whom else the social workers worked with in Ha-Makuya within the context of foster care. He indicated that the social workers worked with the HBCWs that operate in Ha-Makuya, and from them I was more likely to get "more information". Upon enquiry as to why the HBCWs, his response was, "[w]e liaise with the home-based care workers…"[6] The selection of participants was not linear, and it did not follow any systematic process. Figure 4 below illustrates how the participants of this study were selected.

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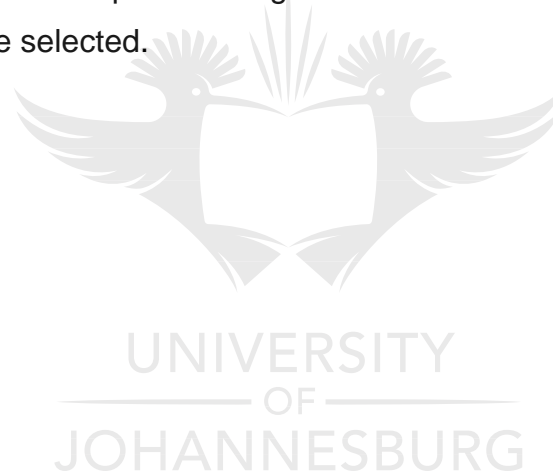
[5] Makuya is the central village of Ha-Makuya. That is where the government offices, a clinic, police station and other auxiliary departments are located.
[6] Field notes were recorded in May 2012.

Figure 4: Participant selection trajectory
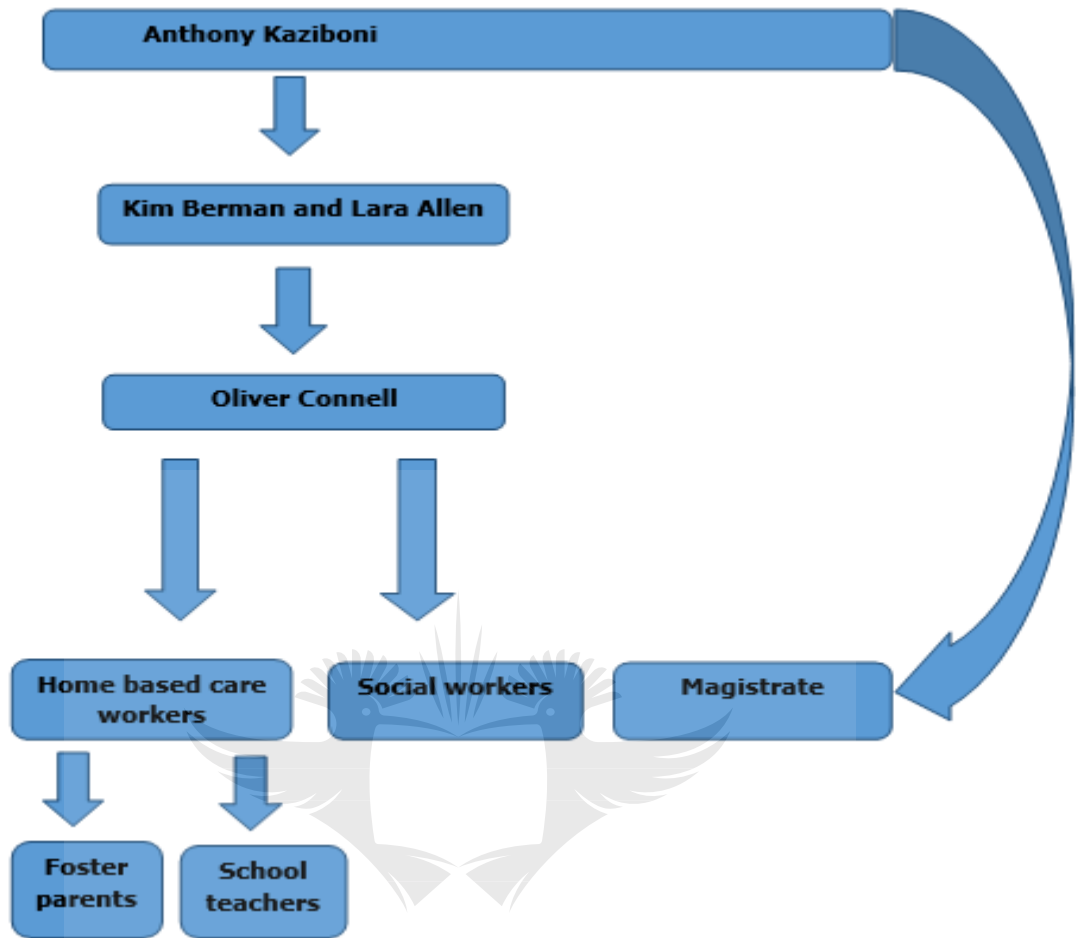
Since the study required participants from the different groups; the selection of the number of participants of foster parents, school teachers, HBCWs, social workers and magistrates was on the basis of what Marshall (1996:253) states regarding sample size:

> An appropriate sample size for a qualitative study is one that adequately answers the research question. For simple questions or very detailed studies, this might be in single figures; for complex questions large samples and a variety of sampling techniques might be necessary.

It was from this premise that one magistrate; four social workers; three school teachers; five HBCWs and three foster parents were selected. In total 16 interviews were conducted with the various participants. Following is an explanation of how the different participants were selected.

3.4.1   Selection of magistrates

Mr. Fatuma, the Tshulu Trust Community Liaison Officer, helped immensely with this process. Mr. Fatuma is a game ranger and guide. He is bilingual, and has performed the role of translator for tourists who visited the local game reserve. He indicated that the magistrates only came to Ha-Makuya once a week, on a Wednesday, and they would deal with all their cases on that day. The researcher selected one magistrate who was currently working in Ha-Makuya. This selection was based on looking at magistrates as key informants, individuals who would have dealt extensively with orphans in foster care.

3.4.2   Selection of social workers

Ha-Makuya was serviced by a team of four social workers. For the purposes of this study it was ideal that they all took part in the study, and all were interviewed including the head social worker. The identification and selection of the social workers was facilitated by Doctor Lara Allen and Mr. Connell, but their overall selection was done by me.

3.4.3   Selection of school teachers

The school teachers who participated were selected on the basis that they had to be employed at schools in Ha-Makuya. The identification and selection process was facilitated by Mr. Oliver Connell and Sister Carol (a female home-based care worker). The teachers who participated in this study were employed at the local high school.

3.4.4   Selection of home-based care workers

In Ha-Makuya, there were three different HBC organisations: Khavambe Home-Based Care Organisation, Dhomboni Home-Based Care Organisation and Sanari Home-Based Care Organisation. The researcher kept in touch with Sister Carol, a female senior HBCW working for the Khavambe Home-Based Care Organisation. Sister Carol agreed to participate, and she led me to the other participants in a snowball fashion.

3.4.5   Selection of foster parents

The selection of foster parents was done with the aid of the Dhomboni Home-Based Care Organisation, who had more information about them in Ha-Makuya. HBCWs conducted regular home visits to all homes that had foster children.

3.5   The data collection process

The process of communication between the interviewer and the participant, data collection, is the scene of knowledge creation (Kvale, 1996:127). The main data collection method utilised was semi-structured interviews. Data was collected in three phases. For the first phase, I went to Ha-Makuya from 23 to 30 March, 2013. Interviews were conducted with few complications. The participants interviewed in the first phase were the HBCWs, the foster parents and the school teachers. The second phase was from 9 to 14 December, 2013, and these were interviews with the social workers. Phase three was on 7 April, 2014 and in this phase I interviewed the magistrate. The time difference (almost a year) between the first phase and the third phase was due to the immense difficulty to get permission to interview the magistrate.

3.5.1   Interviewing the agents of the state

It was relatively easy to get access to interview the school teachers. There were, however, challenges with interviewing the social workers and the magistrate. To interview both the social workers and the magistrate there were bureaucratic

procedures that had to be followed. For both, a formal application had to be submitted to DSD Polokwane and the Magistrates' Offices in Thohoyandou and it consisted of the following documents:

- an application letter requesting permission to interview the agents (i.e., social workers and the magistrates);
- a letter from the Head of the Sociology Department at the University of Johannesburg confirming my intent;
- the research proposal for the study;
- the interview guide; and
- the consent form for participants.

This process was exacerbated by time delays in responses from both the DSD (Polokwane) and the Magistrates' Offices (Thohoyandou), as will be noted below.

(i)   School teachers

When I arrived in Ha-Makuya, schools were in recess. I was not able to meet the primary school teachers at their homes as had been arranged previously. Three school teachers were interviewed. Mr Connell in conjunction with Sister Carol arranged the interviews. Of the three interviews, one was conducted at the Tshulu Resource Centre. The other two interviews were conducted at the school where the teachers were employed.

(ii)   Social workers

Since I had been interacting with Mr. Masese, the head social worker in Ha-Makuya, and the other social workers since May 2012, I assumed that it would be fairly easy for me to get permission to interview the social workers. I had established a very collegial relationship with Mr. Komboni, a social worker, whom I had first met in May 2012. Mr. Komboni verbally agreed to participate in the study and also offered to identify and recruit participants. I met Mr. Masese on 26 March, 2013. During that meeting, I requested permission to interview the social workers based in Ha-Makuya, but Mr. Masese could not help me as he could not

make this call in his capacity as the head social worker. He was very helpful and advised me to lodge an application directly with the DSD (Polokwane).

Mr. Masese advised me to send an "application letter" to the DSD in which I requested permission to interview the social workers in Ha-Makuya. The application was sent on 11 April, 2013 by registered mail, and an acknowledgement of receipt from the DSD was received on 22 May, 2013, via a telephone call. From the acknowledgement of receipt, follow-ups were done via email and telephonically. Permission to interview the social workers was granted six months later, in December 2013, via a phone call. I was also informed that permission had been granted in September 2013, but that the person who was to communicate with me had been on leave. Four interviews were conducted, three with the social workers and one with the head social worker, Mr. Masese.

(iii)   Magistrate

It was also difficult to get permission to interview the magistrate. An application to interview the magistrate together with other supporting documents was sent to the Magistrates' Offices in Thohoyandou on 18 April, 2013 by post. After following up with the Magistrates' Offices, it was established that the documents could not be found and I had to resubmit the documents via email on 7 August, 2013 and I received a confirmation of receipt on 8 August, 2013. I got provisional permission to interview the magistrate provided that he submitted the interview guide and the consent form on 8 September, 2013. The outstanding documents were sent on 9 September, 2013, and the interview was conducted on 7 April, 2014.

3.5.2   Interviewing the mediators

Interviewing HBCWs and foster parents was accomplished with relative ease compared to the magistrate and social workers because of red tape.

(i)   Home-based care workers

The three HBC organisations operate in different villages. I kept in touch with Mr. Connell who aided in the selection of five HBCWs. He arranged the interviews.

(ii)   Foster parents

During my first visit in Ha-Makuya in May 2012, I went with the HBCs from Dhomboni Home-Based Care Organisation on a trip around Ha-Makuya. The HBCWs assisted in the identification and selection of the foster parents who were receiving the FCG. I requested permission once I met the foster parents. In total five homes were visited, and from the five, only three foster parents were available when we arrived. All three foster parents expressed interest to take part in the study.

Figure 5: Home-based care workers going for home visits

Source: Picture taken at Ha-Makuya, Sanari, on 20 May 2012

All the foster parents that we asked permission to interview were very keen to participate in the study. The HBCWs were very important in this process because they played a crucial translating role and were mediators. During my time away from Ha-Makuya, the HBCWs would communicate regularly with the foster parents about my impending visits, and this was mostly done by Sister Carol. All the foster parents that were interviewed were female. Two of them were the grandmothers of the children, while the third one was a sister to the children's late mother (the foster children's aunt).

Figure 6: Home-based care workers en route from a home visit

Source: Picture taken in Ha-Makuya, Dhomboni, on 20 May 2012

3.5.3   Field notes and photographs

From the very first time I arrived in Ha-Makuya in May 2012, I kept a diary in which I made field notes. Field notes "are gnomic, shorthand reconstructions of events, observations, and conversations that took place in the field" (Van Maanen in Wolfinger, 2002:86). Field notes were crucial because I was able to make constant reference to them in the data analysis process and the writing of this

mini-dissertation. Photographs were also taken during the entire research process.

Both the field notes and the photographs proved to be invaluable resources as they helped me understand and appreciate the findings in a different light. It is on this note that one is inclined to concur with Van Maanen (in Wolfinger, 2002:86) that field notes are "the secret papers of social research". The field notes consisted of observations, reflections and informal interviews that were done throughout the research. Some of the notes were immediately written after every interview, and some sporadically. When writing the notes, I was sure to record what I had observed and what I heard (De Vos et al., 2002:285), but also went a step further to note down my thoughts, feelings and emotions based on my experiences, in and out of the field.

3.6   Situating the participants

In total, 16 participants were interviewed. These participants were all in different categories as this would contribute to getting a holistic understanding of their involvement in the relationship between orphans in foster care and the state. All names are pseudonyms and below is their characterisation in their respective categories.

3.6.1   Magistrate

Advocate Nzou, aged 53, is a male magistrate. He has been a magistrate for well over 20 years and has been working in Ha-Makuya for more than seven years. He was very experienced in his profession and indicated that he had been coming to Ha-Makuya every Wednesday to deal with various cases, foster care included.

3.6.2   Social workers

Four social workers were interviewed which included the Head Social Worker in Ha-Makuya, **Mr. Masese, aged 37**. As the head, he oversees all the cases that the other social workers are handling. He has been a social worker for nine years, five of which have been in Ha-Makuya. He previously worked in Mpumalanga, and in Polokwane. Because he has worked in different places, he is fluent in SePedi, isiZulu, SiSwati and TshiVenda. **Mr. Komboni, aged 24,** has been working in Ha-Makuya for two years. He recently graduated from a local university and is fond of his job. He wants to pursue post graduate studies. He grew up in the community, and strongly believed in "giving back" to the community hence he worked in Ha-Makuya as a social worker. The remaining two social workers were female, **Ms. Cassandra, aged 35** and **Ms. Brenda, aged 24,** and have been working in Ha-Makuya for six years and a year and a half respectively.

3.6.3   School teachers

Three school teachers were interviewed. They were aged between 40-52, and their teaching experience ranged from 15-26 years. These were: **Mr. Chamba, aged 52,** who was a very enthusiastic teacher. He has been in the teaching profession for 26 years. **Mr. Hadzi, aged 45,** was also a passionate school teacher. He has been in the teaching profession for 20 years. Lastly, **Mr. Collins, aged 40,** was also another enthusiastic male school teacher. As the youngest, he also had the least teaching experience compared to the other teachers as has been in the profession for 15 years.

3.6.4   Home-based care workers

Five HBCWs were interviewed. HBC organisations in Ha-Makuya were established in 2000, and all the HBCWs interviewed had been members since then. **Brother Judas, aged 44,** is the only male HBCW who participated in this study. The females were: **Sister Carol, aged 36; Sister Thembi, aged 41; Sister Mavis, aged 40;** and **Sister Sharon, aged 37**.

3.6.5   Foster parents

Three foster parents were interviewed. **Ma' Nazla, aged 44,** was married. She was a housewife and her husband worked at the local mine. He was at home only over the weekends. She had six dependents; her four biological children and two foster children, both of whom are below the age of four. The foster children were her late sister's biological children. She was unemployed formally and she attributed this to the unavailability of employment opportunities in Ha-Makuya. She, however, had a chicken run and she sold chickens to supplement the household income.

Figure 7: Ma' Nazla's chicken run

Source: Picture taken in Ha-Makuya, Sanari, on 2 March 2013

Gogo Mash, aged 88, was another foster mother. She was a grandmother who took care of two of her adult children and four foster grandchildren. Her sources of income were her pension grant and the foster grants for the children. **Gogo May, aged 76,** was a foster mother. She, like Gogo Mash, is the grandmother of her foster child. Her daughter passed away 20 years ago, and from then she has

been taking care of her only grandson. Her grandson, Eric, is a 21-year-old "orphan." She has been taking care of him ever since he was six months old. She says, "I took care of him from when he was six months old after my daughter passed away". Initially she could fend for herself and her foster child through selling traditional beer but because of age, she has been battling to work as much as she used to and this has adversely affected her financially. She has been receiving the FCG since 2010. Her sources of income are her pension grant and her grandson's FCG.

3.7   Recording and transcribing the interviews

In contemporary social research the use of audio and video recorders has become very popular (Whiting, 2008:36). A digital audio recorder (a Samsung cellular phone) was used to record all interviews. The use of the recorder produced an atmosphere conducive for the participants to express themselves and this also assisted in allowing for accurate and verbatim transcription of the interviews (Whiting, 2008:37). To add to this digital audio recording, there was an opportunity for me to take notes in a diary and also take pictures using a digital camera. The interviews were then transcribed verbatim, and verified afterwards. This was done through playing the recordings and typing up the sessions, and the verification was done by Hulisani Tshilidzi, my research assistant, a TsiVenda first language speaker and a postgraduate student at the University of Johannesburg.

Language is the crux of most qualitative research methods (Inhetveen, 2012:28). As mentioned earlier, I cannot speak TshiVenda, so the services of a professional translator from Tshulu Trust was utilised for the interviews with the foster parents and the HBCWs. The translator was a 31 year old male, Tabelo Malala. He was chosen carefully and ideally translators should satisfy the following criteria as stated by Murray and Wynne (2001:160) that he/she must:

- have a basic understanding of qualitative research;
- be familiar with the topic of interest in particular;
- be proficient in both the language of the participant and researcher;

- have the ability to express the same feelings and intonations as the interviewer through verbal and non-verbal means; and
- share some characteristics with participants, such as age, gender, religion and class.

In preparation for the interviews, I went through an induction session with the translator, and during this process I informed him of his tasks, duties and responsibilities. The interview guides were constructed in English and had to be translated into TshiVenda. This process was successful because we were assisted by Mr. Fatuma, the former game ranger who was bilingual (he spoke English and TshiVenda fluently).

Figure 8: Translation of interview guides at the Resource Centre

Source: Picture taken in Ha-Makuya on 15 March 2013

From the time the translator was included in the research, this had crucial implications for the manner in which the data was going to be collected and analysed. The research became subject to what Temple (in Filep, 2009:64), refers to as "*triple subjectivity*". It is, therefore, in light of this that the interactions among myself, the participant, and the translator needed to be made explicit (Temple in Filep, 2009:64). I encountered a particular problem with the translator.

While I wanted the translation to be in the first person, he occasionally reverted to the third person. This was dealt with during the transcription, when the transcripts were verified against the recordings.

Translators are supposed to transmit neutral messages. In the interview with an elderly lady, who was a foster parent, it became apparent to me that the TshiVenda that she spoke was "deep," and to some extent the translator had difficulty in understanding some of the words, and their meanings. Fortunately, we had been accompanied by the HBCWs. It was at this point that I noted that the verbatim style of translation in the first person does not always work in qualitative social research as meaning and symbols to some extent can be relative. I, therefore, concur with Temple (in Berman and Tyyskä, 2010:182) who suggests that in social research there may be a need to "convey meaning using words other than literally translated equivalents".

Translators can be viewed as "key informants who provide information about the social setting under research and mediate between the researcher and the group under study" (Berman and Tyyskä, 2010:181). Instead of looking at the translator as someone outside the research process, I noted that the translator had a crucial role in the whole data collection process. Larkin et al., in Berman and Tyyskä, 2010:181) also make the case for making the translator visible by encouraging her/his presence and consultation in every step of the research process. The translator should be an "interpretive guide and co-researcher" (Larkin et al., in Berman and Tyyskä, 2010:181). Murray and Wynne (2001:168) sum this up by saying, "[i]nterpreters are just as much as a part of the communicative process as researcher and participant".

I prepared the translator to such an extent that he became my own research assistant during the course of the interviews, and sometimes he even probed and posed follow-up questions. This ensured validity and reliability since the inclusion of a translator in the data collection process of social research is deemed to strengthen the rigour and trustworthiness of qualitative cross-language social research (Berman and Tyyskä, 2010:181). Based on my experiences in the field, I learnt that the translator was a crucial aspect of the research process. In light of this I do not concur with Patton and Cochran (2002:22) who argue that "[t]he

translator is outside the interview. S/He is a facilitator, and should not start to ask the questions himself".

In light of the translator's role, it was therefore apparent to me that "[l]anguage is not neutral and the perspectives of translators need to be taken into account (cited in Berman and Tyyskä, 2010:182)." Temple (in Filep, 2009:63), however, warns against "the *interpreter version*," which he defined as "relying on interpreters holds the risk of an interpreter version, because translators bring their own assumptions and concerns to the interview and the research process". I dealt with this in the debriefing exercise together with the translation of the interview guides.

Transcriptions were done in order to protect against bias, and they would also provide a permanent record of the interview (Gill et al., 2008:293). I found this process very time consuming. It involved playing back the recordings to increase accuracy (Whiting, 2008:39). To add to these measures, the recordings and transcripts were verified by Hulisani Tshilidzi, my research assistant.

3.8   Data analysis: Reflexivity and the role of the researcher

Qualitative data analysis is different from quantitative data analysis. Quantitative data analysis is structured and follows a systemic pattern whereas "[qualitative] data analysis is the process of bringing order, structure and meaning to the mass of collected data" (Marshall and Rossman 1990:111). The researcher plays a critical role in the interpretation of the data. It is a messy, ambiguous, time-consuming, creative, and fascinating process. It does not proceed in a linear fashion. Qualitative data analysis is a search for general statements about relationships among categories of data (Marshall and Rossman 1990:111). The role of the researcher in qualitative data analysis is much more explicit compared to quantitative data analysis.

Thematic data analysis was utilised, which is defined by Patton and Cochran (2002:23) as that which "looks across all the data to identify the common issues that recur, and identify the main themes that summarise all the views you have collected". These themes were compared within and across the various

mediators in order to establish consistency. I was also reflexive and constantly referred back to the recorded interviews in order to validate them.

I was very much aware of my subjectivity and how it influenced the research. I was reflexive and this enabled me to be self-critical, self-conscious and in the end be able to self-examine (Kock and Herrington in Whiting, 2008:35). Researchers are encouraged to assess the impact of themselves in social research and thus my "values, assumptions, prejudices and influence…must therefore be acknowledged" (Kock and Herrington in Whiting, 2008:35). I had to make decisions and choices continually about how and what to ask the participants (Kvale, 1996:147). Dealing with the participants was complicated because of the diverse nature of the participants. Some appeared to be conservative and traditional, particularly in the case of the two grandmothers who were interviewed, compared to me; a relatively young male from Johannesburg. The other participants were very open and eager to talk, and this was mostly attributed to the relationship that I had established with them, as in the case of the HBCWs over my numerous visits to Ha-Makuya since May 2012. I was very open minded, and at all times remained calm and sensitive (Burns and Grove, 1999:80). I listened to the participants' views and experiences and sought to be interested, attentive and caring about what was shared by the participants. Participants were encouraged to share their experiences.

I made sure that the research process was executed professionally. There were other challenges. These emanated from the differences between myself and the participants about class and ethnicity. I found it immensely beneficial to work with a translator who was an insider. The translator was able to bridge the gap between me and the participants when interviewing the foster parents and the HBCWs, since these were the participants interviewed in TshiVenda.

Each time participants learnt that I was from Johannesburg, they would ask me what they would get after the interviews. The translator would then explain to them the nature of the study, and how I was unable to offer them anything in return. While it was a brilliant idea to be affiliated to Tshulu Trust, I also found this affiliation to be disadvantageous, as I would constantly have to keep reminding the participants that I was an independent student conducting a research as part

of my studies. The Tshulu Trust affiliation led to some participants asking me if I had brought them food parcels.

3.9   Conclusion

In conclusion, a qualitative, exploratory and descriptive research design was employed. The research site is Ha-Makuya, a rural district in Northern Venda. The analysis of the data was conducted within the context of Ha-Makuya. I wanted to provide a holistic and in-depth explanation of the social and behavioural problems in question (Zainal, 2007:1), and was, therefore, concerned with getting a rich description of the nature of this relationship. Through the case study method, the data collected also helped to explain the complexities of real-life situations which would not have been captured in a quantitative study.

Based on the literature, different kinds of participants were selected. Some were easier to interview than others. There were two groups; the agents and the mediators. The mediators were participants who were interviewed with relative ease. These participants included the HBCWs, foster parents and school teachers. The agents were challenging to get access to interview. These were the social workers and the magistrates. The identification and selection of the participants was guided mainly by Mr. Connell and Sister Carol. The identification and selection of HBCWs, foster parents and school teachers was relatively easy. There were challenges in getting permission to interview the social workers and the magistrates. The bureaucratic procedures that had to be followed required sending documents including an application letter to interview them (the social workers or the magistrates), a letter from the Head of the Sociology Department at the University of Johannesburg confirming my intent, the study's proposal, the interview guide and the consent form.

The main data collection method used in this study was semi-structured interviews. To capture every word, and assist in the verification of the data collected, a digital audio recorder was used. The use of the recorder was advantageous because this created an atmosphere conducive to talking. To add to this digital audio recording, I made notes in my diary and also took pictures using my camera as the interview was proceeding. The interviews were then

transcribed verbatim, and verified afterwards by Hulisani Tshilidzi, my research assistant.

CHAPTER FOUR

Experiences of Agents and Mediators in Foster Care

4.1 Introduction

The extended family has taken in orphans both formally and informally, but this has been difficult to do because of poverty. The state introduced the FCG to cushion this burden, and a precondition for receiving this grant is that the child should be in legal foster care. The FCG is the most direct way through which the state impacts the lives of orphans, however, not much research has been done on the grant and the nature of its impact on households. There are numerous studies that have been done to understand the care of orphans in foster care. Some have been centred on looking at people's willingness to take in AIDS orphans. Some studies have looked at the implications of orphanhood on communities within the context of HIV and AIDS; some on the lived experiences of orphans and AIDS orphans in South Africa and others have explored the relationship between orphans in foster care and their foster parents. Again it was crucial to look at the roles played by different actors in the sustenance of the relationship between the state and orphans in foster care.

Studies have revealed that there is little research that has looked at the manner in which the state is involved in a *biopolitical* sense, and how this led to the creation of "docile bodies". To understand the nature of the relationship between orphans in foster care and the state it was essential to look at the interplay between the agents of the state, whom Foucault (1978) refers to as "technicians", and the mediators. The agents of the state included the magistrate, the social workers and the school teachers; and the mediators included the HBCWs and the foster parents. In order to understand the nature of the relationship between the state and orphans in foster care by looking at the agents and mediators it is important to see what they understand as the most important needs of orphans in foster care.

4.2 The most important needs for orphans in foster care

For the day-to-day survival of any human being there are prerequisites that facilitate that survival. By the most important needs I referred to essentials that were required by orphans in foster care for their biological life (*bios*). Food, shelter, clothing and safety were deemed very important by the participants.

Most participants indicated that food and clothing were important needs for the survival of orphans in foster care, and generally all human beings. It was believed that "If a person has shelter, eats enough and has clothes, life goes on as normal. No one can identify that that one is suffering" (Mr. Chamba, a school teacher). This idea that basic needs in the form of clothing and food were key is supported by Gogo Mash, the foster parent taking care of four grandchildren; Mr. Collins, a school teacher; and three HBCWs; Sister Mavis, Sister Sharon and Sister Carol. Hence both agents and mediators had a similar understanding of the basic needs of the orphans in foster care. Beyond food and clothing, safety is another need that came up.

The safety of the children in the form of a shelter was deemed to be a crucial need. The participants across the different categories stated that shelter was important. Unlike the FCG which they would receive until the age of 18, a house was a structure that would outlive the FCG, and it could possibly be a source of income for the orphan once he/she reached adulthood. One HBCW argued that these homes should be built for all orphans, whether they are in foster care or not (Sister Thembi). Further developing the notion of safety, one participant indicated that the child's most important needs were protection and financial assistance (Adv. Nzou, the magistrate). Once these were present then there was a very high likelihood that the children would be taken care of by their foster parents.

Social workers were appreciative of the orphans' emotional needs. This is encapsulated in the following quote by Ms. Brenda, a female social worker, who stated that they need,

Parental care and support…because most foster children have bad behaviour and I think, but I am not sure, it is because they say my parents are gone, so why should I listen to them, I don't have anyone in this world…why should I go to school…No one can tell me anything…you know those children, tell themselves that, "that one cannot tell me anything…she is not even my mum…" They need this parental care and love…The love that they are supposed to be receiving from their [biological] mother, they should be receiving it from the foster parents…

Love was another subtheme that came out. Children needed love from, or to be loved by, their foster parents. A loving parent was considered to be a person who would genuinely look out for the welfare and well-being of the child. The magistrate, Adv. Nzou, indicated that orphans in foster care needed a "carer," and this he qualified as a "loving, concerned and patient" foster parent, which was in terms of the Children's Act. Love was to some extent manifest in guidance and counselling the children. These were essential tools that were indispensable for long-term survival of the orphans in foster care. Based on his classroom interaction with orphans Mr. Hadzi, a school teacher, saw the children needing someone to aid them in navigating life and its challenge.

It was interesting that in spite of the fact that the participants were in different categories, they unequivocally indicated education as the most important need. They were very emotive about this need as for them it served as a tool for escaping poverty. Education was described as a gateway to success and without it the life chances of the child were limited:

Education is the future. Without education, even though the government can give you a grant, after 21 it will stop. But if you have managed to go to school, and you are educated, you can be independent now. And also this helps the government to say, there is this elder sister, she can help the siblings. Even if the government gives them the foster grant after they reach 21 they should be able to pay for one another. But if you are not, there is

a problem. You all stay there and apply for grants (Mr. Masese, the head social worker).

It's education because if she is a foster child and she goes to schools some other days there will be a problem because they will need to do things for themselves (Ms. Cassandra, a social worker).

Education would not only serve as a tool for intellectual enlightenment, but it would serve as a tool for securing better employment possibilities. This is evident from the quote by Mr. Collins, "[education will] equip them [orphans] with the knowledge so that they can stand on their own feet". By "standing on their own feet" education to him means self-sustenance and an opportunity for upward social mobility. Education was also important because it kept the children out of trouble. Two foster parents were of the opinion that education was crucial for orphans in foster care and they affirmed this by the following statements,

Because if they don't go to school then they become your burden [to the society] as there is nothing they will be gaining… (Gogo May, a foster parent).

If more emphasis is put on education then crime will also reduce because they would spend most of their time in school (Ma' Nazla, the aunt who is fostering her niece and nephew).

From needs in the form of food and clothing, to shelter and accommodation to the needs in the form of guidance and counsel, the participants were not as united in what they considered important to the orphans in foster care. An overwhelming number, however, indicated that education was at the core. This finding was consistent with the argument that has been made in literature that in contemporary South Africa education has been associated with improved life chances and upward social mobility and since 1994 the number of black Africans in the middle and upper classes (Tonheim and Matose, 2013:3). Having established the orphans' most important needs, the following section looks at how

those needs have been met through considering the experiences of orphans in foster care.

4.3   A glimpse of the experiences of foster children in Ha-Makuya

Orphans in foster care were living very challenging lives. If a child is not adequately cared for, the child may face challenges that can negatively influence his/her life (*bios*) and life chances. It was quite apparent that the children were living in appalling conditions.

In their homes they barely had enough to eat. They were surviving under "bad conditions" (Brother Judas, a 44 year old male HBCW). This was noted from the statement below,

> [T]hese people [orphans] come with empty stomachs and the Department [the Department of Education] introduced food grants for the schools…Some learners take advantage of them [orphans], they undermine them because they are poor (Mr. Hadzi, a school teacher).

This finding was consistent with what has been found in other studies done. Orphans are generally taken into fragile homes, and since the homes are battling to cope financially the orphans are underfed and in most instances they are the ones who are first to be denied education when there are limited funds within the households (Schönteich, 2002:30). This othering meant that they are deprived of opportunities to improve their life chances.

Beyond being *othered*, the above quotation from Mr. Hadzi indicated that the Department of Education has made concerted efforts towards alleviating hunger within schools by introducing feeding programmes. At school orphans could be identified because their uniforms were worn out. This reaffirms that they were living in abject poverty, and there is a possibility that they are being ill-treated. Foster children are quite different from the other learners; foster children together with orphans could be distinguished in a classroom setting from those who are not orphans. "They lack uniforms, and even their health is not good enough

because they lack food with vitamins" (Mr. Collins, a male teacher). In this statement, Mr. Collins alludes to the fact that the children were being ill-treated, neglected and were being abused, and they were also malnourished.

I also noted that the orphans were being stigmatised and possibly discriminated against within society. In the above quote Mr. Hadzi explains the challenges that the orphans face within a school setting and he does this in a tone which "*others*" them. He refers to the children as "these people". It is plausible that this *othering* was perhaps because the leading cause of orphanhood in South Africa is AIDS, and that the child's parents might have succumbed to AIDS (Schönteich, 2002 and HLSP, 2011).

The same bleak picture was seen in their homes because they are given loads of domestic responsibilities that are extremely laborious for them. Ms. Sharon (a home-based care worker) in support of this stated that,

> These [foster] children are struggling. They are neglected and easily abused…Most of the time the foster parents don't take good care of them children. They grow up struggling and some of them don't go to school because some of the parents give them work. They live a very very hard life.

This finding is in tandem with what has been documented. Orphans have been noted to take up multiple domestic responsibilities, and this commences from the time their parents fall ill, if it's in the context of AIDS orphans (Foster and Williamson, 2000:s278 and AVERT, 2011). These responsibilities included domestic tasks (i.e. cooking, cleaning, carrying water and laundry); caregiving activities (i.e. feeding, bathing, toileting, giving medication and accompanying relatives for treatment), agricultural or income generating activities and childcare duties (Foster and Williamson, 2000:s278 and AVERT, 2011).

The children, especially, females were resorting to unconventional methods of sourcing income. It was alleged that some of the children were not in school and some were "sell[ing] themselves," indicating that they are venturing into prostitution, a form of sexual exploitation, as a source of income (Brother Judas,

a home-based care worker). Commercial sex work as a source generation comes with a risk of contracting HIV. It, therefore, was apparent in this case that girls face a double vulnerability; they were vulnerable because of their gender and because they were orphans.

This has been documented in literature. Orphans are vulnerable to exploitation and abuse (Foster and Williamson, 2000; Schönteich, 2002; CHGA, 2004; Foster, 2004; AVERT, 2011; HLSP, 2011). It, therefore, becomes difficult for them to access adequate nutrition, primary healthcare, accommodation and clothing (Foster and Williamson, 2000:s278 and AVERT, 2011). The negative environment that the orphans generally live in inhibits progress in their lives and they might just be trapped in the circle of poverty (World Orphans, 2015). In the end, all of these negative experiences are tantamount to very limited life chances and can be detrimental to the possibilities of them moving out of poverty. In the event that the children were being taken care of by people genuinely concerned with them, negative life experiences and abuses were minimal. It, therefore, was important to investigate whom the agents of the state and the mediators considered to be the ideal foster parents.

4.4 Grandparents as second generation parents

This study looked at the relationship between the orphans in foster care and the state. In order to make sure that the orphans were taken in by foster parents who were genuinely concerned about their welfare, it was important to establish who the most preferred foster parent was in the eyes of the participants.

The participants largely agreed that grandparents were the most preferred foster parents. It was believed that grandparents tended to be more mature and hence more understanding, more sympathetic and more accommodating (tolerant) of foster children compared to other relatives and non-relatives. This is supported by the following quotations:

The grandparent sympathise with these kids and them being old means that they can handle them better as compared to a younger aunt. The grandparents are patient with these kids even after they have been negatively influenced by their friends (Ma' Nazla, the foster parent taking care of two foster children).

The grandparents are preferred because they are older…They are responsible for the children and they care deeply for them. They are more accommodative than other relatives (Mr. Chamba, a school teacher).

Aunts and uncles were ideal because of their ages and possible access to income. This has been very well documented, and the extended family plays a key role in taking in orphans as foster children (Foster and Williamson, 2000:s279; Bigombe and Khadiagala, 2004:163). There, unfortunately, were issues around intolerance and not accepting the children. One participant indicated that "they [aunts and uncles] sometimes chase them away" different from grandparents who "are very responsible and have utmost care for the children…" (Adv. Nzou, the magistrate). This has formed a relationship of trust and support between the children and their grandparents.

The ability to nurture and raise children was also another subtheme that came up. Since grandparents had successfully raised the foster children's parents, they were also in a position to raise their grandchildren. This resonated with the idea of second generation parents being ideal for childcare, and in this case the care of orphans. This was supported by Gogo Mash (a foster parent) who said,

Grandparents know how to take care of their grandchildren. The aunts and uncles can take care of them at times but they won't be as efficient as the grandparents, and "they [aunts and uncles] don't care like grandparents".

Grandparents have demonstrated a keen desire to care for their grandchildren. Mr. Collins, a school teacher, although not a resident of Ha-Makuya, but based on his experience of teaching in the rural district, indicated grandparents were the

most preferred foster parents because inevitably whenever the school has "parents' day" most of the guardians that come are the foster children's grandparents. Grandparents are the preferred foster parents because they love their grandchildren. They use the FCG to take care of the child, but the other people would not and this was supported by the following statements,

> These ones [grandparents] care more than any other person. You can't trust anyone else because they will use that money [the foster care grant] in another way…Grandparents care more (Mr. Hadzi, a school teacher).

> They are the ones who raise kids because in most cases the kids' parents live with the grandparents even before they pass on; and they [grandparents] genuinely give extra care. They are sons and daughters of the orphans parents…they care (Sister Carol, a home-based care worker).

Some participants considered the biological link between the grandparents and the grandchildren to be a major determining factor in caring for orphans in foster care. Grandparents were the most ideal for raising foster children because, "[t]hey share the same blood with the children… and those children are just like their own children" (Sister Thembi, a hom-based care worker). She went on to say that grandparents are close to the orphans in foster care, whilst this may be the case with aunts and uncles, they are most likely to have more responsibilities with their own children so even if they love the children they would not give them love, care and attention as they would their biological children. This was evident from the following statements by social workers:

> The grandparents are the most preferred because the child is close to the grandparents because they are patient (Mr. Komboni).

They prefer the grandparents, and the grandmother especially. Siblings might not like or respect each other…But the grandmothers know how to raise children, they counsel the grandchildren…With siblings it's different…You find that when we ask them why they allowed the other to do something, they will say, "Why should I stop them? They are old…" the level of respect is also low when it has to do with siblings (Ms. Brenda).

The role of grandmothers taking care of their grandchildren in a foster care scenario is very well documented. Grandmothers were also known to play a key role in the caring of foster children (BESG/CAP, 2008:6; Hlabyago and Ogunbanjo, 2009:508; Kuo and Operario, 2010:5; Djebbari and Mayrand, 2011:2-3; EveryChild and HelpAge International, 2012:4). This is based on the premise that women traditionally play a major role in caring and nurturing. This means that they are responsible for caring for the sick and the orphans as well.

The extended family had a very strong presence in Ha-Makuya. This was because grandparents lived with their children and their grandchildren. This was the other reason why they were ideal to be the foster parents. Brother Judas gave a very insightful analogy. According to him,

Let me give you an example…It's like me, I stay with my mother and my father, together with my wife and children. If I and my wife die, my grandparents have no choice, those children must be cared for by my mother and father.

By saying "no choice", he was indicating that it was by default that they took care of the children. This preference of grandparents is closely linked to the notion that grandparents provide unconditional love and affection to the children and perhaps, they possess similar parenting styles, customs and traditions to that of the children's parent(s) (EveryChild and HelpAge International (2012:7).

4.5   The role of the agents of the state

The various agents of the state were interviewed on their role in foster care and the foster care process. In this section I looked at the roles of the magistrate, the social workers and the school teachers in order to establish the part they played in the sustenance of the relationship between orphans in foster care and the state.

4.5.1   The magistrate's role

The magistrate played a major role in ratifying or declining the foster care. He had the authority to appoint "legal parents" (foster parents). This was also supported by another participant who indicated that the "legal parents" were not "biological parents" he stated that:

> [Our role] is to make sure that the orphans are protected as they fall under the OVC [orphans and other vulnerable children category]. We must also make sure that they are protected that they get a legal parental guardian. From going to court the magistrate appoints "legal parents," not biological parents, who then become foster parents (Adv Nzo, the magistrate).

The appointment of foster parents was done in an official proceeding. Through this authority, he controlled the foster parents' access to state resources, more specifically the FCG since only a child in foster care can access this resource.

There are also instances when an application for foster care is declined. Among the many reasons, insufficient documentation can be a legitimate reason. Ms. Brenda, a social worker, indicated that if the social worker's report is not detailed, and if there is missing information, then the magistrate might decline it. She says,

> Yes, he can [decline the foster care application]. Mostly it will be based on my [psycho-social] report. It will be having little information…Recently they have been declining foster applications in which the father has been put as "unknown". They

will be saying that there is no such, and they have come up with advertising. To say that there is child, with this name, born on this day, staying at this address with whoever, if the father is around please contact the social worker. And then it's given a period of three months…

The magistrate in a foster care application acted in the capacity of a Commissioner of Child Welfare. This psycho-social report was very crucial in a foster care application (The International Child and Youth Care Network (CYC-Net), 2015). During the proceedings the following people are required to take part; the orphan; the potential foster parent(s); the social worker; the children's assistant (during a conventional court case, this would be the prosecutor); and lastly, the magistrate. This was supposed to transpire in a court room, but due to limited space at the Thohoyandou Magistrates' Offices, Adv. Nzou indicated that it took place in his (the magistrate's) office. These proceedings according to the magistrate happened "in camera", implying that it was done in private. During the proceedings the magistrate can probe the people present to get more information so that he can make a more informed judgement. One participant in this study went to the magistrate for this hearing and it was a grandmother taking care of her grandson whom she got custody for. During the proceedings the magistrate asked her questions about her sources of income and having assessed her evidence, he granted the foster care. She says, "I explained that my pension money is not enough for food and also to take Eric[7] to school; it's all too heavy for me".

The main aim of this hearing was to make sure that the potential foster parents have the child's best interests at heart. This was supported by LECTLAW (2012) which stated that when a magistrate presides over a case he/she must exercise power and authority in the best interests of the parties involved, and in this case this would be the orphan. The magistrates also assessed the "match" between the orphan and the guardians. This is in accordance with the argument that foster parents and foster children should share the same socio-cultural characteristics

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[7] "Eric" is the pseudonym of her 21-year-old foster child.

as this makes the assimilation of the child into the family easier (Western Cape Government, 2014).

The magistrate also provides an official document indicating the foster care. This document, referred to as a "letter" by this participant, was powerful,

> The magistrate then wrote a letter that stipulated that I live with an orphan and I deserve to receive the foster care grant. I then took this letter to the headman and the social workers to start with the application for the foster grant…The letter showed that I am an old age woman who cannot keep an orphan. This letter was to help me get the social grants (Gogo May, a foster parent).

The magistrate was not involved in the day-to-day care of orphans in foster care. He was only involved in the ratification of the foster care. This is supported by the following statement,

> The magistrate doesn't play a role in the caring of the orphans other than to grant an order from listening to the evidence furnished to me during the proceedings (Adv. Nzou, the magistrate).

The magistrate's main responsibility was that the child was placed in the care of the best possible carer and that the people were genuinely concerned with the well-being of the child. He states,

> I just make sure that the child is placed in a suitable placement with responsible guardians…The magistrate is not involved in the caring of the orphans, but we make sure that their best interests are met, and that they are in a secure environment where they will receive all the love, care and support they need (Adv. Nzou, the magistrate).

In playing his role in evaluating a foster care application, the magistrate heavily relied on the social worker. Social workers are required to submit documentation which is crucial for the foster care application.

4.5.2   The social workers' role

Social workers were a crucial element in the state's provision of foster care. They were involved in the foster care process from the very onset until the end; and their involvement in foster care continued until the child was no longer eligible for the grant, because they were above 18 years or if it was terminated on legitimate grounds.

At the beginning of the foster care application process, the social workers wrote a psycho-social report that the potential foster parents need in support of their application. In this report a detailed account of the relationship between the orphan and the foster care applicants is documented, a description of the place where the child is going to stay is provided, and any other reasons that the social worker can use to support their application., Ms. Brenda, a social worker, said,

> First of all, I [in her capacity as a social worker] have to make sure that wherever the foster child is, they are safe. The foster parents are treating them well. There are some instances where the parents neglect the child simply because they are not theirs. We should make sure that they treat them as their own children, and also go to the schools where they are attending to find out how they are doing at school… We ask them how the child is performing, if they are facing any problems…Yah, stuff like that.

In this role, the social worker recommends to the court that the child be placed in foster care with the foster parents, whom they would have already selected (Republic of South Africa, 2015).

Social workers also assist the foster parents. Foster parents were assisted by the social workers in both the foster care application process, and the FCG application process. One foster parent was quoted as saying,

> The social worker told me what I needed to get this grant…They told me to bring such things as the parent's death certificates, the child's birth certificate and an affidavit from the police (Ma' Nazla, foster parent).

They were also involved in the application for renewals/extensions of the FCG (Mr. Komboni, a social worker). FCG applications are made at SASSA offices. In Ha-Makuya the SASSA offices were located at the Thusong Service Centre, the same complex that houses the offices of the social workers. The social workers accompanied the foster parents to the SASSA offices to assist them with their applications for the FCG. During these applications it was apparent that there were some cases when the foster parents went to the offices and encountered problems because they did not provide some of the information or documents. The social workers accompanied the foster parents to the SASSA offices and when this was done, the process went relatively easier and smoother for the parents. This was evident in the following statements:

> I think once the parents get custody of the child. It's a straight forward process. We take the court order, the school report, and my report to SASSA, and they process that (Ms. Brenda).

> The foster care grant application process goes smooth because the parents might be asked questions [by the SASSA officials] that they may not be in a position to answer and this can lead to them not getting the grant" (Mr. Masese, head social worker).

This indicates that the social workers were aiding the foster parents with the relevant information on what was needed by the authorities and they were accompanying them to the SASSA offices. The social workers' supporting role is documented in literature as they are required to assist individuals in need in
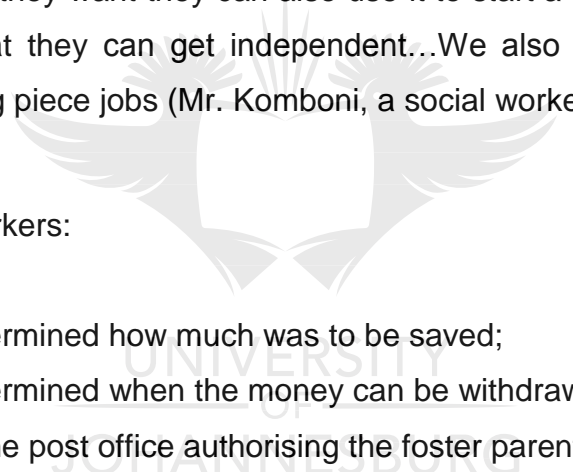
accessing social services and other benefits (UNAIDS, 2008:ix), and in this case foster parents who need the FCG.

Social workers had a crucial responsibility in the monitoring of how the FCG was used. They advised the parents to save a proportion of the grant. This is manifest in the following statements,

> She [a female social worker] also advised me that when the grant is out it shouldn't be misused and some to be saved at the bank (Ma Nazla, a foster parent).

> When we assist them with the foster grant we advise them to save some of the money so that they can continue with school, and if they want they can also use it to start a small businesses so that they can get independent…We also assist them with getting piece jobs (Mr. Komboni, a social worker).

The social workers:

(i)   determined how much was to be saved;
(ii)   determined when the money can be withdrawn through writing a letter to the post office authorising the foster parent to do so;
(iii)   monitored how the FCG is spent by checking the receipts/till slips; and
(iv)   kept all information pertaining to the spending and any other information about the foster child in a case file.

Social workers have a responsibility to monitor the pyscho-social well-being of the children. One social worker indicated that "mostly to encourage the foster children on how they should live, their education, teach them to respect their foster parents" (Ms. Brenda). Her other colleague agreed and stated that, "we assist them in…the relationship between the foster parent and the orphans" (Ms. Cassandra, social worker).

The social workers were also mandated by the state to go to the foster children's schools to make sure that they are not facing any challenges there. Ms. Brenda says,

> I have to go to their schools to find out if they are having problems or anything of the sort… We [social workers] ask them [school teachers] how the child is performing, if they are facing any problems…

> We also motivate them to go to school… The government expects us to take care of the orphans, to motivate them so that they go to school (Ms. Cassandra, a social worker).

> I think our role also is to support them [orphans in foster care] educationally. We have to go to the kids' school to check the educational performance. What are their challenges? What are they facing at the school? We must not only focus on that this child should also progress educationally. The child must do well and become somebody in life. So we must go to their schools and find out how they are performing…so that we are able to raise the child well. Isn't it most of the foster parents are "umagogo[8]," these grandparents and these old people. So we need to be able to check if the child is progressing or not…and not have to wait for December so that they progresses (Mr. Masese, the head social worker).

Social workers resolve conflict between the foster children and foster parents. In the event that there is a problem between the two, they bring them in and afford them an opportunity to say what happened and then they would advise them accordingly. This could be done individually and then together. After this, the social workers would remind both the foster parents and the foster children how they were to respect one another.

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[8] "umagogo" is "grandmother" in local vernacular.

We remind the orphans that the foster parents are equal to their parents and they should respect them. It is their parents, and nothing can be done without their knowledge. They must know that this is their legal parent, and not their biological parent…They [foster children] need to be reminded that irrespective of how old they are, these foster parents are their parents. They have the power to discipline them at any time, and they must not take advantage of them because they are not their biological parents (Mr. Masese, the head social worker).

We…help them so that they do not get pregnant if they are girls, and if they are boys to make sure that they do not do substance abuse (Ms. Cassandra, social worker).

Their role in contributing to the well-being of the children went beyond the school environment. Social workers played a role in securing internship programmes for orphans and this view was supported by social workers who indicated that through this their life chances would be improved. This was supported by two participants in the following responses:

[P]eople from different government departments can call us and ask us to identify orphans that they can take into their "learnerships" programmes (Mr. Komboni, a social worker).
[T]hey are taking older children and in most cases the Department of Social Development, they take them into nursing and they then can take care of their family. There are also leanership social workers, and if you go there you will find that some of the social workers at the Thusong Service Centre were part of this programme (Mr. Hadzi, a school teacher).

This nature of assistance has bettered the life chances of orphans. Social workers also lobby for the disenfranchised (UNAIDS, 2008:ix). Social workers also played a key role in mediating the relationship between orphans in foster care and their foster parents. Ms. Cassandra, a social worker, stated:

There are also some cases where foster children do not respect their parents, so in this case, foster parents have to tell the social workers so that they call the children in and talk to them.

The responsibility mentioned above is consistent with UNAIDS (2008:ix) which states that social workers provide counselling services to those in need. From the above it is apparent that social workers have a crucial role in assessing the social needs of individuals, families and groups, and they are required to help and empower them (Ministry of Labour, 2008:12).

4.5.3   The school teachers' role

The school teachers spend a considerable amount of time with the children at the schools. Their role was not as clearly defined and they seemed to play a subsidiary role as they straddle between being agents and mediators.

They were intercessors for the foster parents to the social workers, and from this the social workers would pass on the concerns to the relevant parties in the state. This is evident from the following comment by a participant,

We connect the foster parents and social workers…we make arrangements with social workers so that if there is an important case which needs their involvement, so that social worker can liaise with the government. So we sit down with the [foster] parents and advise them to issue their classes with the social workers…You will find that they [orphans in school] may not be working and they will be lacking food, lacking everything and that will need the social workers to intervene and to connect them to the government (Mr. Collins, a school teacher).

Offering support to orphans directly was another crucial facet of the way in which the teachers contributed. A school teacher indicated that teachers gave support to orphans within a school setting. He said,

As educators we have to guide, we have to tell them where they can get assistance and mostly we send them to the social workers and we advise them that they can get information on how to access the grant, we also tell them that they can see the home-based care workers, and also the Drop-in people. That is where we tell them to go (Mr. Hadzi, a school teacher).

The school teachers also collaborated with the clinic staff, social workers, the police and even village leaders as they assisted foster parents in applying for the FCG. As teachers they had the authority to write letters in support of a foster care application. In support of this Mr. Hadzi, a school teacher, stated that,

We also invite the nurses to come and talk to these kids, we also invite the social workers who are there and the Thusong, and some can be referred to the police station for the affidavit. And the headman, by endorsing that this person is an orphan…We also give them testimonials verifying that they are orphans and that they are impoverished, that they lack uniforms (Mr. Hadzi, a school teacher).

Because of the close proximity to the children and their detailed record keeping, the school teachers were an information bank to both foster parents and other government departments. There is a system that the state has put in place to monitor the orphans in foster care even in a school setting. The teachers keep track of the orphans' academic performance and the social workers are also involved in this process. The school teachers advise the foster parents to meet with the social workers so that they can discuss issues affecting them and their children. This is demonstrated by the following statements;

We only do it to give them information when they need it…Information to the government like, how many orphans do you have in the school, then we would have to give them a number (Mr. Chamba, a school teacher).

> Our responsibility as teachers is to connect them…make arrangements with social workers so that if there is an important case which needs their involvement, the social workers can liaise with the government. So we sit down with the parents and advise them to discuss their issues with the social workers. You will find that they [foster parents] may not be working and they will be lacking food, lacking everything and that will need the social workers to intervene and to connect them to the government (Mr. Collins, a school teacher).

Having noted this very intricate and dynamic role being played by the school teachers, it became crucial to look at the role played by the mediators.

4.6   The role of the mediators

The state and the orphans are too far apart. For state assistance to trickle down to the orphans there are actors involved in this process. Above, I have discussed those affiliated to the state, the agents, and in this section I consider the mediators in this relationship. These are the HBCWs and the foster parents, people who interact with the children on a more intimate and more personal level. They are the ones that are with the children behind the scenes. In the context of HIV and AIDS, it is plausible that the HBCWs might actually have been involved in the children's lives before they got fostered. This might have been in a case when they took care of an ailing parent before the parent succumbed to AIDS, and hence this leading to the fostering of the orphan. They would have also worked closely with the appointed foster parents prior to the foster.

4.6.1   The home-based care workers

HBCWs are very involved in the foster care system. They were actually the bedrock of its functionality within the context of Ha-Makuya. They had an array of responsibilities that seem to draw all the agents and mediators together. The HBCWs were also very active in the community of Ha-Makuya. Their job required them to move around and give assistance to those who need it, they had become very knowledgeable about the family dynamics in Ha-Makuya. They knew who

lived where, who was ill, and what they were suffering from, and they also knew who the orphans were.

On the death of a parent, the HBCWs assisted the carers left in custody of the child to embark on the legal foster care process. They, thus, were a knowledge bank to community members. In support of this a social worker was quoted saying,

> [T]hey [home-based care workers] go to the villages and they check. They know the homes without parents, and then they will inform us of the children that do not have parents…We will then do home visits (Mr. Komboni, social worker).

Mr. Komboni's colleague, Ms. Cassandra (a social worker), reverberated this and stated that the HBCWs are more in tune with what is happening in the villages compared to the social workers. She said,

> [t]hey [home-based care workers] are the ones who are in the community everyday, as compared to us. We are in the offices. They are in the community.

There were instances in which the surviving orphans did not have a birth certificate and in some cases the carers did not have identity documents, the HBCWs assisted in the application for these invaluable documents. These documents are essential for a foster care application and the FCG application. Bearing in mind her role as a home-based care worker, Sharon stated that,

> Our duty is to apply for the foster care grant at SASSA, IDs at the home affairs and food from the social workers. So we take them to the relevant departments to apply for these things…We help foster care children by ensuring that they receive grant, so we apply on their behalf and we also organise food for them from the social workers when they don't have food.

Foster parents are indeed in need of their assistance. Based on her 12 years of experience, one HBCW stated,

> I learned that they really depend on us as they are aware that we
> eliminate their problems such as their foster grant being out and
> the renewal of this grant.

Since the HBCWs were very familiar with the set-up of the households in Ha-Makuya, they knew those that needed assistance from the state. It was noted that the HBCWs were the social workers' eyes in the community. The HBCWs were more in touch with the community and more informed as to what was happening in the community, compared to the social workers. This the head social worker, Mr. Masese, illustrated when he said, "We liaise with the home-based care workers…" it is the role of the social worker to make sure that the foster children are raised in a normal environment.

HBCWs also initiated the process of getting help through social workers, and once the social workers got the relief in the form of food parcels, clothing and school uniforms to orphans, they delegated this responsibility to the HBCWs. This is evidenced from a quote from a school teacher. Sister Sharon who says, "[w]e also assist by going to the social worker and applying for food parcels which have maize meal, peanut butter, salt, tinned fish and other basic food".

The social workers confirmed the very crucial role that the HBCWs played in monitoring the welfare of both the foster parents and foster children, and also passing information to the foster parents in the villages. Ms. Brenda, a social worker, clearly articulated the role played by HBCWs in assisting the social workers. According to her the HBCWs often go around checking how "people are coping and stuff". She stated that they can report to the social workers,

> If they [HBCWs] notice a problem that we [the social workers] are
> not aware of…something can happen there and we wouldn't
> know about it, but when they are doing their rounds, the home
> visits, they can come and inform us…that this and this is

happening in that family, and can you please go and check (Ms. Brenda, a social worker).

In instances when the social workers have meetings with the foster parents and the foster children, it is the HBCWs' responsibility to spread the message to the different villages. This was reiterated by Mr. Masese, the head social worker. According to him, if there was a message that a social worker needed to convey to the foster parents, they could request the HBCWs to deliver it on their behalf.

HBCWs conduct "door to door" campaigns, and here the social workers give the HBCWs a list of homes that they should visit and check if "everything is in order" (Mr. Masese). During these campaigns they raise awareness of various issues. They also took this opportunity to pass information to community members. Sister Carol in support of this stated that,

> We [home-based care workers] do door to door campaigns and we work together with the Department of SASSA and Department of Social Development and the social workers, and we refer those people to them. Some parents don't know where to raise a problem, so our door to door campaigns help to inform them on such matters or on how SASSA can help them with the grant. Our door to door campaigns are also ways to check if these kids are going to school, because there are some cases when they don't, and see if the foster parents are using the grant money on these kids' needs. We also go to see if the grant is being used appropriately, and see if the children are in a good state.

They have cushioned the burden that the social worker carries and this is evident from this statement by Mr. Masese, head social worker,

> They [home-based care workers] assist us a lot…this makes things simpler for us because there are villages without signal, and the home-based care workers can help to pass on messages

to them as they do their door to door campaigns (Mr. Masese, head social worker).

Taking care of an orphaned child has many challenges. It is very important for foster parents to have training on how best to raise orphans. This was done in meetings across the year. Sister Carol indicated that the HBCWs, social workers and foster parents had up to five workshops annually with both the foster parents and the orphans in foster care. In support of this the following are statements from HBCWs:

> We have meetings which the social worker sets up maybe five times a year at the MPCC [Thusong Service Centre], and the parents come as a group, and they are trained together with us and the social workers (Sister Carol, a home-based care worker).

> We [home-based care workers] call meetings with foster parents and we tell them that if there is any problem between them and the children…In some cases the child refuses to listen to their foster parents…We can help (Sister Sharon, a home-based care worker).

During these meetings social workers discuss how foster children are to be cared for, and since the home-based carers attend these meetings, they will know what to look out for when they do their visits. They will easily identify foster parents who are not doing what is expected of them. During the year if problems erupted between the foster children and their parents, counselling would be an avenue that they explored. If this was not fruitful, the HBCWs would escalate the issue to social workers. Sister Carol and Sister Sharon demonstrate this in the following quotations respectively,

> By counselling them if they experiencing problems with the orphans but if the problem persists we will refer them to the social workers. We also guide them on how to care for the foster children (Sister Carol, a home-based care worker).

We set up meetings where we guide foster parents on how to deal with the kids or handle a matter and if they experiencing problems such as struggling or school related they should come to us or go to the social workers. When the foster parent is dealing with problems we call both the parent and child and talk about the problem (Sister Sharon, a home-based care worker).

Their job has unique challenges and it requires that they show love to the foster children. Sister Thembi recounts,

I learned that we as home-based care workers we need to give them proper love and care so that they don't feel lost and they then become aware that there are people who genuinely care.

Working day-to-day in the community means that the HBCWs are in frequent interaction with the foster parents, who are the last mediators. These are the people to whom the court grants custody of the foster children.

The HBCWs expressed that they were overburdened and underfunded. According to them their HBC organisations were "non-governmental organisations". Willetts (2006) defines these as "independent from government control, not seeking to challenge governments either as a political party or by a narrow focus on human rights, non-profit-making and noncriminal". From this definition, Willets (2006) argues that HBC organisations are NGOs independent of the state association. They said,

We are a non-governmental organisation because if we were [government employees] then we would get paid in time. Three to six months lapse with no pay and people under government receive a salary every month and we only receive stipend (Brother Judas, a home-based care worker).

We are working for no pay…We are working for so many years with no pay…We receive a stipend, not a salary… not every

month, but sometimes…Maybe once every year…Maybe after six months…twice per year (Sister Thembi, a home-based care worker).

Since the HBCWs receive a form of remuneration from the state, which is not a "salary" but rather a "stipend" it, therefore, is plausible that the NGO is actually a GONGO (government-organised NGO). A GONGO is a state NGO which is established to push an agenda (Willetts, 2006). Based on literature, it was established that the South African state initiated 1,700 community HBC organisations across South Africa which assist with the provision of services for orphans and other vulnerable children (HLSP, 2011). This meant that they were not remunerated, and were over-worked. Their experiences are in line with Chloe Hardy, AIDS Law Project, University of Witwatersrand, who was quoted saying,

> Home-based care...should not be regarded as a cheap solution. The state does not provide nurses who provide home-based care, so they should really empower the home-based care workers.

4.6.2   The foster parents

Foster parents are the main caregivers for foster children. They are actively involved in the children's lives, and in some instances they are involved before the orphanhood. The households were extended from the onset, and from the time the parents of the orphans passed on, the grandparents would be the only adults in the households in Ha-Makuya. At the time when the parents succumbed to AIDS, the HBCWs would have been the ones who would have cared for them till they died. Gogo May said;

> I pretty much didn't have a choice but to care for him as he is my grandson. I was able to take care of him because I used to sell the beer but then I got sick so the government really helped when we got the grant because I wasn't going to be able to afford him.

They would be the ones who would refer the surviving guardians, and in most circumstances the grandparents, to the social workers so that the orphan can be put into foster care. The applicants would be in some instances be required to attend the Children's Court proceedings if they are called as witnesses by the Commissioner of Child Welfare (the magistrate) (Republic of South Africa, 2015). In this proceeding the prospective parent must "willing and able to undertake, exercise and maintain the responsibilities of such care" (Chapter 183). Since some of the parents had custody of the children before the legal proceedings, they had to make sure that the children had food and accommodation. Whether they had means or not, the foster parents took in the children. In terms of food "they would eat whatever I eat and in terms of school they would go and drop out because even if there is grant they still drop out" (Gogo Mash).

Taking care of the children, feeding them and nurturing them started for one child from the time he was six months old before the foster mother had applied for a grant,

> I took care of him long before the grant money was introduced to us. I took care of him from when he was six months old after my daughter (Eric's mother) passed away.

Fending for the children involved them putting in measures to access additional income. This is evident from Ma' Nazla's chicken run, and also Gogo May used to make and sell traditional beer,

> Because I did not need the grant because I could take care of him and also sold traditional beer in order to support him but now that I'm growing older I stopped selling and that's when I got financial assistance.

Being custodians of the children meant that they were to take part in meetings with social workers and HBCWs. What I found most striking about the roles and responsibilities of the foster parents is that they took in the children oblivious of the existence of the grant, and taking care of the children was something that they were already doing so the idea was not new to them. Once the foster care

had been ratified the foster parents could now apply for a foster child grant at their nearest SASSA office (Republic of South Africa, 2015). The foster parents work very closely with the HBCWs and the agents of the state.

4.7   Complexities attached to getting the foster care grant

Based on the above section, it was established that the FCG can only be applied for if the child is in legal foster care. This was a mandate that the foster parents had to exercise, and within the context of Ha-Makuya, they were assisted by the social workers and HBCWs to do this. Through analysing the roles of the social workers and the HBCWs it was evident that the manner in which the FCG was used was monitored by both. Applying for the FCG was not a simple task for the foster care parents.

The foster parents were uneducated and could not speak English. They experienced many challenges when applying for the FCG. The process was quite lengthy and required numerous documents, some of which the foster parents battled to get access to. In some cases they could not afford to go to different offices to apply for the FCG.

The process was very taxing for the participants and in some instances documents like identity books and birth certificates would have been lost and this hindered or delayed the FCG application. Furnishing these documents for the foster parents was a sign of the state being thorough. In support of this Gogo Mash said,

> The process is hard and long but it ensures that indeed these
> kids are orphans as it requires one to bring along the parents'
> death certificates and the kids' birth certificates.

This has been documented because there are instances when FCGs have not been awarded because of insufficient documentation. Kuo and Operario (2010:3) and Foster (2004:81) found that documentation requirements hindered some

care givers in their respective studies from accessing social grants despite meeting other eligibility requirements.

The process was noted to be as significantly costly as it was lengthy. From the onset the foster parents had to find their own way to a SASSA office. Ideally parents could apply for the grant at the SASSA offices at the Thusong Service Centre. There are instances when parents faced difficulties there, so they would have to find their way to the SASSA offices in Tshilamba. This was very expensive for them and money that they did not have and a foster parent supporting this was quoted saying,

> It was strenuous because we would be using our money to get to
> the SASSA offices in Tshilamba to apply for the grant. I go there
> a lot even when I don't get proper assistance in Ha-Makuya. I will
> be sent there which pains me because I'm using a lot of money
> to get there and there is nothing that I can do…

The participants showed optimism about the bureaucratic processes involved. After giving her detailed account of what she went through to get the social grant, Gogo May said, "I think it's a good process because it ensures that people are not lying, and it also proves that these kids are indeed orphans and they need the foster care grant..." Social workers in Ha-Makuya were very helpful to the foster parents. They offered invaluable advice to the foster parents and this made the FCG application process easier for them. This was supported by Gogo May who stated that:

> I was advised by the social workers to go the magistrate and
> explain that my pension money is not enough for food and also
> to take Eric's to school; it's all too heavy for me. The magistrate
> then wrote a letter that stipulated that I live with an orphan and I
> deserved to receive the foster care grant. I then take this letter to
> the headman and the social workers to start with the
> application…This process is very difficult but it helps to make
> sure that those people who genuinely deserve to receive the

foster grant can get access to it…The social workers are very helpful…very helpful…

This finding is different from what has been previously found that, administrative delays in processing grant applications, as well as the poor attitude of some administrative personnel, also often deny families the grants to which they are entitled (Foster, 2004:81). Social workers in Ha-Makuya were very helpful and very aware of their responsibilities and this differed from what was found by Hlabyago and Ogunbanjo (2009) who reported a great degree of incompetence from the social workers as they noted that there were bureaucratic difficulties and lack of assistance from the social support services.

After explaining the process that she went through in detail, Gogo Mash insinuated that as a foster parent she was in a position where she just had to follow the procedures because that was the only other way she could get the grant. She says,

> The process is tiring but what can we do??? We want this grant. When we go to apply the social worker would accompany us in their cars but when we come back we have to use our own money. There is nothing that we can do about it.

Having been awarded the FCG, the foster parents were appreciative of it. Below is an explication of how the participants found the grant.

(i)   Half a loaf is better than nothing: The foster care grant

Most of the participants felt that the amount of the grant was insufficient to cover the needs of the child. At the time of the interviews the FCG was R770 per child per month[9]. All the mediators were asked how much it was. The foster parents were all illiterate but they were to a greater degree within the right bracket of knowing how much the money was. Gogo Mash was of the opinion that she received R1,000; Gogo May, R700 and Ma' Nazla thought it was R700. The

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[9] http://www.westerncape.gov.za/service/grant-fostering-child-foster-child-grant

school teachers had the very least clue of how much it was; Mr. Collins was not aware of how much it was entirely whereas Mr. Chamba said it was approximately R200. Mr. Hadzi was also as unaware as Mr. Chamba. The HBCWs also gave estimates from R400-R750, and social workers were of the opinion that the amount was between R700-900. The magistrate was of the opinion that it was R800. Therefore, none of the participants knew the exact amount of the FCG at the time of the interviews. The amount varied from as much as R1,000 to as little as R200. Two of the participants did not have an idea as to how much the FCG was, and both were school teachers.

The cost of living in contemporary South Africa has escalated enormously. This has meant that the FCGs have become less and less effective in homes. Adv. Nzou indicated that the grant was small and this was because "things are expensive nowadays…It is not taking into account the rate of inflation which is high…". He is, however, positive about the grant and says, "It [the foster care grant] does something…Half a loaf is better than nothing…"

Orphans are taken into homes that are already fragile and the grants are helping the foster parents. Social workers also expressed the same gratitude;

> The good part is that some people do not have means to take care of the child, and you find that the foster parent will be unemployed, it will be the grandmother taking care of the child and she only receives the old age grant, which is barely enough for her, and the child will also be needing pocket money, we advise them to give them pocket money. School uniforms, there is a lot that the child needs. It's only good when the person receiving the money uses it well (Ms. Brenda, a social worker).

> It is a good thing because if there is no foster care grant money, those relatives will not take care of the children. Sometimes they assist because they know that they will receive a grant…taking care of the child will not be a burden to them. That money assist more because without that money, they would not get food every month…because food parcels cannot be

provided every month. They assist a lot. Some of them pay transport to go to school with that money (Ms. Cassandra, a social worker).

Social workers also felt that the FCG was not enough to cover the basic needs of the foster children. Ms. Cassandra and Mr. Komboni were of the opinion that it was insufficient, and Mr. Komboni went a step further and said that this was because "things are expensive…" and he makes reference to "medical expenses". According to Mr. Masese, "[t]he money is not enough. These children have to go to school, they have to eat, they have to get school uniforms, they have pay for too many things…accommodation is also needed. That is why it is not enough". Sister Sharon also felt that the grant was not enough.

HBCWs saw this as a positive endeavour; according to Brother Judas "The foster care grant helps these foster kids who are less fortunate and can't afford certain things and food to at least be able to attain them". Sister Sharon, another HBCW, stated that:

> The government is actually helping because if it wasn't due to this grant then people would starve and more kids wouldn't go to school as a result of not having uniform and transport fare.

The money was insufficient to cover the child's basic needs and what made this worse was that the foster parents are required by the social workers to save a proportion of it and from that, the balance is what they will use for food and clothing. Sister Carol put it succinctly, "No it's not enough and their needs exceed the amount of the grant. This money is too small…". Sister Thembi, Sister Mavis and Brother Judas all agreed that the amount was too small. Brother Judas said,

> "Ndituku"…its little…the figure is small…this money cannot afford to buy uniforms, food, medication, transport, and accommodation...and other costs like electricity, policies…so it's not enough…

School teachers also saw the state's awarding of the FCG to orphans in foster care as noble. This money could be used to pay for different schemes, according to Mr. Hadzi, a school teacher, who stated,

> I think it's good because it is assisting these people, and if the person is educated enough, they can also use that money to pay for different schemes, and there is one at the headman's kraal, the village scheme, which is under the leadership of the headman.

While the participants were very appreciative of the grant, some also indicated that the grant was insufficient. Mr. Chamba, a school teacher, was of the opinion that the money was not enough, and that the government was "doing things the other way around…". According to him this was because, "[w]hen the child is young, when their demands are low, it supports, but when a child is in tertiary school, it withdraws. They should give grants to those in tertiary education…". Mr. Chamba was indicating that the state needed to be more concerned. Mr. Hadzi indicated that the grant was small and must therefore be increased,

> It must be increased and that the older children and in most cases the department is doing that, especial the Department of Social Development like in nursing and they can take care of the family, and there are also learnership social workers, and if you go there you will find the MPCC, who were part of this programme.

The foster parents were very appreciative of the FCG. Ma' Nazla was a foster mother taking care of two orphans; a boy and a girl. In expressing gratitude to the state, she was quoted saying,

> Things are expensive…we are grateful that the government is helping because if it wasn't for their help then we wouldn't be able to manage. For instance boy's clothes are quite expensive so this money is at least helping even though the money is not enough. We are also told that we need to save some of the money, and this makes us have less money…

Ma' Nazla acknowledges that "things" are expensive in South Africa and that she is very grateful to the state because "if it wasn't for their help [the state] then we wouldn't be able to manage". She goes on to say,

> I think the government has really helped us because we would be suffering with these kids. Chances are we wouldn't even manage to take them to school or they wouldn't reach secondary level because of the challenges so I think it's a good thing that they introduced the grant.

Gogo Mash states, "I think the government help us a lot. It is a good thing". Gogo Mash is taking care of three foster children, and from their FCGs she was able to build a home for them as shown in the image below.

Figure 9: Gogo Mash's home built with the help of FCGs

Source: Picture taken at by researcher in Ha-Makuya on 24 May 2013

According to Gogo Mash she used some of her pension money and the children's FCG to build the house shown in the image above. According to her this was necessary because her old house looked like it would collapse at any time. Gogo

May states, "I think the government is helping us the less fortunate, so I think it is a great initiative and I'm grateful but it's not enough".

(ii)   The fluidity of an orphan

In Chapter Two an orphan was defined as a child below the age of 18 with no surviving parents. Based on this definition and other information that was collected from the Western Cape Government (2014), only children below the age of 18 can receive grants. In the interviews it was noted that one participant, Gogo May, had a foster child who was 21 at the time of the interviews and was still receiving the foster care grant. This is echoed by the head social worker,

> The grant stops at 18, but provision can be made until they are 21 years old. Because the child might be going to university or college. They are given money so that they finish whatever what they are doing. They need the proof that you are still going to school.

From the time the child turned 18, the grant had to be renewed annually and this was done through showing the SASSA officials that the child was still in school. The social workers indicated that they had the authority to assist with the appeal and Mr. Masese states,

> But we give them a grace period…in case they have failed and repeated a grade or something. That is why we say it is important for the foster parent to save for the child.

(iii)   Scepticism attached to the foster care grant

According to most the participants the FCG was the best way to deal with the orphan crisis in Ha-Makuya in the interim. What bothered the participants was the absence of long-term plans to deal with foster children. Social workers, however, demonstrated immense scepticism towards the grant. A female social worker, Ms. Brenda, blatantly said it was an ineffective way to deal with the orphan crisis. She says,

It's not really the best…this grant, I think these people need to understand that once they are given custody of the child, when the magistrate gives them custody of the child, most of them say, ahh, what can I say to them? It's not my child…The grant is not really what these people need…They need to be encouraged to take care of the children as their own…some of them will be saying, "I cannot discipline that one…it's not my child, no.." but it's someone else's child. So they need to be taught the importance of being a foster parent. They should understand that foster care is not all about the grant because most of them think that it's about the grant.

There were cases when the parents were more interested in the grant compared to the actual welfare of the child. They would only come to the social workers once the FCG had been cut. This is captured when Ms. Brenda says,

[I]t's bad because these parents focus more on the grant compared to taking care of the children and you see it because these people have to come to our offices every month and they have to bring the book to see whether or not they are saving, and also the challenges that they are going through, they don't come to the offices, but once the grant has been suspended, due to some other stuff…

When the parents visited the social worker about the suspended grant, the social workers asked about the children; how they were and where they were. Some parents remotely had an idea of where the children were. This is captured in the following statement:

[W]e ask them about how the child is. And they respond, "I don't even know where the child is today". That is when you see that there is a problem because they care only about the grant.

At any moment in time the social workers are to be notified about the whereabouts of the foster child. They are also to authorise the movement of the child. What ends up happening is that the child can leave that household and go and stay at another household, and the appointed foster parents will still be receiving the FCG. Ms. Brenda said,

> They are not staying with the children, but they are receiving the grant. They will be telling you that the child is now staying with the uncle now, which is not allowed…this is illegal foster care. The child is not allowed to be moved from one parent to another without the social workers knowing. We should know where the child is every time.

In these circumstances it became plausible that there are ulterior motives why some people foster children. Mr. Masese simply said, "No, it's not the best…". Mr. Komboni felt that it was the best way because now the children can afford the basics; food and clothing. Ms. Cassandra does not agree with people who are of the opinion that food parcels and coupons should replace grants. According to her, social grants allow the recipients to choose what they would need at that point in time.

School teachers saw the grant as a means of survival. Once they had access to it, the foster parents were able to buy food and other basic necessities for the children. Mr. Chamba in support of this stated, "[t]hey can at least have food, they can have something in their stomachs". Mr. Hadzi, another school teacher, did not agree that this was the best way to deal with the orphan crisis in the long run. He said,

> [I]t is assisting for now and the best way is for them to go to school, get an education and then they can take care of themselves. After 18, if they do not have schooling and jobs, they will be a problem again.

HBCWs preferred that orphans receive the FCG while they were still in school. Once they were above the age of 18, it was crucial for the state to secure employment opportunities for them. Sister Sharon said,

> It is the best way for them to receive that money. For those older ones, it is better to just give them a job or something to do…The younger ones are up to 18 and the older ones are above 18, may be they can work…They can get jobs.

This idea was also echoed by Sister Mavis who said, "It [the foster care grant] is an effective way because as kids, these orphans can't work yet".

The foster care parents also agreed that the FCG and the other forms of welfare were not a permanent solution for dealing with orphans in foster care. According to Gogo Mash it was the best way in the short term, and she states this melancholically: "I think it's the best way because what can we do. There's nothing we can do". The grant also acted as an incentive for the children to go to school, which will in the end pave a way for a brighter future (Gogo May, foster parent). Another foster parent indicated that the grant was immensely helpful because "these orphans would suffer as they don't have parents anymore". In the future however, she recommended that the state should provide employment opportunities for the children in foster care: "The government could also assist by getting these kids jobs because there are a lot of them who are finished with school but just sitting" (Ma' Nazla, foster mother).

4.8   *Ubuntu*: **Your child is my child**

The various participants pointed out that raising a child was the whole community's task and thus there were various stakeholders involved in the process. According to the foster parents they worked with stakeholders who included the police, the child's relatives, the chief and the civic organisations. HBCWs indicated that the rearing of and the caring for children in foster care was not the sole responsibility of the foster parents, but a responsibility that is to be shared by the whole community. "We all contribute in different a way," Sister Thembi, a female HBCW, said. Ms. Brenda and Ms. Cassandra, both female

social workers, also acknowledged that raising a child was the task of the community as a whole. The broader community should help in raising the children.

The participants indicated that the government had the responsibility of taking care of orphans in the community. This opinion was aired by HBCWs. Sister Carol, a female HBCW, indicated that it was the government's responsibility because "we [residents of Ha-Makuya] are the people of the government". She added that "The government must look after its people…". Mr. Hadzi, another school teacher, saw caring for the orphans as the state's responsibility because it is mandated to do so. He says "[t]he government has to take care of them because it is the one that has to look after each and every one, it is its responsibility". There were other stakeholders that were community leaders that were deemed significant in this process.

Community leaders like the Chief, the Headman and other business people also play a role in the welfare of orphans in Ha-Makuya. Within a rural African context the Chief has a very important role in the running of affairs. A school teacher, Mr. Chamba draws on the notion of *Ubuntu* during precolonial South Africa and he said that,

> Even long ago there were those people who were poor used to have something from the chief. We have a field that the whole village works on, and from that field, the poor get food from it. This is a defensive mechanism for the village to make sure that in times of need there is food. Hence I say it is the responsibility of the chief to take care of orphans.

The Headman is another key figure. He had the authority to write a letter in which he could endorse that a child was an orphan. Mr. Hadzi remarked,

> [t]he headman writes a letter, which is taken very serious, and some times that letter is asked for by the authorities.

This was mostly in cases when the guardians of the child were applying for foster care.

The HBCWs worked with various stakeholders including "business people". Brother Judas stated that they assisted orphans within Ha-Makuya as a whole by distributing food parcels or clothes. These items were sourced from the state, the corporate sectors and in some cases from local entrepreneurs, like Mr. Mupandavhudzi, the owner of the Makuya General Dealer, a supermarket in the rural district.

Pastors are leaders and it is their mandate to assist those in need like orphans. A school teacher indicated that:

> They are the spiritual shepherd of the people in the church and they can identify the orphans and come up with advice for them...Pastors come here [schools] to motivate the orphans, and there are those care group people (Mr. Collins, a school teacher).

The Church of Christ in Ha-Makuya was also known to assist orphans and other people in need by giving them food (Sister Thembi, HBCW). Brother Judas, the male HBCW, indicated that raising a child in Ha-Makuya was the responsibility of a series of stakeholders who included the government, the chief and the pastors. He said,

> It's the responsibility of the government because it is a government for the people…The chief, because we are under the chief…The pastor because the pastors make peace with the people. Even the greater community should be involved because if not, they will trouble the community (Brother Judas, a home-based care worker).

The local clinic also assisted through counselling the orphans in foster care. Mr. Hadzi, a school teacher, indicated that the school teachers also worked with the clinic nurses who counselled the orphans.

The extended family also had a key role in caring for orphans in foster care. Mr. Masese, the head social worker in Ha-Makuya, based on his experience in the occupation gave a more nuanced response. According to him it was predominantly the responsibility of the foster parents who have custody of the orphan. He said,

> I think the people who are left in the custody of the children should be responsible. They must not shift that responsibility. The government can assist, but where necessary. If you talk about children's homes and places of safety, which the government is discouraging, because it is saying let's take children out of the isolated communities…If they grow up in those isolated communities and they will live a certain lifestyle there…and when they have got relatives, aunts and uncles, and friends, they can socialise and play. The relatives that are staying with the children should be responsible.

In his response he also indicated that the government was discouraging the idea of children being raised in children's homes/orphanages or places of safety. This can be argued, based on his explication of why foster homes are ideal, that they do not grow up in a "normal" setting.

Social workers saw the raising of children as a communal responsibility. According to Ms. Cassandra, a female social worker, raising an orphan in foster care was the whole community's responsibility. If there was something wrong with the child, or if they were misbehaving, anyone should be in a position to refer the child to someone who could assist them hence,

> [t]he whole community because that child is a foster child, and if you see that there is something wrong with them, you have to assist. The problem might not be food or accommodation, and you see that they are misbehaving, or something, you can refer them to someone who must assist that child.

Ms. Brenda, a social worker, said that it was primarily the responsibility of the foster parents and the social workers. She said, "Foster parents and the social worker…We have to be part of the whole thing of taking care of the child". In this instance Ms. Brenda demonstrates that social workers have authority and hence they are to be involved in the foster care process. She does acknowledge that it is the role of the whole community, but

> [t]he responsibility is on the foster parents and the social workers, people who know the child personally they are able to encourage the child and understand their problems, and it's not the world or people in the community…

The other stakeholders included the South African National Civic Organisation (SANCO); Victim Empowerment and Drop-in Centres. From these organisations, the children can get information. If they have issues they can take them up with the Chief, the Headman, since these figures were the "eyes of the government". These different organisations help because:

> They [foster parents] go there and they get information which they take it up, then the chief and the headman, and through the use of "petty" [sic] headman, they are the eyes of the government…the pastors because they are the spiritual shepherd of the people in the church and they can identify the orphans and come up with advice for them (Mr. Collins, a school teacher).

Similar to Mr. Chamba, Mr. Hadzi acknowledged that the wider community had a responsibility to assist in caring for orphans hence,

> The relatives also have a role to play because they really know their [the orphans] background and as relatives we can't ignore one another and we have to help one another, more especially, the grandparents, the neighbours, the school.

At the Thusong Service Centre there is a mural that was drawn by the University of Johannesburg Art students with the contact details of some of the mediators.

Figure10: The latent agents

Source: Picture taken by researcher in Ha-Makuya on 16 May 2013

Based on the literature, it was established that the state initiated Drop-in Centres, where orphans and vulnerable children are given food, are assisted with homework and get life skills training (HLSP, 2011). According to Sister Sharon, dealing with foster children is an issue that cuts across numerous stakeholders because they work together in the caring and monitoring of foster children. She stated that,

> There are certain times when all these government organisations and discuss problems that are being encountered and what we have observed from our side…ehhh…We work with at least two representatives from the Drop-in Centre, Victim Empowerment, local clinics, nurses, teachers and people from water affairs (Sister Sharon, a home-based care worker).

Sister Thembi, a HBCW, also indicated that HBCWs worked with the Victim Empowerment Programme and the Drop-in Centre. The Drop-in Centre assisted children in need with homework and also food and is based in Khavhambe, this was also reiterated by Sister Sharon and Sister Carol (see HLSP, 2011). The Victim Empowerment Programme assists children that have been abused, and in this case, foster children who are abused by foster parents. The Victim Empowerment Unit is based at the Makuya Police Station. According to Sister Thembi,

> Victim Empowerment…ehhh… The Victim Empowerment Programme deals with problems such as abuse or domestic violence for both the foster kids and the parents and such matters can be reported to the social workers and the matter will then be handed over to the police.

Mr. Masese, the head social worker, indicated that social workers work with Childline. Sister Carol also reiterated this and according to her Childline was introduced to them during the Inter-sectorial Committee which was held on the 7th of March in 2013. This organisation was new at the time of the interviews and Sister Carol knew little about it: "This is a new organisation, and so far I can't say much about them. I haven't noticed any significant differences of what they have done in the community…"

There were other stakeholders who include the pastors. According to Mr. Chamba, a school teacher,

> [T]here are people from "life skills," they always need this information from schools. These people are linked with the Department of Health, and they also force schools to have the HAC, Health what what [sic], committee to identify the orphans, the children pregnancy in that school. They need this committee to be formed in each and every school. They even went to the extent of inviting people to workshop.

Apparently childcare in Ha-Makuya was a communal responsibility and foster parents were assisted by a wide range of stakeholders. This is encapsulated by Sister Thembi, a female HBCW who gave a very holistic response and said that it was everyone's responsibility, and this was because "we all contribute in different ways…"

4.9   Conclusion

Orphans are living immensely difficult lives. In a school setting, they can be singled out as objects of discrimination by other learners, and the schools have instituted measures curb these incidents, and in cases where it does happen, perpetrators are reprimanded. Whilst the different mediators pointed out different needs for orphans, a significant number of the participants indicated that orphans needed education as it served as a means of escaping the poverty trap, concurring with Tonheim and Matose (2013:3). It was also noted that grandparents, and more especially grandmothers, are the most preferred foster parents (Kuo and Operario, 2010:5; Hlabyago and Ogunbanjo, 2009:508; EveryChild and HelpAge International, 2012:4). It was found that they were extremely caring, understanding and more accommodative, traits of ideal foster parents. It was also found that the philosophy of *Ubuntu* still exists within Ha-Makuya. This came when the different participants remarked that raising a child was not the sole responsibility, but rather, it was a communal responsibility.

The first research objective was centred on describing the roles of the agents of the state in foster care. In this section a holistic appreciation of the different responsibilities that were assigned to the agents of the state in its provision of foster care was discussed. The agents were, the magistrates, the social workers and the school teachers, all of these are key figures in the foster care system. The magistrate had the smallest, yet one of the most crucial, role to play in the foster care system, which was essentially to assess a foster application, and decide whether it was in the best interest of the child to be in the custody of the potential foster parent(s). Once the foster care had been ratified, the foster parents could apply for the FCG.

The social workers' role began before the foster care was ratified. Once a child was orphaned, it was the responsibility of the social workers to ensure that the child is sent to a place of safety or to a children's home. The formal foster care process begins with the social workers. They are the first port of call for the prospective foster parent, they conduct the home visits, and they would furnish evidence to the magistrate in support of the foster parent. Their role in the foster care process was not once off, as that of the magistrate, but it was continuous as their involvement was for as long as the foster care existed. They worked closely together with school teachers. The school teachers' role was to monitor the children within the school environment. In the event that the children appear to be mistreated or they notice any other anomalies, the school teachers are mandated to bring this to the attention of the social workers. The teachers' main role was to, however, educate the learners, and this is a fundamental aspect of the normalisation process.

The second objective was to describe the roles of the mediators of the state in the provision of foster care. Similarly to the first objective, the roles played by both the HBCWs and the foster parents were investigated. In this case, the focus was on the roles played by the HBCWs and the foster care parents and the HBCWs as mediators in the relationship between orphans in foster care and the state. The HBCWs played a very big role in the maintenance of the relationship between the state and orphans in foster care. Their role began from the very moment that the child's parents passed on. Since they were the social workers "eyes" in the community, they were more in tune with what was happening there. They provided immense assistance to both the social workers and the foster parents in the whole foster care process. They assumed some of the responsibilities that the social workers were mandated to carry out like regular home visits.

The foster parents were now the "legal parents" of the children. The foster parents had a responsibility of caring for the children, and they would also be required by the social workers to attend regular meetings with them in which they discussed the challenges they were facing and also best practice tips. These meetings were also a platform where they could resolve any problems with their children. This was achieved through managing the FCG and working together with HBCWs and

social workers. They were also required to attend regular meetings with both the children and the social workers at the Thusong Service Centre.

CHAPTER FIVE
Analysis and Conclusions

5.1   Introduction

Unpacking the relationship between orphans in foster care and state required looking at the role that was played by the agents of the state, as the first objective of the study. These were the magistrate, social workers and school teachers. Their roles were very much involved them working together so as to make sure that the orphans in foster care could be raised in a normal setting. The agents of the state were supported by mediators, and these were the HBCWs and the foster parents. Exploring the roles of the mediators in foster care was the second objective of this study. The HBCWs role in foster care was fluid as it was not cast in stone and also consisted of them playing a support structure for the social workers. Due to the shortage of social workers in South Africa, social workers in Ha-Makuya ceded some responsibilities to the HBCWs and this meant that HBCWs had an increased influence in the lives of orphans in foster care. The last objective of this research was to probe the applicability of Foucault's concept of *biopower* in explaining the foster care system in South Africa. Having explored the different roles and responsibilities of both the agents of the state and the mediators, I looked at the manner in which foster care was *biopolitical*.

5.2   The *biopolitical* nature of foster care

Biopower is a form of control that transcends the depths of consciousness and bodies of the population and it works across all social relations (Hardt and Negri, 2000:24). South Africa is a *biopolitical* state and it "exerts a positive influence on life that endeavours to administer, optimize, and multiply it, subjecting it to precise controls and comprehensive regulations" (Foucault, 1978:137). In looking at foster care in South Africa, this is achieved through the roles and responsibilities of the agents of the state, the *biopolitical* mediators. The state makes use of a number of "technicians" or "normative judges", who in this research are the magistrate, the social workers and the school teachers. These *biopolitical*

"technicians" help in distinguishing, qualifying and ranking individuals, and in this research, according to their ability to conform to the norm (Hewitt, 1983:69). What appeared in the interviews was that the participants' roles were very much interrelated and interdependent.

The agents of the state's roles are key in the normalisation process of orphans in foster care. "Normalisation" is an outcome of *biopower* (Foucault, 1978:144). The *biopolitical* agents aid in the ranking and qualifying of orphans in foster care and the end result of this process is in the manufacturing of "docile bodies" (Foucault, 1977). The exercise of *biopower* looks at the control of life through an increase in the calculation and measuring of birth, mortality, education, employment, and criminality (Pereira, 2009:45). In light of this, the magistrate, social workers and school teachers facilitate this hence it earning them the title of "*biopolitical technicians*". The following section looks at the role of agents.

5.2.1   The magistrate's *biopolitical* role

The magistrate can ratify or decline a foster care, and through this the foster parents might apply for and get the FCG (Western Cape Government, 2014). It is through the magistrate that the "the ancient right to take life or let live was replaced by a power to foster life or disallow it to the point of death" (Foucault, 1978: 138). The "let live" aspect of the magistrate's role is evident in a case when he grant's a foster care and it is only after that the foster parents can apply for a FCG. This, therefore, means that if he declines, that guardians of a child will not get access to the state's resources and this can negatively influence the manner in which the child will be taken care of.

Noted in literature, informal strategies for taking care of orphans are under enormous pressure, and in most instances the children are taken into fragile homes with limited resources (Schönteich, 2002:30; Foster, 2004; United Nations Children's Fund (UNICEF), 2006; Mathambo and Gibbs, 2009; Nkuta, 2011; Ngonyama; 2013). Under formal strategies, adoption and orphanages also have shortcomings (see section 2.4.2). It is in this light that foster care becomes one of the most efficient ways through which the normalisation of orphans can be achieved. The magistrate's involvement is in the ratification of the foster care and

he is mandated by the state to appoint the child's "legal parents". According to Mr. Masese, for the magistrate to consider the potential foster parents as "legal parents", they should be willing and capable of taking care of the child, and they should be in a position to provide the child with a safe environment (Children's Amendment Bill, 2007). If these conditions are not met, he declined the foster application.

5.2.2   The social workers' *biopolitical* role

The social workers' role in foster care was ongoing. The social workers are the ones who "let live" or "make die". Their role in foster care is key in getting access to the FCG. At the hearing with the magistrate, the foster care application is supported by the report from the social workers which is a pyscho-social report in support of the carers' candidacy. It is also their responsibility to write a psycho-social report for the child. If this report is not substantial or if it lacks something, then the magistrate will decline the application. The social worker thus becomes the greatest *biopolitical* agent in that it was up to them that the state could exercise its right to "make live and let die" (Foucault, 1978:241).

Social workers are involved from the start to the end of foster care. From the onset it is their role to match the child to foster parents who are "similar" to them. After the foster care has been granted, and once the foster parents receive the grant, social workers also have an influence in the manner in which the FCG is used. According to the various participants, the social workers advise the parents on how it is to be spent. This is a form of surveillance of both the foster parents and their use of the money.

The social workers also monitored the pyscho-social well-being of the children. The social workers were also mandated by the state to go to the foster children's schools to make sure that they are not facing any challenges there. All this is qualified by Foucault in his explanation of the roles of the technicians. Their role in contributing to the well-being of the children went beyond the school environment. Even after the children had finished school, the social workers helped the children to get into state supported "learnership" programmes.

Social workers also played a key role in mediating the relationship between orphans in foster care and their foster parents. They had scheduled meetings with the HBCWs, foster parents and the foster children, in which they discussed issues that were bothering them. Social workers are mandated to conduct regular home visits which are made to ensure that the children live in a "normal" environment which is also an exercise of *biopower*. This role was, however, carried out by the HBCWs.

The social workers also had an influence on how the foster grant, the state's resource, was used. Since Ha-Makuya is in a very marginalised area, there are no banks and no ATMs, and foster parents were encouraged to open bank accounts with the post office. At the post office, the parents are required to submit a letter from their social workers indicating that the parents could withdraw the specified amount. A portion of the FCG was also to be saved every month. The amount was not fixed and it was also determined by the social workers. All spending was monitored and slips had to be submitted to the social workers as evidence of purchases, and they had to be filed in the child's case file.

5.2.3   The school teachers' *biopolitical* role

The school teachers worked together with both the foster parents and the social workers. Teachers are mandated by the state to educate learners. They had a key role in monitoring the academic performance of orphans, and in the event that they noticed any anomalies, they were to inform the social workers urgently. It was also noted that teachers work with other state officials who could request information. Again this is what Foucault (1978) refers to as acting as a *biopolitical* technician.

5.3   Home-based care workers as the forgotten *biopolitical* mediators

In the previous chapter it was noted that the HBCWs were very much actively involved in the foster care system. Their involvement was predominantly because of the shortage of social workers in South Africa. References to social worker shortages are made from as early as 2005. Newspaper articles were tracked for

references to "social workers", from 2010-2014. It was noted that there was a shortage of social workers according to the Saturday Argus (2010), in an article by Helen Bamford, the Western Cape needed an additional 10,000 so that the department could function optimally, this was also reiterated by Makinana and Schroeder (2010). Teke (2010), paints a very bleak picture of the state of the social worker staffing across South Africa. Teke states that in KwaZulu-Natal there were 60% vacant positions, Mpumalanga was in the most dire situation with approximately 80% vacant posts; followed by Limpopo with approximately 72%, and Kwa-Zulu-Natal at 62%. According to the DSD spokesperson, Mandla Ngema, the dearth of social workers was attributed to "Many of them are leaving for greener pastures, either into the private sector or abroad, while some leave simply because of burnout from pressures of the job".

The shortage of social workers was reiterated by the minister of social development then, Bathabile Dlamini, who indicated that South Africa needed 16,000 social workers (See Tshisela, 2010 and Ngomane, 2010). There was a shortage of social workers mid 2011 (see Taylor, 2011), and even mid 2012 (see Fengu, 2012). Fengu (2014) also paints the same bleak picture in an article entitled "Social work graduates employed at long last". In this article, 342 social work graduates were permanently appointed into state jobs, and Bea Hackula (social development head) states that this recruitment was part of a strategy to address the shortage of social workers in the Eastern Cape, and in South Africa as a whole.

This means that the social workers working within South Africa are to a greater degree overburdened. With the rise in the number of orphans, and the declining social workers, how then is this difference offset? Data collected from the interviews with the HBCWs that they were taking on some duties that are supposed to be carried out by social workers. From the initial interview with Mr. Masese it was noted that the HBCWs were the social workers' eyes in the community. The HBCWs were more in touch with what was happening in Ha-Makuya, compared to the social workers. This the head social worker, Mr. Masese, illustrated when he said, "We liaise with the home-based care workers…". The HBCWs were in most cases the ones that referred the potential foster parents to the social workers from the time that a child became an orphan.

They also conducted site visits on behalf of the social workers, and this was to make sure that orphans were raised in a normal environment. In spite of the huge role that the HBCWs played in the sustenance of the relationship between the state and orphans in foster care, they received minimal support from the state.

Based on this, it is important to note that the HBCWs were battling to cope because of the nature of their responsibilities. Having explored the *biopolitical* nature of social welfare in the following section I looked at a possible explanation for foster care. Beyers (2011), proposes a compelling argument that the state is getting political mileage from social grants, and in this case the FCG, among others.

5.4   The *biopolitical* nature of the foster care grant

The foster parents received the FCG on behalf of the orphans that were their responsibility. In South Africa 63,325 children are registered for the FCG (SOCPEN System, 2014). This indeed supports the claim by Nhlanhla Nene that social grants play a huge role in cushioning the financial burden in impoverished households (Anderson, 2015). The foster parents were very appreciative of the FCG. According to the different participants, whilst it was not sufficient to financially cover the child's basic needs, it was immensely helful. One participant was able to make use of some this money to build a new house.

In light of this it is apparent that the grants are given to the "needy," and this is indeed in support of the notion that *biopower* "needs to be rationalized and justified" (Pereira, 2009:45). Due to the AIDS pandemic the extended family has been battling to cope with the increasing number of orphans. (Schönteich, 2002:30; Foster, 2004; United Nations Children's Fund (UNICEF), 2006; Mathambo and Gibbs, 2009; Nkuta, 2011; Ngonyama; 2013). The state introduced the grant to mitigate the escalating numbers of orphans due to the AIDS epidemic (Hearle and Ruwanpura, 2009:427). The existence of the foster care grant was "justified and rationalized" since this grant was introduced to mitigate the escalating numbers of orphans due to the AIDS epidemic (Hearle and Ruwanpura, 2009:427).

There is, however, some evidence to suggest that there are political motives behind the FCG. One is inclined to agree with the view that the crisis in the extended family has also alarmed the state as this is now threatening its sustenance. Beyers (2011) proposes that the ANC is intentionally keeping its supporters poor and dependent on social grants. He warns that there is a growing perception that the ANC is abusing social grants in an attempt to retain political power. This is plausible considering that South Africa is a country that has one of the most democratic constitutions[10] on the globe and also high levels of racial inequality compounded with inequality in income[11]. Beneficiaries of social grants in South Africa are 16,368,403, and of these 548,421 are FCG beneficiaries (SOCPEN System, 2014).

The ANC can utilise the grants to gain support from the poor who are dependent on social grants. It is also striking to note that not only is the issue of social grants being problematic in the greater political realm, we have President Zuma expressing dissatisfaction in issuing as this was not sustainable in the long run. CityPress (2011) quoted him saying, "The government cannot afford to indefinitely pay social grants to people who are not elderly and who have no physical defects" and he went on to say, "We cannot be a welfare state". We, therefore, have a state whose leadership is refuting the welfare state status of South Africa and a strong opposition from political actors who are opposing the social grant system. In a situation like this, it becomes very important to ask how the state relates to the orphans. The notion that South Africa is a welfare state comes into question as we have some orphans accessing the grant and others not. This question becomes more urgent when we have President Zuma speaking against welfare. Recently, the KwaZulu-Natal Agriculture and Environmental Affairs MEC, Meshack Radebe stated at an ANC road show that recipients of social grants who voted for opposition political parties were in fact stealing from the government. He was quoted by *The Citizen* on 9 March 2014 saying,

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[10] South Africa has a constitution that "is widely regarded as the most progressive...in the world, with a Bill of Rights second to none" (SouthAfricanInfo, 2012).

[11] Van der Berg (2010: 3).

> Nxamalala (President Zuma) has increased grants, but there are people who are stealing them by voting for opposition parties…If you are in the opposition, you are like a person who comes to my house, eats my food and then insults me.

Biopower's core strength is that the state controls its citizens through monitoring and surveillance. A par excellence illustration in this study was foster care, and the FCG. The state's exercise of power is ubiquitous as everyone involved in the process sees themselves as involved in process that is for the welfare of orphans. Everyone involved is at the end of the day accountable to the South African state.

5.5   Limitations of the study

It is spurious to claim that there is solid and perfect research; research is not free of flaws. This study suffered from two limitations; one on the research design, and the other one pertaining to the selection and recruitment of participants. These limitations are discussed below.

5.5.1   Research design limitations

Due to the nature of the research questions and the research objectives, the study had to utilise a qualitative research methodology. The primary data collection tool was the semi-structured interview guide which was centred on the participants giving insights on the different facets of the nature of the relationship between orphans in foster care and the state within the context of Ha-Makuya, and their experiences in foster care. It took lengthy periods of time to get permission to interview the chosen participants and this saw the completion of the study taking longer than what had been anticipated.

The data analysis process also took a considerable amount of time. The interviews were conducted in TshiVenda, by an experienced interpreter/translator. The final transcripts were generated after following a rigorous process:

(i) The interview guides were constructed in English, and interview guides for the foster parents and the home-based care workers had to be translated into TshiVenda.

(ii) Interviews with the foster parents and the social workers were conducted in TshiVenda and during the interview process the translator would then translate for me into English as I recorded the session.

(iii) The recordings were then transcribed.

(iv) After this preliminary transcription, the transcripts and recordings were checked and verified by my research assistant. This was done in order to make sure that the authenticity of the meaning was maintained.

(v) Based on the corrections, the final transcripts were generated.

5.5.2 Participant selection limitations

Recruiting the diverse participants was immensely challenging. It was logistically complicated and time consuming. My place of residence was Johannesburg, and Ha-Makuya is a 10-hour drive from there. Transport and accommodation for the purposes of this research was structured so that I was in Ha-Makuya for a week at a time. During the week I had to move around and conduct the interviews. To make this more manageable, I received assistance from Mr. Connell and Sister Carol in the identification of foster parents, HBCWs and school teachers. They also set the times and venues for the interviews as I was not in a position to do that from Johannesburg. The selection of some of the participants meant that there was some level of bias because there is the possibility that participants selected were done so based on undisclosed criteria. It should be noted that the recruitment of the research participants for this study without the assistance of Sister Carol would have been impossible since these participants are not always visible to an outsider.

5.6 Suggestions for future research

This research has elucidated the nature of the relationship between orphans in foster care and the state through looking at the roles played by agents of the state (school teachers, social workers and the magistrate) and the mediators (foster

parents and home-based care workers). It also went a step further and looked at the other latent agents and mediators who were involved in this relationship. The manner in which some participants were selected was centred on some of the key informants and in future, one can try to avoid this by settling in the research area during the course of the study and selecting one's own participants. There were also other agents and mediators who included ChildLine, the Victim Empowerment Programme, SAPS, and the Clinic. This research also challenges future research to explore the role of the other latent agents and mediators. It would also be worthwhile to research the experiences of orphans in foster care. Orphans are members of the community and they are at the core of foster care. If there were no orphans, then the necessity of it would be futile. The study showed that the HBCWs are playing a key role in mitigating the lack of social workers in Ha-Makuya by providing support to the social workers, orphans and the foster parents; however, there are a lot of uncertainties about their support which they are not remunerated for by the state. This, therefore, leaves a grey area in the nature of their responsibilities.

5.7   Contributions and recommendation

This study has garnered information on the nature of the relationship between orphans in foster care and the state. It began by looking at the most important needs of orphans in foster care, which was generally agreed to be education. It also supported studies that the grandparents were the most preferred foster parents in the context of Ha-Makuya. This information will also assist in illuminating the role of both the agents and mediators, and how best they can be assisted. Based on the contribution of this study to the body of knowledge empirically and theoretically, the recommendations to increase the number of social workers in Ha-Makuya and also to assist the HBCWs in their role in foster care will be looked at below. It is important to note that this study has highlighted the key role that grandparents are playing in the care of orphans, and to a greater extent the grandmothers (Kuo and Operario, 2010:5; Hlabyago and Ogunbanjo, 2009:508; EveryChild and HelpAge International, 2012:4). These are elderly people who require more than financial support from the state. The high rate of unemployment in Ha-Makuya, and the rest of South Africa, means that the proportion of families suffering increases daily, and this impacts the ability of the

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extended family to take in orphans without assistance from the state. It is also apparent in this study that the existence of the latent agents and mediators and other stakeholders in caring for orphans in general shows that the philosophy of Ubuntu still exists.

5.8.1   Contributions

The findings of this study show that there are different actors involved in the relationship between the state and orphans in foster care, in probing the functionality of social services and the foster care system. Empirically, this study showed that the there was a shortage of social workers in Ha-Makuya. This void was mitigated by the home-based care workers. The home-based care workers were, however, under compensated for their effort, and this is a problem that is festering. Theoretically, this study revealed that Foucault's concept of *biopower* illustrates the existence of social welfare, and in this case the foster care system. There are intricate roles that were played by the *biopolitical* agents in this system. There was though a problem in its exercise of *biopower* as the state was now drawing from other actors for its survival, the home-based care workers to be specific.

5.8.2   Recommendations

Four recommendations emerge from this study:

(i)   There is a shortage of social workers in Ha-Makuya. Due to the terrain it becomes very difficult for the few social workers to move around. The state should, therefore, focus more on first deploying social workers to rural and marginalised areas like Ha-Makuya.

(ii) The state should strengthen the position of HBCWs. HBCWs in Ha-Makuya feel unappreciated by the state, and this makes the conditions they work in very unpleasant. The void filled by the HBCWs in the roles and responsibilities has seen foster care happen because they work together with the community on the one hand and the social workers on the other. They play a mediating role, but they are not remunerated for.

Their desire to support is, unfortunately, crippled by the limited funding from the state. The state and other stakeholders should provide aid in cash and aid packages to HBC organisations so that they can provide basic needs such as food, clothing, and access to healthcare and education. For the HBCWs to be self-sustaining, they should be trained in fundraising strategies. The state can boost them to be self-sufficient by making financial and technical assistance available for them to run income-generating projects for sustainability purposes.

(iii) The foster care grant is not adequate for the support of the child. All participants concluded that the grant was insufficient.

(iv) Theoretically, this study looks at the applicability of *biopower* in explaining the South African state's care of orphans in foster care. It was noted that for the state to successively implement *biopower*, it needs to tap into the strong cultural capital that exists in Ha-Makuya, manifested in Ubuntu. The extended family takes in orphans not because the state will pay a foster care grant, but because they feel a bond with the child, and will only get a legal foster once they learn about this from the HBCWs or the social workers.

5.8   Closing remarks

In spite of immense challenges in executing this study, the three main objectives of the study were accomplished. The limitations were also looked at and from these, suggested future recommendations were posited. One can, therefore, conclude that the state does indeed play a key role in assisting orphans in foster care and its most notable and direct contribution is the foster care grant. It was also noted that in most instances, foster children are taken in by extended family, and most frequently, the children's grandparents. This shows that Ubuntu still exists in South Africa. While there seems to be fluid cooperation among all the stakeholders involved in caring for orphans, it was also noted that the dearth of social workers in Ha-Makuya, and in South Africa generally, has left the HBCWs to cover that void. In their bid to do that, the HBCWs are facing challenges. The state still has a lot of work to do in the care of foster children, and their point of

departure can be re-evaluating the amount of the foster care grant, and secondly, putting in measures to assist HBCWs to cope in this area.

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Appendix 1: Social grants by grant type and region as at 31 August 2014

Region	Social grant type							
	OAG	WVG	DG	GIA	CDG	FCG	CSG	Total
EC	522,051	53	181,263	13,949	18,605	122,235	1,828,454	**2,686,610**
FS	179,021	6	77,778	1,666	6,240	42,805	644,503	**952,019**
GP	462,384	93	113,135	2,481	15,810	59,446	1,603,279	**2,256,628**
KZN	620,107	47	294,411	33,530	35,942	134,989	2,731,397	**3,850,423**
LP	424,818	27	92,889	15,261	12,872	<mark>63,325</mark>	1,669,836	**2,279,028**
MP	220,831	16	78,719	4,190	9,174	36,661	1,013,914	**1,363,505**
NC	77,875	10	49,329	5,827	4,707	15,229	283,448	**436,425**
NW	228,057	12	85,795	6,097	8,741	43,053	778,784	**1,150,539**
WC	281,983	109	153,966	10,831	11,541	30,678	904,118	**1,393,226**
Total	**3,017,127**	**373**	**1,127,285**	**93,832**	**123,632**	**548,421**	**11,457,733**	**16,368,403**

(Source: SOCPEN System, 2014)

The table above illustrates a summary of social grants beneficiaries in South Africa's 9 provinces as at the 31st of August, 2014. The provinces are:

- Eastern Cape (EC);
- Free State (FS);
- Gauteng (GP);
- KwaZulu-Natal (KZN);
- Limpopo (LP);
- Mpumalanga (MP);
- North West (NW);
- Northern Cape (NC) and;
- Western Cape (WC).

The social grants referred to are the:

- Old Age grant (OAG);
- War Veteran's grant (WVG);
- Disability grant (DG);
- Grant in Aid (GIA);
- Child Support grant (CSG);
- Foster Care grant (FCG) and;
- Care Dependency grant (CDG).

Appendix 2: Consent form

TITLE OF RESEARCH STUDY: Orphans in Foster Care and the State: A *Biopolitical* Analysis of the Relationship.
NAME OF THE RESEARCHER: Anthony Kaziboni
DEPARTMENT: Department of Sociology, University of Johannesburg, C Ring 6 (011-559-2978).

DFECLARATION BY THE PARTICIPANT

THE UNDERSIGNED…………………………………………… (Full name and surname)

Hereby confirm as follows:

1. I was invited to participate in the above mentioned research study which is being undertaken by Anthony Kaziboni, from the Department of Sociology in the faculty of Humanities at the University of Johannesburg (UJ).
2. The following aspects have been explained to me:
   2.1. AIM: The aim of the study is to explore and describe the relationship between orphans in foster care and the state.
   2.2. POSSIBLE RISKS: I am aware that the researcher is asking me to share with him some very personal and confidential information, and that I may feel uncomfortable talking about some of the topics. I do not have to answer any questions or take part in the interview if I don't wish to do so, and that is also fine. I also do not have to give any reason for not responding to any question, or for refusing to take part in the interview.
   2.3. POSSIBLE BENEFITS: As a result of my participation in this research study, there will be no direct benefit to me.
   2.4. CONFIDENTIALITY: My identity will not be revealed in any discussion, description or scientific publications by the investigators.
   2.5. ANONYMITY: I understand that anonymity will be ensured in the write-up by disguising my identity.
   2.6. VOLUNTARY PARTICIPATION: My participation is voluntary. My decision whether to participate or not will in no way affect the current help and support I receive, from Tshulu Trust and/or UJ.
3. I understand that I can withdraw from the study at any time, without giving any explanation.
4. Pictures taken during the course of this study will not be used for profit and/or business.

I HEREBY CONSENT VOLUNTARILY TO PARTICIPATE IN THE ABOVE MENTIONED STUDY

| _____ | _____ | _____ |
| Name of Participant | Date | Signature |

| _____ | _____ | _____ |
| Name of Researcher | Date | Signature |

Appendix 3: Interview guide for foster parents

Name: ....

Age:……..Sex………..

Contact details: ....

Date of interview: ....

1. Please tell me a about yourself.
   - What is your occupation?
   - What are your sources of income?
   - Your family composition?
2. How did your foster child(ren) come into your custody?
   - How are you related to the child/ren?
   - Were you in a position to take care of them?
   - How did you know about the foster care system?
   - Who assisted you in the foster care process?
3. What are your experiences of the foster care system?
4. In Ha-Makuya which foster care option is the most preferred in Ha-Makuya
   - Non-relatives; grandparents; aunts and uncles; siblings or others?
5. From your experience, what are the needs foster children?
6. Can you tell me how you applied for the foster care grant
   - Whom did you receive assistance from in the foster care grant application?
   - How much is the foster care grant?
   - Is the grant significant?
7. How do you view the government's giving out the foster care grant?
   - Is there any other way that which the government can help with the caring of the orphans in foster care?
   - Is the foster care grant the best way to deal with orphans in foster care?
8. Who else do you receive support from in caring for your foster child/dren?
   - Who do you feel should be providing this support?
9. We have arrived at the end of our interview. Do you have any other issues/ comments/questions that you would like to raise?

Thank you for your contribution.

Finishing time

Appendix 4: Interview guide for home-based care workers

> **Name:** ....
> **Age:**……..**Sex**………..
> **Contact details:** ....
> **Date of interview:** ....

1. Please tell me a about yourself.
   - How long have you been a home-based care worker?
   - How long have you been a home-based care worker operating in Ha-Makuya?
2. What is "foster care?"
   - Kindly describe foster care process.
3. What role do you play in the caring for orphans in foster care?
   - What are your responsibilities towards the government with regard to the caring of orphans?
4. Based on your experience, from the foster care options below which one do you think is the most preferred in Ha-Makuya from the following: non-relatives; grandparents; aunts and uncles; siblings or other relatives. Explain.
5. From your experience, what are the needs foster children??
6. How do you view the government's giving out the foster care grant?
   - Is there any other way that which the government can help with the caring of the orphans in foster care?
7. Who else do you receive support from in caring for your foster children?
   - Who do you feel should be providing this support?
8. We have arrived at the end of our interview. Do you have any other issues/ comments/questions that you would like to raise?
9. What are the long-term plans that have been put in place to integrate the orphans into society when they pass the age of 18?
10. Do you think that the FCG is sufficient to cover most of the child's basic needs (food, clothing, transport, education special medical care, sporting activities, outings)?
11. How do the social workers keep account of the use of the foster care grant??
12. Is there any other way that which the government can help with the caring of the orphans?
13. Do you have any other issues/ comments/questions that you would like to raise?

Thank you for your contribution.

Finishing time

Appendix 5: Interview guide for school teachers

Name: ....
Age:……..**Sex**………..
Contact details: ....
Date of interview: ....

1. Please tell me a about yourself.
   - How long have you been a school teacher?
   - How long have you been a school teacher working in Ha-Makuya?
2. What role do you play in the caring for orphans in foster care?
   - What are your responsibilities towards the government with regard to the caring of orphans?
3. Based on your experience, from the foster care options below which one do you think is the most preferred in Ha-Makuya from the following: non-relatives; grandparents; aunts and uncles; siblings or other relatives. Explain.
4. From your experience, what are the needs foster children??
5. How do you view the government's giving out the foster care grant?
   - Is there any other way that which the government can help with the caring of the orphans in foster care?
6. Who else do you receive support from in caring for your foster child/dren?
   - Who do you feel should be providing this support?
7. What are the long-term plans that have been put in place to integrate the orphans into society when they pass the age of 18?
8. Do you think that the FCG is sufficient to cover most of the child's basic needs (food, clothing, transport, education special medical care, sporting activities, outings)?
9. Is there any other way that which the government can help with the caring of the orphans?
10. Do you have any other issues/ comments/questions that you would like to raise?

Thank you for your contribution.

Finishing time

Appendix 6: Interview guide for social workers

> **Name:** ....
> **Age:**……..**Sex**………..
> **Contact details:** ....
> **Date of interview:** ....

1. Please tell me a about yourself.
   - How long have you been a social worker?
   - How long have you been a social worker operating in Ha-Makuya?
2. What is "foster care?"
   - Kindly describe foster care process.
3. What role do you play in the caring for orphans in foster care?
   - What are your responsibilities towards the government with regard to the caring of orphans?
4. Based on your experience, from the foster care options below which one do you think is the most preferred in Ha-Makuya from the following: non-relatives; grandparents; aunts and uncles; siblings or other relatives. Explain.
5. From your experience, what are the needs foster children??
6. How do you view the government's giving out the foster care grant?
   - Is there any other way that which the government can help with the caring of the orphans in foster care?
7. Who else do you receive support from in caring for your foster child/dren?
   - Who do you feel should be providing this support?
8. We have arrived at the end of our interview. Do you have any other issues/ comments/questions that you would like to raise?
9. What are the long-term plans that have been put in place to integrate the orphans into society when they pass the age of 18?
10. Do you think that the FCG is sufficient to cover most of the child's basic needs (food, clothing, transport, education special medical care, sporting activities, outings)?
11. How do the social workers keep account of the use of the foster care grant??
12. Is there any other way that which the government can help with the caring of the orphans?
13. Do you have any other issues/ comments/questions that you would like to raise?

Thank you for your contribution.

Finishing time

Appendix 7: Interview guide for the magistrate

> **Name:** ....
> **Age:**……..**Sex**………..
> **Contact details:** ....
> **Date of interview:** ....

1. Please tell me a about yourself.
   - How long have you been a magistrate?
   - How long have you been a magistrate operating in Ha-Makuya?
2. What is "foster care?"
   - Kindly describe foster care process.
3. What role do you play in the caring for orphans in foster care?
   - What are your responsibilities towards the government with regard to the caring of orphans?
4. Based on your experience, from the foster care options below which one do you think is the most preferred in Ha-Makuya from the following: non-relatives; grandparents; aunts and uncles; siblings or other relatives. Explain.
5. From your experience, what are the needs foster children??
6. How do you view the government's giving out the foster care grant?
   - Is there any other way that which the government can help with the caring of the orphans in foster care?
7. Who else do you receive support from in caring for your foster child/dren?
   - Who do you feel should be providing this support?
8. We have arrived at the end of our interview. Do you have any other issues/ comments/questions that you would like to raise?
9. What are the long-term plans that have been put in place to integrate the orphans into society when they pass the age of 18?
10. Do you think that the FCG is sufficient to cover most of the child's basic needs (food, clothing, transport, education special medical care, sporting activities, outings)?
11. How do the social workers keep account of the use of the foster care grant??
12. Is there any other way that which the government can help with the caring of the orphans?
13. Do you have any other issues/ comments/questions that you would like to raise?

Thank you for your contribution.

Finishing time