

## **‘The Child is not Being Cooperative, Your Honour’. The Political Economy of Kenya’s Child Protection Service**

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In some policy arenas, the Kenyan state is recognised as a leader in Sub-Saharan Africa for the care and protection of children at risk. Yet, a case study of the official care and protection system for children under the mandate of the state in Kisumu, western Kenya, reveals important disjuncture between the spirit of the law and the ideologies and actions of state agents. This paper draws from an ethnographic study of the experiences of twenty so-called ‘lost’ children from their initial referrals by police to the state’s Children’s Department through their weeks or months of accommodation in the Children’s Remand Centre, and over multiple court hearings through to outcomes that included some children’s ‘repatriation’ to relatives’ homes and other children’s institutionalisation in orphanages. Based on daily observations and multiple interviews with children and officials implicated in Kenya’s official care and protection system, this study illuminates the discrepancies between different children’s and adults’ experiences and perspectives of the same situations. The analysis exposes systemic fault lines between the structural organisation of state apparatus and daily practices of subversion by officials, children and other members of the public.

In shifting analytical scope, the paper scrutinises how this is not merely an effect of incompatibilities in children’s and adults’ ways of knowing and interacting. Rather, I argue that the bureaucracy of the state is strategically organised to appropriate the letter of the law - and specifically the UN Convention on the Rights of the Child’s core principle of ‘the best interests of the child’ - to sanction disregard of the causes of children’s vulnerabilities. I analyse how the deployment of conspicuously child-focused discourse and practice through bureaucratic documentation and judicial rulings camouflages (poorly) the government’s neglect of the fundamental risks to children, including impoverishment. Incapable of addressing the structural causes of children’s vulnerabilities, the official care and protection system instead operates to reinforce the political economy status quo through the maintenance of a social order that subordinates children’s interests.