

AFRICA UNIVERSITY

(A United Methodist-Related Institution)

APPLICATION OF THE BEST INTEREST OF THE CHILD
PRINCIPLE IN TRANSNATIONAL PARENTING: A CASE STUDY
OF MUTARE URBAN DISTRICT

BY

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A DISSERTATION SUBMITTED IN PARTIAL FULFILLMENT OF THE
REQUIREMENTS FOR THE DEGREE OF MASTER IN CHILD RIGHTS AND
CHILDHOOD STUDIES IN THE COLLEGE OF SOCIAL SCIENCE,
THEOLOGY, HUMANITIES AND EDUCATION

2021

Abstract

The quest of the study was to investigate the application of the best interests of the child principle in transnational parenting, using a case study of Mutare urban district. The study objectives were to assess the application of the best interests of the child in decision making in transnational parenting; determine the knowledge levels of children and caregivers on best interest of the child in transnational parenting. The study made use of the Mixed Method Research following the Sequential Exploratory approach. This paradigm allowed the use of both qualitative and quantitative research techniques in gathering information. The Mixed Method Research methodology enabled the researcher to use aspects of both qualitative and quantitative research techniques. The use of in-depth interviews, focus group discussions and questionnaires as tools helped to gain more understanding on the application of child in the context of transnational parenting. The findings of the study revealed that the application of the best interest of the child in transnational parenting is very minimum. The study showed that children are very much aware of their needs and wants such that they should be involved in decisions to do with their welfare however the study attests otherwise as choices are taken away from the child. Drawing from the research findings, the study concluded that decision making in transnational parenting does not consider the best interest of the child. Furthermore, they are mostly influenced by the socio-economic needs of the family that the child is staying with, other competing interest such as the needs of other family members and also whether the caregiver choses to highlight what may be in the best interest of the child. Having assessed and investigated the application of the best interest of the child rights principle in transnational parenting, the study recommended that the government through the Ministry of Primary and Secondary Education should monitor the set curricula to allow learning and understanding of child rights as a protective measure towards violence against children.

Key Words: Best Interest; Parenting; Rights

Declaration

I declare that this dissertation is my original work except where sources have been cited and acknowledged. The work has never been submitted, nor will it ever be submitted to another university for the award of a degree.

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Acknowledgements

Firstl, I would like to thank the Lord Almighty for seeing me through this research work. If it was not for His favour, I would not be where I am today. I would like to extend my sincere gratitude to everyone who made this study possible, my family and my lecturers. Special thanks go to my supervisor, Dr Tendai Chakarisa, for her patience and assistance throughout my dissertation. It was a pleasure indeed to work with her. I would also like to thank UNICEF for awarding me a scholarship which enabled me to do my studies. I would also like to thank my father, Mr Elliott Chikaka, he has been my pillar of strength and unwavering support. To all my friends, thumbs up for the light moments we shared, the support and for providing a friendly studying environment throughout the study period.

Dedication

I dedicate this work to all those who are committed to make the best interest of the child of paramount importance.

List of Acronyms and Abbreviations

ACRWC	African Charter on the Rights and Welfare of the Child
AUREC	Africa University Research Ethics Committee
BIC	Best Interest of the Child
CEDAW	Convention on the Elimination of all forms of Discrimination against women
CSSTHE	College of Social Science, Theology, Humanities and Education
FGD	Focus Group Discussion
ILO	International Labour Organisation
MOPSE	Ministry of Primary and Secondary Education
UNCRC	United Nations Convention on the Rights of the Child
UNICEF	United Nations International Children's Fund

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CHAPTER 1 INTRODUCTION

1.1 Introduction

Circumstances surrounding the improvement of livelihoods have resulted in parents and guardians leaving the country in search of greener pastures leaving the children without parental care and guidance or at risk of losing both. These transnational parents work hard to maintain intimate relationships with their children in the country of origin and they make regular phone calls, write letters, send gifts, and visit when possible (Hagsman, 2015). Yet, despite the efforts, most studies indicate that transnational family life challenges the maintenance of good and intimate parent-child relationships because geographical separation constrains emotional involvement (Hagsman, 2015). This makes the application and realisation of the child rights, by taking into cognisance the best interest of the child, difficult or unattainable for the child from the parent and the concerned caregivers. Hence this marks the importance of this research which seeks to explore the application of the best interest of the child principle in transnational parenting focusing on Mutare Urban area. The background of the study which is outlined in this chapter gave the facts on transnational parenting and the urge to conduct this study. The statement of the problem, a claim that outlines the problem addressed by the study will then transform the generalised issue on transnational parenting into a well-defined problem of the application of the best interest of the child principle in transnational parenting. Research objectives and questions are also addressed in chapter one. The research objectives and questions provided focus and direction, to inform what is included in the research tools, to help engage and align relevant stakeholders as well as to ensure impartiality. In addition, the significance of the study, the delimitation and limitations are also the elements of chapter one.

1.2 Background of the Study

Over the past few decades a significant amount of empirical and theoretical work has accumulated globally in the parenting literature. According to Woodcock, (2003) parenting involves love and connecting with children, monitoring them and providing warmth, guidance, support and protection. Parents also model behaviour and set boundaries for their children. However, this may be a challenge where parenting occurs through a substitute, often a relative in the extended family. This is the case with transnational parenting which has become rampant globally, particularly in Africa (Baumrind, 1971).

The extended family has a meaningful role to play where members may offer support, ranging from the provision of emotional support to material resources (Padi, Nduna, Khunou, & Kholopane, 2014; Smit, 2001). Each person, regardless of age, is able to add value to the household as the elderly are often caregivers, and children help with chores around the house (Schatz & Ogunmefun, 2007). Children learn customs and traditions, and are removed from negative cultural contexts, particularly when they reside where their parents are employed and are able to give adequate adult supervision (Ramphela & Richter, 2006). Irrespective of the reasons for parents not staying with their children, they still have the obligation to maintain their children, albeit from a distance, through a caregiver. Hence the need to consider the rights of the children particularly the best interest of the child in transnational parenting is of utmost importance.

The principle of the best interest of the child extends to the interaction of the child with the family and in the Convention on the Rights of the Child, (1989) the parents are the gatekeepers of the child rights. However, many family forms have existed and continue to exist as a result of circumstances that vary from family to family. Best interest of

the child has different meanings in different contexts. It has played a major role in determining custody battles over the years. Kelly, (1994) highlights that Best Interest of the Child has played a pivotal role in decision making with respect to post separation parenting disputes. In the United Nations Convention on the Rights of the Child (UNCRC, 1989), the best interest of the child sets out the ideal standards of treatment of children. The UNCRC, (1989) reflected a new sociology of childhood and viewed children as people who are entitled to be treated with respect and dignity and to have their perspective taken seriously (Taylor, Tapp, & Henaghan, 2007).

1.3 Statement of the Problem

There is very little policy or research around the application of the bests interest of the child principle in transnational parenting as a global child protection issue. According to Madzivadondo, (2012) estimations are that more than a million children have been affected with the parental migration in Zimbabwe, however, statistical data on the number of children with parents in the Diaspora is vague in Zimbabwe. The little information from scholars reveals that more than 80 percent of children with migrant parents are better off economically, and this can magnet other more advantages (Madzivadondo, 2012). However, the study only shows the material benefits of the child and leaves out the child rights implications of the absence of the parent. Hence an in-depth assessment of the application of the best interest of the child principle in transnational parenting will be addressed in this study to feed in the knowledge gap on child rights violations by parents in Zimbabwe.

1.4 Research Objectives

- To assess the application of the best interests of the child principle in making decisions involved in transnational parenting in Mutare Urban District in 2018.

- To determine the knowledge levels of children, parents and caregivers on the best interest of the child principle in transnational parenting in Mutare Urban District in 2018.
- To ascertain the nature of parent-child relationship in transnational parenting in Mutare Urban in 2018

1.5 Research Questions

- How is the best interest of the child principle applied in making decisions involved in transnational parenting in Mutare urban District in 2018?
- What are the knowledge levels of children and caregivers on the best interest of the child principle in transnational parenting in Mutare Urban District in 2018?
- What is the nature of parent-child relationship in transnational parenting in Mutare Urban in 2018?

1.6 Significance of the Study

While there have been numerous studies on children's perceptions of their rights, there has been limited research conducted on parenting effects on child rights. Parental influence is pertinent to a holistic understanding of children's rights (Parrenas, 2005). Parents are considered key gatekeepers and facilitators to their children's ability to access and experience their rights (Cherney, Greteman, & Travers, 2008; Peterson-Badali & Ruck, 2008, and Dekovic & Meesu, 1997). From the various relatively few studies that have explored parents' attitudes and their importance it may be seen that the absence of parents due to different circumstances opens children to various degrees of abuse.

1.7 Delimitation of the Study

The research conducted in Mutare Urban District and the results from the study are limited to Mutare Urban district only. The researcher used questionnaires and interview guides as they enable interviewer to probe and get more answers from the respondents especially children. The study focused on children from age 5-17 years and specifically those with their parent or parents living in another country. The study targeted children in schools that are in Mutare urban district only, targeting both primary and secondary schools.

1.8 Limitation of the Study

Indeed, the few studies conducted have shown that there are numerous factors that may affect the progress of the study. Parents being out of the country is a limiting factor to the study as communicating with them is difficult. Given the ethical considerations involved in studies to do with children the targeted age group requires parental or guardian consent which is also a limiting factor. The researcher used various communication media which includes social media platforms in order to get in touch with parents and also seek parental consent for the study, as a result that increased the response rate.

1.9 Structure of the Study

The study is segmented into five chapters. Chapter 1 is the introductory chapter, which defines the study in terms of its focus and scope. It also gives the background information, the statement of problem, justification of study, objectives and other introductory issues. Chapter 2 is literature review and conceptual framework in which the study branches from. Chapter 3 presents the research methodology used in carrying out the study effectively, that is data gathering and analysis and presentation methods that were used by the researcher. Chapter 4 gives presentation of findings of the

research whilst Chapter 5 gives recommendations based on the findings and conclusions of the research.

1.10 Chapter Summary

The chapter has established the background information to the study and the need to carry out research questions, which the researcher regarded useful in guiding the study as the chapter also reflected the statement of the problem. The chapter served as an introduction to the body of the research to follow in later chapters and also highlighted the objectives of the study as well as the limitations and the delimitations to the study.

CHAPTER 2 REVIEW OF RELATED LITERATURE

2.1 Introduction

Literature review is an account of what has been published on a topic by accredited scholars and researchers (Best & Khan, 1998). In this chapter, the researcher provided an overview of literature available on the best interest of the child application in transnational parenting, a broader context on who and what determines what is in the best interest of the child and the different forms of family constellations that exist in society. For the sake of brevity, the researcher analysed the contributions of these authors, discerning uniformity and disagreements as they apply to the research problem of this study.

2.2 Conceptual Framework

“1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration. 2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures. 3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform to the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.” (UNCRC, 1989) (Article 3).

The UNCRC, (1989) defines the context in which parenting takes place. It promotes parenting that is respectful of the child’s best interests and considerate of the needs of parents. The UNCRC, (1989) states that the child is entitled to care, security and an

upbringing that is respectful of their rights and individuality. The role of the parent is outlined in the UNCRC, (1989) guaranteeing and promoting the rights of the child and ensuring that their best interests are always taken into account. It outlines how parents should fulfil their responsibilities and is clear that the state should provide parents with the necessary level of support they need to fulfil their role. From the outset, the UNCRC, (1989) refers to the role of parents and the family in ensuring a child's rights. It specifically states that the family, as the fundamental group in society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community. And goes on to recognise that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding (UNCRC, 1989).

Separating a child from the parents is difficult enough for both sides. A parent has to leave their child behind entrusting them in the care of the nuclear family or domestic workers. Most of the communication from the parent to the child is done through the caregiver who executes duties as they please. The best interest of the child trickle down to the child through the caregiver. A caregiver is the one who has the primary duty to ensure the rights of the child in place of the parent as they are not available to do so themselves (Marcu & Hulea, 2013). The question now is how a parent can ensure their child's best interest through a third party in the relationship. To outline the context of best interest of the child and transnational parenting the study will focus on the best interest framework analysing how it is applied in transnational parenting. The following diagram was designed to demonstrate the purpose of the study.

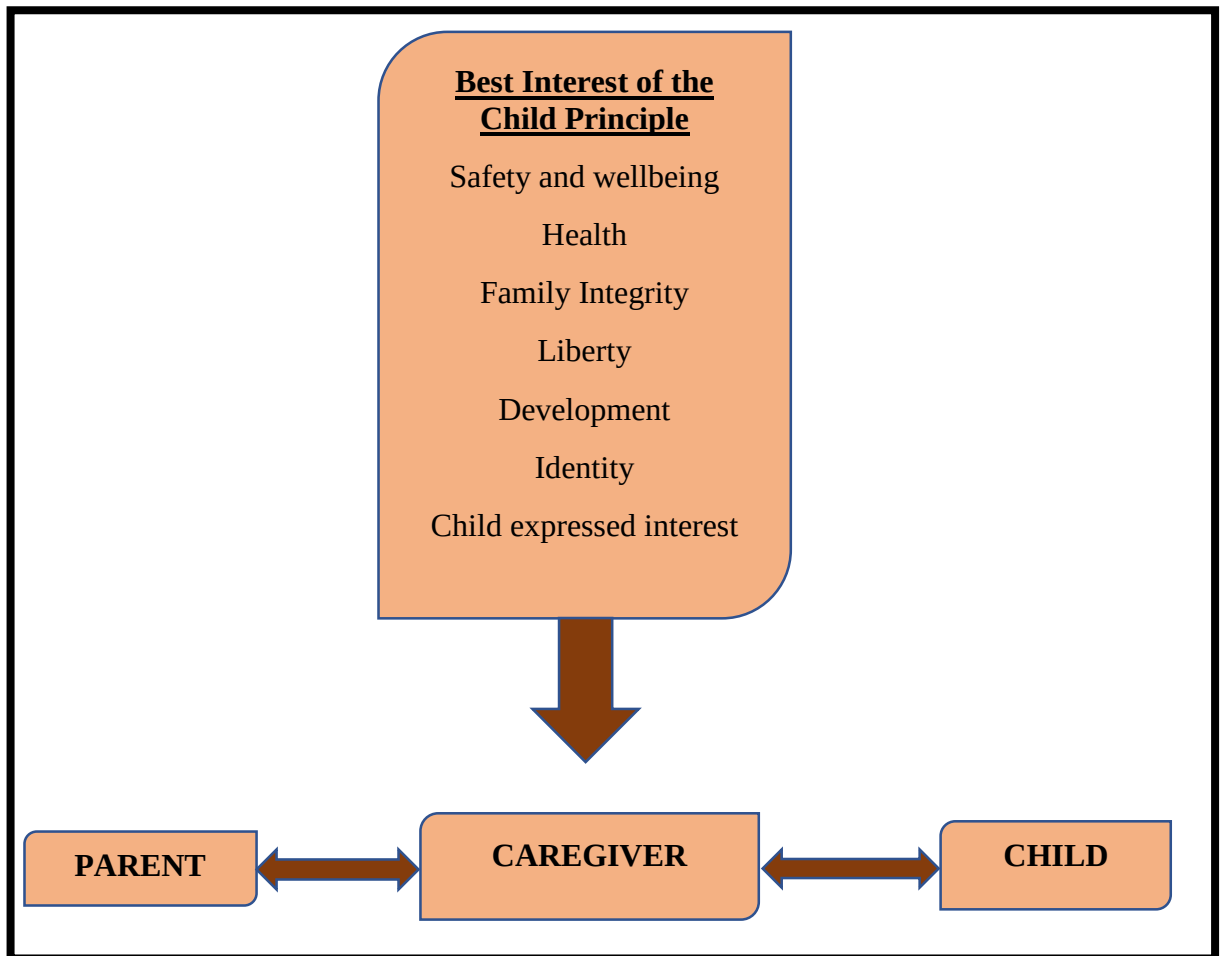


Figure 1: Best Interest of the Child Principle and Transnational Parenting *(Source: Own)*

2.3 What are the Rights of Children?

Children's rights are human rights. They are entitlements which children have by virtue of being children and human. They protect the child as a human being. Children's rights are human rights specifically adapted to the child because they take into account his/her fragility, specificities and age-appropriate needs (UNICEF, 2007). As human rights, children's rights are constituted by fundamental guarantees and essential human rights. Children's rights take into account the necessity of development of the child. The children thus have the right to live and to develop suitably physically and intellectually. Children's rights plan to satisfy the essential needs for the good development of the child, such as the access to an appropriate

alimentation, to necessary care, to education and many others (UNICEF, 2007). Children's rights consider the vulnerable character of the child. They imply the necessity to protect them. It means to grant a particular assistance to them, and to give a protection adapted to their age and to their degree of maturity.

2.3.1. What is parenting?

Parenting can be simply defined as the process or the state of being a parent (Bryant, 2005). Once you have a child, you are involved in the process of parenting. Parenting may be defined as purposive activities aimed at ensuring the survival and development of children (Clarke, 2006). However, it is not that simple and Morrison, McLoyd, and Tokoyawa, (2005) defined parenting as the process of developing and utilising the knowledge and skills appropriate to planning for, creating, giving birth to, and rearing or providing care for offspring. This definition implies that parenting starts when there is a plan for it and it involves not just bringing up the children but also providing care for them.

There are several characteristics of parenting. First of all, with the advance of medical knowledge and technology, parenting becomes a choice in life. Secondly, being a parent is a life-long commitment. Thirdly, it involves responsibilities as parents are responsible to take good care of their children physically as well as psychologically. Lastly, parenting involves not just the couple but all the family members since the birth of a child affects the whole family (Clarke, 2006).

2.3.2. Parenting and the Rights of the Child

One's ability to exercise parental responsibilities can more often than not be in conflict with the upholding of children's rights in their holistic form. Studies done around the world are few which focus on the relationship that exists between parenting and children's rights. According to Voicu, Anghel, and Savu-Cristescu, (2015), initiative

for most research belonged, in particular, to non-governmental organizations, and for the most part has focused on investigations to identify the extent to which children's rights are recognized and respected by the social factors outside the family space. In this regard studies were done to identify the factors that influence the parents' attitudes and behaviour towards children's rights (socio-economic, cultural and psycho-social) and the way those factors can facilitate or block the attitudes and behaviours of parents. Voicu et al., (2015), in their study had the following assumptions that informed their research; parental attitudes towards children's rights are conditioned by the dominant cultural model in the family; recognition and respect for children's rights in the family are subject to constraints of micro-social climate (related with family group functionality but also with the community family lives in); relations with the educational institutions (including the relation with the teachers) is a facilitating factor in promoting and respecting the rights of children by the parents.

There were identified three types of family cultural patterns that influenced parental attitudes towards the respect and recognition of children's rights. Literature and research shows that the first category of traditionalist authoritarian which is found in more rural than urban promotes values centred on the position of authority of the parent, the sole decider on tasks and life of the child, the representation of the child as dependent on adult's will, as long as the child is in parents care, regardless of child's age, valuing obedience, rigorous compliance with rules, one-way communication (only parent speaks and the child hears), providing material resources to raising children, emphasizing the importance of school education and morality Voicu et al., (2015). The second category was identified as the traditionalist-humanist found in both rural and urban setups. It is centred on Christian values, promoting the position of authority of the parent, but lenient attitude towards the child, who is entitled to make

mistakes, to be forgiven; it emphasizes quality family relationships such as non-confrontational communication, emotional security and moral framework for the development of the child (Voicu et al., 2015). The third category is the modern model which is more dominant in the urban areas than rural areas. This model is characterized by the relativity of hierarchy of roles within the family, both parents and children have different needs to be met alternatively or simultaneously, parental authority lies in satisfying children needs and desires and negotiating penalty and rewards system, dominant values are cooperation, freedom of expression and of decision making, honesty, communication is bidirectional; it valorises not only school education, but also the education "for life" (Voicu et al., 2015).

Understanding these different models it shows how parental attitudes can be influenced by their socialisation in the recognition and acceptance of children's rights (Parke, 2002). It was found that in solving various problems within family, children's emotional needs and the right to hold opinions and to participate in decisions that affect them directly or indirectly are less respected. In general, conflict resolution strategies include avoiding communication and problem accountability, accepting only solution that the authority parent has (usually the father), avoid involving children in conflict between parents or the contrary, their use as a bargaining item, and when conflicts appear between parents and children, the prevalent behaviours are those that dominate the child (Bryceson & Vuorella, 2002).

Furthermore, in terms of parents' perception on children's rights Cherney, Greteman, & Travers, (2008) found that the factor "educational level of parents" positively correlated with a high level of knowledge of children's rights, but not with growing level of recognition of the importance, application, and promotion of rights in child care practice and education. Nor could the factor "parental occupation" be significantly

associated with an increase or decrease of the level of recognition and promotion of children's rights (Castaneda & Buck, 2011).

(Voicu, Anghel, & Savu-Cristescu, 2015) went on to state that, urban families who use extra resources to support family childcare (such as kindergarten, after-school programs, nannies, kids' clubs) are more concerned with how these resources meet the physical and intellectual needs of children and less concerned with the relationship and communication with the child types, with how this meets their emotional needs, or how this facilitate and strengthen the child's ego. In both areas of settlement, that is the urban and rural setup, parents are first aware of rights on education, social welfare, appropriate health services, to have a family and appropriate care in the home (Voicu et al., 2015). The least acknowledged rights were those related to mental development which includes problems in identifying cases of emotional abuse, or parental stress situations that impact on child development; and child participation in their own development and social life (Voicu et al., 2015). In the same vein Marcu & Hulea, (2013) noted that urban parents have identify several rights, especially in the field of rights related to expression and participation, this being due to the existence of information resources and outside familial care and extra-curricular education, and also due to interaction (cooperation or competition) of parents with an increased educational and occupational status. More-so, according to Marcu & Hulea, (2013) age has no significant correlation with parent attitudes and behaviour toward children's rights.

Voicu et al., (2015), further reveal that although parents in urban areas, with a higher level of education, on average know or are informed about the existence and some content of the UNCRC, (1989), they disregarded it in everyday life practices of child care and education. The prevalence of rights relating to education, health services,

physical development and family, in the consciousness of most parents can be explained by focusing efforts and parenting skills to ensure these rights, and the existence or absence of resident communities or services institutions ensuring conditions for meeting these rights. Also, the cultural family model may act as facilitator or inhibitor of pro-attitudes and behaviours on children's rights (Marcu & Hulea, 2013). The modern cultural model enables the development and maintenance of attitudes and behaviours centred, or at least having as a starting point, the rights of children, by providing a family environment that meets the needs of a harmonious bio-psycho-social development and especially avoiding situations of emotional abuse (Voicu et al., 2015). The traditionalist-authoritarian model is inhibitor on the development and especially on manifestation of parenting practices that respect children's rights (especially those related to expression and participation) (Voicu et al., 2015); also this model may even encourage behaviours of physical abuse and/or emotional abuse or neglect of basic emotional needs. The traditional-humanist model favoured rights related to a harmonious bio-psycho-social development, but inhibitor on attitudes and behaviours that promote the right to opinion, to dissent, to decide on the child's own developments (Voicu et al., 2015). Based on the stated findings, this research went an extra mile on investigating the application of the best interest of the child in a transnational parenting setting, as far as the decision making process is concerned.

2.3.3. Transnational Parenting

The initial literature on transnational families stressed the strength and resilience of family through the strain of separation provoked by migration. (Bryceson & Vuorella, 2002) define transnational families as “families that live some or most of the time separated from each other, yet hold together and create something that can be seen as

a feeling of collective welfare and unity, namely ‘family-hood’, even across national borders”. These transnational extensions to family networks have been studied most closely through the perspective and strategic intent of the emigrant, “to accomplish specific projects intended to enhance the overall well-being or status of the family in response to the changing social, economic and political conditions of a globalizing world” (Carter & McGoldrick, 1999).

Parrenas, (2005) emphasise how ‘mothering at a distance’ today is characteristically dependent on, and shaped through the possibilities and constraints of new communication technologies, to the point that Madianou & Miller, (2011) refer to ‘mobile phone parenting’. While care giving clearly involves a mixture of financial, practical, personal and emotional or moral support Baldassar & Merla, (2014) and Parrenas, (2005), it is the quest to maintain intimacy that is the core of transnational family life and most challenging to maintain (Ryan, 2011).

Kufakurinani, Pasura, and McGregor, (2014) highlight that it is the smaller body of research focused on the children left behind that is particularly relevant to the notion of ‘diaspora orphans’. This literature shows that the children of migrant parents may reap the economic benefits of their parents’ work overseas in terms of their families’ overall material resources, access to health care and “the social capital that migration confers” in the form of contacts overseas (Dreby, 2006). But it also shows that children left behind “pay the emotional price of separation from parents over the long run”, with particular problems faced by adolescents (Levitt, 2001; Parrenas, 2005; Dreby, 2006; Banyard, Norman, Dillon, & Winder, 2010; Filippa, 2011).

Transnational parenting is a double-edged sword. On the one hand, for some remittances from external earnings augment the family’s spending power, resulting in increased educational outlays and a decreased need for child labour, as well as

improved living conditions, thus benefiting the children left behind; on the other hand, children left behind may have to deal with age inappropriate responsibilities and feelings of anxiety, loneliness and helplessness in addition to other psychological problems which may result in compromised academic achievement, acting-out behaviours and a spectrum of other behavioural and developmental anomalies (Carter & McGoldrick, 1999).

Parent-child relationships within a transnational family fall far outside of what is considered the social norm and play an important role in any discussion of the emotional and psychological effects of migration. Migrant parents who are members of a transnational household have to engage in tele-parenting, defined by the authors as parenting across long distances, or parenting by proxy (Castaneda & Buck, 2011). Since the mother, father, or both are not physically present in the everyday lives of their children, they have to show affection, receive reports, and provide instructions and advice via the telephone, letters, and the Internet and through caregivers. Parenting is always a challenge, and the chances for successful parenting by proxy via long distance communication are clearly low. This form of disjointed parenting through the early, formative years of a child left behind can be very disruptive and have lifelong consequences for self-efficacy and confidence (Bauer & Webster-Stratton, 2006). The literature on transnational parenting suggests possible challenges that children might encounter, however through the use of mixed method approach the researcher found the unbiased and information with highest degree of accuracy on the application of the best interest of child principle in transnational parenting in Mutare Urban, a place which was not covered by other researchers.

2.3.4. Definition of BIC Principle

Simply put, the best interest of the child means considering the child before a decision affecting his/her life is made (Dausab, 2009). This is a principle that has established itself through all matters and legislation affecting the well-being of the child. It is an overarching common law principle that has been used to assist primarily courts and other institutions in the decision-making process. It should be borne in mind that courts are the upper guardians of minor children and, if the need arises, have a final say in determining the overall welfare of the child (Dausab, 2009). This they do through a relatively delicate balancing of interests. These interests themselves are particularly sensitive as they often relate to family status matters in terms of divorce, maintenance, and custody and control.

The definition of the child's best interests, however, is not always obvious, especially in a long-term perspective. In the UNCRC, (1989), Article 3 which forms a basis of the best interest of the child has been criticized as being too vague and general. Furthermore, Grolnick, Deci, and Ryan, (2007), argued that what is in the best interests of the child varies from one era to another and also depends on the resources, the developmental level and the culture of the country in which the child lives.

Though necessarily general and incomplete, a reasonable first building block towards the definition of what is in the best interests of the child is the sum total of the norms in the Convention. This means, for example, that it is in the best interests of the child to: receive education; have family relations; know and be cared for by his or her parents; be heard in matters concerning him or her, and to be respected and seen as an individual person (Grolnick et al., 2007). In the same way, the Convention states what is not in the best interests of the child: for instance, to be exposed to any form of violence; to be wrongly separated from his or her parents; to be subjected to any

traditional practices prejudicial to the child's health; to perform any work that is hazardous or harmful, or to be otherwise exploited or abused (Grolnick et al., 2007). Such a definition has the advantage of providing a universal interpretation of what is in the best interests of the child. Differences will inevitably arise of course during actual practice, requiring the delicate balancing of competing interests or the child's interests over time. According to Fagan and Norman, (2013), a 'relativism' that suggests that the rights themselves should be compromised should not be accepted. There may, however, be cultural differences that justify different approaches and strategies to information and education about children's rights. In addition, different family structures, education levels and standards of living are factors that cannot be ignored, and that was taken into consideration in this research in order to come up with solid empirical evidence of the subject matter.

2.4. Conceptualising the Best Interest of the Child

Understanding the best interest of the child principle can be summarised by a clear understanding of the United Nations Convention on the Rights of the Child (UNCRC). The UNCRC enshrines the best interest of the child in Article 3 where it caters for the well-being of the child and makes it of paramount importance. Below is an analysis of Article 3 of the UNCRC:

2.4.0 Article 3 of the UNCRC

The 'best interests of the child' is mentioned in several articles of the Convention: relating to the separation of the child from the family (Art. 9); parental responsibility (Art. 18); foster placement (Art. 20); adoption (Art. 21); deprivation of liberty (Art. 37); and juvenile justice (Art. 40). The key formulation, however, is found in the first paragraph of Article 3: 'In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or

legislative bodies, the best interests of the child shall be a primary consideration.’ (UNCRC, 1989).

Article 3 can only be fully understood by studying its precise formulation. It refers to executive authorities, law-makers (parliaments) and judicial bodies. It applies to all actions by these authorities as well as by relevant private institutions. Importantly, it also concerns ‘children’ in the plural. The Committee on the Rights of the Child has interpreted this wording to mean that the article is applicable in both individual cases and in relation to groups of children or children in general.

The broad scope of Article 3 naturally had a price in the drafting process. There was considerable discussion on whether the formulation should be ‘a’ or ‘the’ primary consideration. In the end it was recognized that given the widened scope of Article 3, situations would arise when other legitimate and competing interests could not be ignored. The conclusion was to settle for the somewhat less decisive wording ‘a primary consideration’. Thus, the best interests of the child cannot normally be the only consideration, but should be among the first aspects to be considered and should be given considerable weight in all decisions affecting children. On family issues such as parental visitation, foster placement and adoption, the interests of the child, however, will be the paramount consideration, as made clear in the substantive articles of the Convention as well as in earlier standards (UNCRC, 1989).

The 1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), for instance, states in relation to family education that the best interests of the child should be ‘the primordial consideration’ (Art. 5b); and in relation to guardianship, that the child’s interests should be ‘paramount’ (Art. 16) (CEDAW, 1979). The Convention on the Rights of the Child does not, of course, dilute those standards. The recognition that there are other interests besides children’s in decision-

making processes has not, as might be assumed, weakened the force of Article 3. The ‘best interests’ principle has accordingly been the starting point for discussions on a number of significant policy issues. It is clear, however, that the principle’s full policy potential has not yet been fully understood or utilized. Only a few governments have taken the ‘best interests’ principle seriously outside the area of family affairs, an omission that continues to be a major concern.

2.4.1 Best Interest of the Child as a Guiding Principle

The Committee on the Rights of Children has often referred to Article 3 in its Concluding Observations on State Parties’ reports. It has noted that the article, by virtue of its status as a general principle, can be seen as a guide to both the interpretation and the implementation of the Convention (UNCRC, 1989). A guide to the interpretation of other articles. It is significant that in its Concluding Observations the Committee seldom refers only to one article. It has instead tended to see the Convention as a comprehensive set of interdependent rules with the best interests of the child as an overarching principle. By being linked to the ‘best interests’ principle, the substantive articles gain in clarity and depth. The principle also provides guidance on problems and situations not specifically mentioned in the Convention. For instance, although the Convention requires States to establish a minimum age of criminal responsibility (Art. 40.3), it makes no mention of what exactly that age should be. When that decision is taken, the best interests of the child should be a primary consideration (UNCRC, 1989). The principle also guides the interpretation of the Convention when articles might appear to contradict each other. In some unfortunate cases a conflict may arise between the right to have access to both parents and the right to be protected against abuse (Filippa, 2011). In such situations, the best interests of the child must determine the course of action.

The best interest of the child principle can be used for the overall implementation in a state or the home. The principle of the best interests of the child should influence law-making, administrative decisions and all other actions affecting the child. In addition, the principle can be a useful tool when laws or policies are to be evaluated (Banyard, Norman, Dillon, & Winder, 2010)

2.4.2 The Best Interest of the Child and the Views of the Child

There is another important aspect of the best interest of the child that is relevant to this discussion, the emphasis on respecting the evolving capacities of the child. For the best interests of the child to be determined, it is important that the child himself or herself be heard (Hagsman, 2015). With increased age and maturity, the child should be able to influence and decide more. This obvious point is often forgotten. Adults tend to discuss what is best for children without seeking their opinions or even listening to them. The interplay between Articles 3 and 12 is one of the most interesting aspects of the Convention. Article 12 states that the child who is capable of forming an opinion on matters affecting him or her has the right to express that opinion freely and that the child's opinion should be given due weight in accordance with his or her age and maturity (UNCRC, 1989). This approach does not necessarily mean that the child can take complete responsibility for the decision. The spirit of Article 12 is rather to ensure consultation and growing participation than to relinquish all power to the child (Bryant, 2005).

2.4.3 The Best Interest of the Child and other Competing Interest

It is often necessary in the real world to balance various 'interests' against each other. When a child's interests compete with other children's or with adults' interests, a question is asked on how one could strike a fair balance of which the real difficulty lies especially in a family setup (Filippa, 2011). Competing interest can arise when the

interest of one group of children or a group of children stand against those of other children, also when the interests of a child clashes with the wishes of one or both parents or guardians; or when the interests of a child or a group of children contradict a broader societal interest. Faced with such conflicting interest, determining the best interest of the child can be difficult as other considerations should be included such as those expressed in the Convention that no child should be discriminated against and that the needs of disadvantaged children should be attended to and given special attention (Filippa, 2011).

Conflict of interest also comes when it comes to balance the interests of the child versus those of the parents. First, it has to be recognized that there can be conflicts, hidden or open, between children's and parents' interests (Peterson-Badali & Ruck, 2008). It is sometimes argued that what is good for the family by definition is good for the child, and that only the parents can know what is good for the family. This position is contrary to the very spirit of the UNCRC, which is clearly family-supportive but ultimately stands on the side of the child, for instance in cases of parental abuse and neglect. The UNCRC assumes that parental responsibility will be exercised in the best interests of the child (Art. 18). When the child's survival or development is threatened by her or his parents or guardians, however, it is obviously in the child's best interests to be separated from them (Art. 9) (UNCRC, 1989). Such separations are often highly traumatic and require an approach that will not cause further damage, but that will instead create conditions for the healthy development of the child (Carter & McGoldrick, 1999). A general lesson is the importance of early detection of problems and preventive action. This, in turn, requires a willingness to listen to the individual child, for instance, in schools and in health centres, and appropriate training for teachers and health care providers who work with children on a daily basis.

Studies made on the best interest of the child including review of the UNCRC does not give concrete answers on how conflicts of interest should be resolved, except for the most obvious cases (Kufakurinani, Pasura, & McGregor, 2014). The weighing of legitimate but different interests is naturally delicate and difficult. Often it is a question of assessing and comparing degrees of benefit and damage. If the interests of a child or group of children would be less infringed by a certain proposed action, there would naturally be more room to accommodate the interests of others, and vice versa (Kufakurinani et al., 2014). The important point is that the ‘best interests’ principle must remain present in such processes: that the interests of the child have to be an important consideration in all decision-making that has a significant impact on the child’s well-being and the fulfilment of her or his rights.

2.5. International Legal Framework

The Declaration of the Rights of the Child (1959) had in fact already evoked the principle, stating that ‘the best interests of the child shall be the paramount consideration’ in the enactment of laws relating to children, as well as ‘the guiding principle of those responsible for (the child’s) education and guidance’. This Convention is a remarkable milestone for the protection and realization of the rights of children worldwide. The Convention sets out rights that children enjoy as human beings and also identifies special rights and protections they require during this vulnerable phase of their lives (Kelly, 1994). There are 54 Articles in the CRC. The Convention is complemented by two Optional protocols; Optional Protocol on the Involvement of Children in Armed Conflict, Optional Protocol on a Communications Procedure and the Optional Protocol on Sale of Children, Child Prostitution and Child Pornography.

Several international conventions had also subsequently incorporated this provision. One of them was the 1979 Convention on the Elimination of All Forms of Discrimination against Women. At the national level, the best interests principle had long been included in the legal systems of a number of countries, although its scope was generally limited to family law matters on individual situations, mainly divorce, custody and adoption cases. Less frequently, the principle was also applied to school and childcare issues (Kelly, 1994).

The Convention on the Rights of the Child extends the principle to cover all decisions affecting the child. This is a radical departure. The best interests of the child shall now be a primary consideration in all actions concerning children – not just actions taken by the state authorities, parliamentary assemblies and judicial bodies but also those taken by relevant private institutions (Hagsman, 2015). The drafters of the Convention not only widened the scope of the principle, but they also made it one of the ‘umbrella’ provisions and thereby important for the overall framework of the Convention. The UN Committee on the Rights of the Child has taken the principle one step further, defining the best interests of the child as a ‘general principle’ guiding the interpretation of the entire Convention (Zermatten, 2010).

The principle of the best interests of the child is a modern and fundamental concept in the determination of child welfare (Zermatten, 2010). Discussion of the principle since the adoption of the UNCRC often refers to its key provision in Article 3 of the Convention, used as a standard to make decision impacting children (Bauer & Webster-Stratton, 2006). Its application in the determination of custody, permission of adoption, sentencing and in the administration of juvenile justice are widely practiced around the world.

2.5.1. Regional Legal Framework

Coming closer to home, the African Union put in place the African Charter for the Rights and Welfare of the child. Like the CRC, the Charter is a comprehensive instrument that sets out rights and defines universal principles and norms for the status of children. It originated because member states to the African Union believed that the CRC missed important socio-cultural and economic realities particular to Africa. It emphasises the need to include African cultural values and experiences when dealing with the rights of the child (Kufakurinani et al., 2014). It recognises the child's unique and privileged place in African society and that African children need protection and special care.

The African Children's Charter calls for the creation of an African Committee of Experts on the Rights and Welfare of the Child known as Committee of experts. Its mission is to promote and protect the rights established by the African Charter for the Rights and Welfare of the Child (ACRWC), to practice applying these and to interpret the disposition of the ACRWC as required of party states, African Union institutions or other institutions recognised by the African Union (ACRWC, 1990).

There are other countries within the region that have applied the best interest of the child principle. The 'best interest' principle has been used to develop child care jurisprudence in Namibia and South Africa amongst other countries. Whilst Namibia has developed an impressive corpus of jurisprudence on constitutional matters and some legal principles on family law and persons, the country has not specifically looked at and laid down broad principles on the application of the 'best interest' standard (McCleary-Sills, et al., 2016)

The Namibian Constitution is the supreme law of the country, and provides for the protection and promotion of a wide array of human rights. This supremacy then also

means that any law or conduct inconsistent with the provisions of the Constitution will be invalid.⁴⁰ Children's rights are provided for in terms of Article 15(1). Unlike the South African Constitution, which specifically provides that "A child's best interest is of paramount importance in every matter concerning the child", there is no such explicit provision in the Namibian Constitution (McCleary-Sills, et al., 2016). Instead, the supreme law of leaves this task to the legislator.

2.5.2. Best interest of the Child Principle in Zimbabwe

A law can lay out in much more detail how the provisions of the UN Convention and the African Charter are expected to be applied in practice in a particular country. National laws can also provide a means through which children and their families can hold governments, and other duty bearers, to account on the commitments they have made on children's rights (Oswell, 2013). For example, the UN Convention states that every child has a right to free primary education. However, only if a government introduces this provision into national legislation is it possible for individuals to challenge the government, and seek justice in court if necessary, if no free school place is available.

Zimbabwe ratified the Convention on the Rights of the Child (CRC) in 1990, while the African Charter on the Rights and Welfare of the Child (ACRWC) was ratified on the 19th January 1995. It ratified ILO Convention No. 182 on the Worst Forms of Child Labour in 2000 and ILO Convention No. 138 on the Minimum Age of Employment, in 2000. Prior to that Zimbabwe had in place a Children's Protection and Adoption Act of 1972 which made provision for the establishment of juvenile court; prevention of neglect, ill-treatment and exploitation of children and young persons; and the removal of children and young persons to other care. It has since been replaced by the Children's Act (Madzivadondo, 2012).

Despite its replacement, Zimbabwe lacked child rights provisions in its constitution while the Children's Act and the Education Act which made provision for child rights were not comprehensive enough. Moreover, children, particularly girls, often found themselves discriminated under customary law as the then constitution then allowed for discrimination against women under customary law. However, with the coming in the new constitutional dispensation in 2013, the country now has in its Constitution (section 81) made special provision for children's rights and also economic, social and cultural rights. Moreover, the new constitution now requires the courts of law to interpret human rights law in line with international law (Kufakurinani, Pasura, & McGregor, 2014). A process is currently underway to harmonise child related laws with the provisions of the Constitution.

2.6. Who Determines the Best Interest of the Child?

The most commonly cited examples of where the norm relating to serving the best interest of the child becomes applicable is in custody and divorce matters. As will be shown through examples in case law, the process of deciding on what exactly is the best interest of the child is not an easy task. Courts and other institutions confronted with this question often have to ask themselves which specific interest is at issue, what is the nature of such interest, is the interest of a long-, medium- or short-term duration, are the criteria for determining such interest objective or are they based on the child's subjective wishes (Marcu & Hulea, 2013). As one may well imagine, the responses to these questions is varied. The sad fact is that the test or standard regarding what is in the best interest of the child has failed the child in some instances, and is therefore not complete proof that the application of the principle in determining what is in the best interest of the child is flawed. When applied correctly, the principle does yield the required results in that the interest of the child is taken care of (Marcu & Hulea, 2013).

However, the consistency in applying this principle correctly each time there is a matter that requires the determination of the best interest of the child may require some form of uniform guidelines from the courts, without imposing a standard that disregards the uniqueness and merits of each individual case (Kufakurinani, Pasura, & McGregor, 2014).

The ‘best interest’ principle cannot be cast in stone; and even though there is an attempt in the legislation to provide a list of factors to consider when deciding a matter affecting a child, the list is by no means exhaustive; it is simply a guiding framework. Inherent in court systems are the principles of state decisions and judicial precedent. Courts tend to rely on each other’s judgments, such that there is not always enough room for flexibility (Madzivadondo, 2012). It will require some judicial activism on the part of judges and judicial officers to ensure each unique case is attended to on its own merits.

It is difficult to determine the best interests of the child. As Oswell, (2013) observes, the application of the best interest criterion is always difficult because it is hard to know which factors to take into account when deciding what is in the child’s best interests. There are some factors which the judiciary considers in issues of custody, such as the customs of the community to which parties belong, the behaviour of the parents and their financial situation, which can limit or deny the best interests of the child in custody matters.

When hearing a case involving a child it is important for the magistrate to seek the views of the child. Magistrates should seek the views of the child in custody disputes, as required by article 12 of the Convention on the Rights of the Child, article 4 of the African Charter on the Rights and Welfare of the Child and section 125(2) (b) of the Law of Marriage Act. SOS Universal Periodic Review state that they should realize

that children also have the right to form an independent opinion as their human right, and that their wishes have to be given some weight. They should also remember that custody matters affect children directly, hence, their views need to be respected where they are logical for their best interests and that it should not only be adults who make decisions for the children

In Zimbabwe, parents and guardians have also left the country in search of greener pastures leaving the children without parental care or guidance or at risk of losing such. There are laws and policies which have been put in place to ensure the protection of the rights of children but it has been noted that these laws and policies require socio-economic resources and strategies that are innovative and sensitive to the socio-economic changes taking place in society (SOS, 2016). SOS, (2016) went on to state that the ratio of children to social workers is of the order of 49,587:19. Zimbabwe's social welfare system has a huge case-load, and even by the most conservative estimates, its professional staffing is wildly out of alignment with that of other countries in the region. Lack of adequate numbers of professional personnel impedes effective implementation and monitoring of child protection legislation (SOS, 2016). Above all, the Department of Child Welfare and Protection Services is under resourced and budgets allocated to them do not match what is eventually disbursed. Institutional Capacity Assessment Department of Social Services; Ministry of Labour and Social Services' Final Report in October 2010 noted that the lack of resources undermines DSS's professional relationships with other government bodies and NGOs; it cannot credibly present itself as playing an active, necessary and authoritative part in the local criminal justice and social protection systems if it does not have the means to carry out the most basic functions unaided (Wyatt, Mupedziswa, & Rayment, 2010). The absence of resources also impacts on the Department's ability of DSS to monitor and

inspect the services for children and others provided by NGOs (Wyatt, Mupedziswa, & Rayment, 2010).

On the Best Interest of the child (McCleary-Sills, et al., 2016) gave the example that countries should raise awareness among women on family education as required under article 5(b) of CEDAW which Tanzania has ratified. The article states:

‘States parties shall take appropriate measures to ensure that family education includes a proper understanding of...the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.’

In this case the government should ensure that parents, especially women, recognize the principle that both parents have common responsibilities for the upbringing and development of the child, as also required under article 18 (1) of the Convention on the Rights of the Child (McCleary-Sills, et al., 2016). Women should also be made aware that the behaviour of deserting the matrimonial home and abandoning the children has an adverse impact on the children who need a mother’s love and care.

The literature reviewed centred on the best interest of the child principle in general and also focused on the impact of parents on taking into consideration the children rights as prescribed by the state authorities (Marcu & Hulea, 2013). Some findings proved that the children rights and interest are ignored especially when the parents are living abroad, those findings were based on qualitative research only (Kufakurinani, Pasura, & McGregor, 2014). Other literature had results from the research which was conducted in developed countries with better living standards and positive economic growth (Taylor, Tapp, and Henaghan, 2007). The research on the best interest of the child principle within the transnational parenting was carried out some years back with

qualitative research paradigm (Bryceson & Vuorella, 2002), therefore, it is of utmost importance to have current findings on the same topic using mixed method research paradigm. From the literature analysis examined above, the researcher convinced that, it is worth to assess the application of the best interest of the child principle in transnational parenting in Mutare Urban area using both qualitative and quantitative research approaches.

2.7. Relevance of Framework to Study

The best interest of the child principle encompasses the International, Regional and National legal frameworks to the protection of the child. The Best interests of the child rights principle framework formed the basis of the study as it gave indicators on how a child can have their best interest overlooked due to transnational parenting. In the review of various literature and study and the framework, parents are the centre of a child's world and they are the gate keepers of child rights therefore by removing them from the child's proximity will be open a cascade of the violation of other consequential rights. Therefore, the framework gave a guideline to the study.

2.8. Chapter Summary

The literature reviewed has shown that research has been done on the complexities of the best interest of the child. The chapter unpacked the best interest of the child as it is applied in the courts of law and in the world in general through the international, regional and national legal frameworks as well as a conceptual framework as it applies to parenting. Literature also on the views of children on their best interest has been reviewed.

CHAPTER 3 METHODOLOGY

3.1 Introduction

It is necessary for a researcher to design a methodology that is suitable for the problem under study and according to (Rajasekar, Philominathan, and Chinnathambi, 2013) methodology is a systematic way of solving a problem. Therefore, it is against this background that the researcher, through this chapter makes a detailed account of the methodology process followed to conduct the study in order to effectively answer the research objectives as well as the overall aim of the research study. The study seeks to analyse and assess the application of the child rights principle in the context of Transnational Parenting in Mutare Urban District. The Chapter covers the research design guiding the study, the study population, the study area, the sample size and sampling procedure, the research methods and data collection tools employed. In addition, the data analysis procedures and presentation as well as the ethical considerations constitute the Chapter in question.

3.2 The Research Design

The choice of an appropriate research design is derived from the aim and objectives of the research as well as costs and time constraints (Harden & Thomas, 2005). The study used the Mixed Method Research following the Sequential Exploratory approach in keeping with the recommendations of Best & Khan, (1998) that it is the most appropriate paradigm for studying a social phenomenon. This paradigm allows the use of both qualitative and quantitative research techniques in gathering information. The Mixed Method Research methodology enables the researcher to use aspects of both qualitative and quantitative research techniques whenever it will be considered appropriate. The use of in-depth interviews, focus group discussions and questionnaires as tools helped to gain more understanding on the application of child

in the context of transnational parenting. Hu & Chang, (2017) added that the indispensable premise of mixed methods design is that the use of qualitative and quantitative, in rapport will provide a better understanding of the research problems than the use of either one method alone in the study.

3.3 Study Setting

The study was done in Mutare Urban District. According to MOPSE, (2017) Mutare Urban has 188994 children who are aged 3-18 years who are enrolled in school. The district has a total of 66 schools with 30 secondary schools and 36 primary schools. These schools are distributed through all the urban settlement locations and these are the low density, central business district, medium density and high density areas of the district. Through the sample schools were selected from all the areas to select the respondents for the study.

3.4 Study Population

The research targeted children with parents living out of the country. These were interviewed with the assent of the child and consent of the caregiver or school head. Also included as key informants to the study the school teachers, caregivers and child case care workers were interviewed. Registers of the selected schools were also assessed to get the children whose parents reside outside the country.

3.4.1 Inclusion and Exclusion criteria

Inclusion Criteria

The inclusion criteria were children in Mutare Urban schools with parents who are out of the country. The key informants were teachers and caregivers of the selected children, the Child Case Care Workers for Mutare Urban District were included.

Exclusion Criteria

Children with parents in the country were excluded from the study.

3.5 Sample Size

This refers to a group to which the results of a study are intended to relate and from which those individuals selected to participate in a study are drawn. Sample size was calculated using the formula $n = \frac{z^2 pq}{d^2}$ where

Z = z-score value for 95% confidence level = 1.96

p = proportion of children with migrant parents according to a study done by Madzivadondo, (2012) = 0.80

$q = 1 - p = 1 - 0.80 = 0.20$

d = margin of error = 8%

Therefore, $n = \frac{1.96^2 (0.8) (0.2)}{(0.08)^2} = 96.04 = 97$

The maximum sample size will be $97 / 0.8 = 121.25 = 122$ using the anticipated 20% non-response rate. We interviewed children and their guardians/caregivers. Therefore, the sample size was anything between 97 and 122 children and 97 to 122 guardians/caregivers making a maximum of 244 participants.

3.6 Sampling Procedure

Cohen, Manion, and Morrison, (2000) defined sampling as “the process of selecting a number of individuals for a study in such a way that the individuals represent the larger group from which they were selected”. The procedure for this study involved visiting the primary and secondary schools from all the settlement locations in Mutare Urban District and select students that met the inclusion criteria of the study.

There are four settlement areas in Mutare Urban and two schools (one primary and one secondary) were conveniently selected from each settlement area. Registers from each school were used to create a sampling frame of the children with parents who stay outside the country by grade and/or form and alphabetically. School teachers in Zimbabwe are expected to keep a social register that is disaggregated to the child's

residential address, the name and occupation of parent or guardian. Each of the eight schools provided a maximum of 9 respondents. Systematic random sampling was then used to select the nine respondents. A sampling interval given by the number of number of children with parents living outside the country divide by the sample size (9) was calculated. An unbiased die was rolled and the number that appeared on top was the first respondent to take part in the study. The next eight respondents were selected by adding the sampling interval to the selected number until the sample size was reached. If the selected participant refused to be interviewed, then the next child on the list was enrolled and then the sampling interval was added to get the next participant. After selecting the child, his/her guardian/caregiver was followed up and interviewed. A total of 12 Key Informants was recruited as follows: The heads or senior teachers of the participating schools were purposively selected as Key Informants to take part in the study. One Child Care Worker from each of the four settlements was also conveniently selected to participate in the study.

3.7 Data Collection Instruments

3.7.1 Interviews

Based on the research approach used, both structured and semi structured interviews were conducted. Semi Structured interviews were used to solicit information from the research participants, both the children and the caregivers. According to Cohen et al., (2000), a semi-structured interview is a meeting in which the interviewer does not strictly follow a formalised list of questions. Researchers ask more open-ended questions, allowing for a discussion with the interviewee rather than a straightforward question and answer format. Thus the researcher used two different interview guides, but was also able to follow topical trajectories that arose during the interview. Audio recorders were used with the consent of the respondents. The researchers also

transcribed the responses in a notebook and made sure to repeat the answers to the respondents for clarity and accurate recording. The main advantage of the semi structured interviews to this research was the flexibility it afforded the researchers and interviewees to have a wide range of questions in the discussions that the questionnaires would not allow.

The structured interviews were designed for the school teachers and these were conducted at the schools, whilst for the caregivers the interviews were done at their respective homes. Each interview took about 45 minutes and was administered by the researcher.

3.7.2 Focus Group Discussion

A Focus Group Discussion was conducted with the Child Case Care workers who work in Mutare Urban District. The FGD was done at the Department of Social Services office. According to Best & Khan, (1998) focus group discussion is a sort of group interview where a group discussion is done together in a smaller group around five to ten participants and it aids in meeting the objectives of the study. The focus group discussion was very essential because it gave an insight on the efforts that the government is making towards upholding children's rights in the different communities and protection from any forms of violence against children. Making use of a focus group discussion for this study was relevant as it helped gather data from the purposively selected group of child case care workers mostly on the day to day engagement with children and understanding on child rights.

3.8 Data Collection Procedure

The data collection procedure involved semi structured interviews with children and caregivers at their households. The key informants' interviews were done during break

time and lunchtime so that work and classes would not be disturbed. The investigators got consent from the Ministry of Primary and Secondary Education to approach the schools and get the data from the required respondents. Children gave assent to the interview and consent was sought from the heads of the selected schools and/or caregivers as part of the ethical considerations.

3.9 Analysis and Organisation of Data

Questionnaires were checked for completeness at the end of each interview as part of data quality control check. Both qualitative and quantitative data was coded, entered into SPSS for processing and then analysed both electronically and manually into a logical order. The data from tape recorders was transcribed into the computer including one on paper from verbatim interviews. Data was coded, which is a process of organizing the material into chunks before bringing meaning to the chunks. Hu and Chang, (2017) highlights that data analysis in the qualitative research consist of preparing and organizing the data for analysis, then reduce data into themes through a process of coding and considering the codes and finally present the data in figures, tables for discussion. Hence grouping data into themes made the analysis of data easy and manageable for this study. To uphold the confidentiality of the information gathered, instruments were kept in a safe accessible to the researcher and supervisor only and made use of a password to protect the information. The data in the computer was put in a folder and a password known only to the researcher and supervisor used to access it.

3.10 Data Dissemination

Hu and Chang, (2017) states that the aim of mixed methods research is to describe fully certain aspects of a phenomenon with a view of explaining the subject of the study. Data was summarized in ways that reveal information necessary to fulfil the

research objectives and questions, hence pie charts, bar graphs and tables were used. Feedback meetings with the Ministry of Primary and Secondary Education representatives as well as from the Department of Social Services were conducted. The researcher also conducted meetings with caregivers to give feedback on findings from the study.

3.11 Ethical Consideration

Ethics are a set of moral principles which are widely accepted by a group and serves as a guide of what is right or wrong (Dewa, 2016). Permission to carry out the study was sought from the College of Social Sciences, Theology, Humanities and Education (CSSTHE), Africa University Research Ethics Committee (AUREC), Ministry of Primary and Secondary Education and the Department of Social Services to meet the ethical considerations of carrying out the study.

The study was mainly focused on children as participants therefore following the code of ethics from AUREC, the first step was for the researcher to prepare assent and consent forms for both the children and caregivers. The assent and consent forms were also translated into Shona so that everyone understood what they were agreeing to. The researcher also took time to explain what the study involved highlighting on anonymity, confidentiality, voluntary participation and risks and discomforts in the study.

The consent and assent forms were signed before the interviews begun and the children were made aware that they can always stop or refuse at any point if they felt uncomfortable during the interview.

3.12 Chapter Summary

The Chapter presented the systematic flow used by the researcher in solving the research problem. The chapter cascaded from the broader context of research design

narrowing down to the data collection tools. A sampling technique was also designed to help answer questions to the study. The data analysis and presentation outline as well as the ethical considerations were also elucidated in this chapter.

CHAPTER 4 DATA PRESENTATION, ANALYSIS AND INTERPRETATION

4.1 Introduction

The main purpose of this chapter is to present the findings of the research. The findings emanated from the interviews with the children who are experiencing transnational parenting. The main findings of the research include the knowledge levels of children and caregivers on the Best Interest of the child principle, nature of parent to child relationship and effects of transnational parenting.

4.2 Data Presentation and Analysis

4.2.1 Demographic Characteristics of the Children

This section highlights the demographic characteristics of the respondents that were useful in determining research outcomes. The study managed to recruit a total of 108 children participants of which 63(58.3%) were females indicating that more parents are leaving the girl child in the hands of extended family members.

Table 1: Demographic Characteristics of Respondents

Sex N=108	n (%)
Female	63 (58.3)
Male	45 (41.7)
Age Group	
7-10	19 (17.6)
10-12	33 (30.6)
13-15	33 (30.6)
16-18	23 (21.2)
Level of Education	
Primary	52(48.1)
Secondary	56(51.9)

Table1 above shows that equal number of participants 33(30.6%) were in the age-groups 10-12 and 13-15 with the age-group 7-10 having the least number 19(17.6%). Slightly more than half (51.9%) of the participants are in secondary school.

Table 2: Distribution of Participants by Schools

	Number of Respondents	Sex of Respondents		Age disaggregate	
		F	M	7-10	10-12
Primary School	52	34	18	19	33
				13-15	15-18
Secondary School	56	29	27	33	23

4.2.2 Level of education of the children

From the Table 2 above, there were 52 participants of which 34(65.4%) are females of primary school going age whilst 29(51.8%) of the 56 secondary school going age were also females. Focus group discussions and in-depth interviews with key informants showed that most of the children in the secondary school age group were left whilst they were very young, even before getting to the primary school going age.

Table 3: Number of Key Informants

Key Informant	Number reached
Caregivers/Guardians	108
Teachers	8
Child case care workers	4

The study also managed to recruit 108 caregivers/guardians, interviewed 8 teachers and 4 case care as they also have a role to play in the raising of the children as most hours are spent at school and with these child protection officers.

4.2.3 Residence of the Parents

The statistics show that 61% of the parents are residing in countries that are international and are actually outside the region, whilst 39% are regional. From the key informant interviews it was also revealed that those who are international rarely come home to see their children, hence the bond that is expected to be created between the parents and their children is usually non-existent.

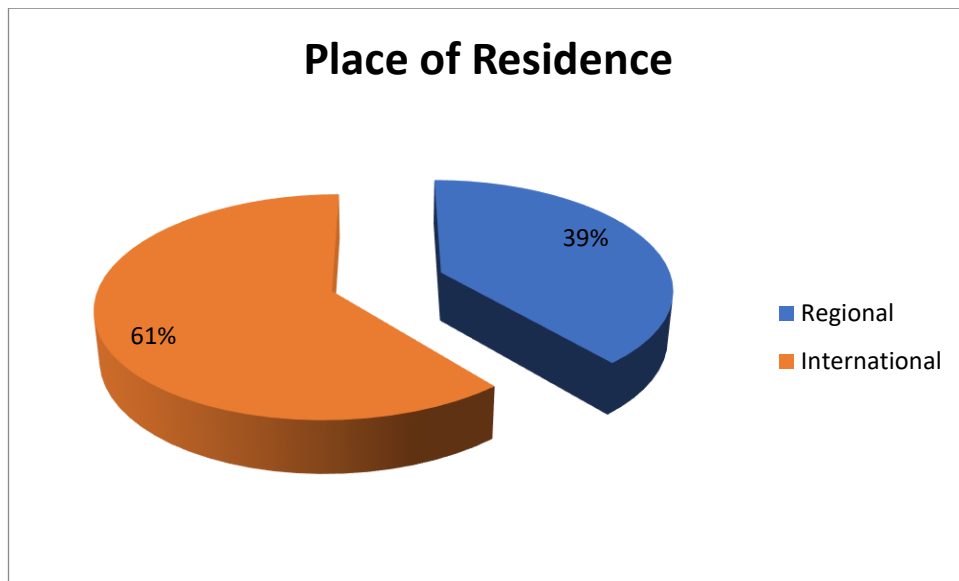


Figure 2: Distribution of Participants by Place of Residence

Disaggregation of Parents by Region of Residence

Table 3: Disaggregation of Parent's Country of Residence

Area	Number of parents
Southern Africa	38(35.2)
Other African Countries	4(3.7)
Europe	28(25.9)
Asia	11(10.2)
America	8(7.4)
Australia	19(17.6)

Table 4 above shows that 38(35.2%) of the parents were residing in neighbouring South Africa and slightly more than a quarter (25.9%) were resident in Europe and only 8 and 4 were working in America and other African countries respectively. The key informants revealed that most parents migrate for socio-economic reasons with remittance back home as a major reason to boost the family's economic situation. However, migration patterns differ as some opt to remain within the African region whilst a vast majority venture further away to Europe, America or Australia. Most children were able to tell where their parents were even when they have never visited the places. In some cases, they knew the specific towns that their parents live in as one child said in their own words;

“Daddy vangu vanogara ku Bloemfontein ikoko ku South Africa pamwe chete na bamunini vachiita zvekuvaka” (My father stays in Bloemfontein in South Africa together with my uncle where he is a builder).

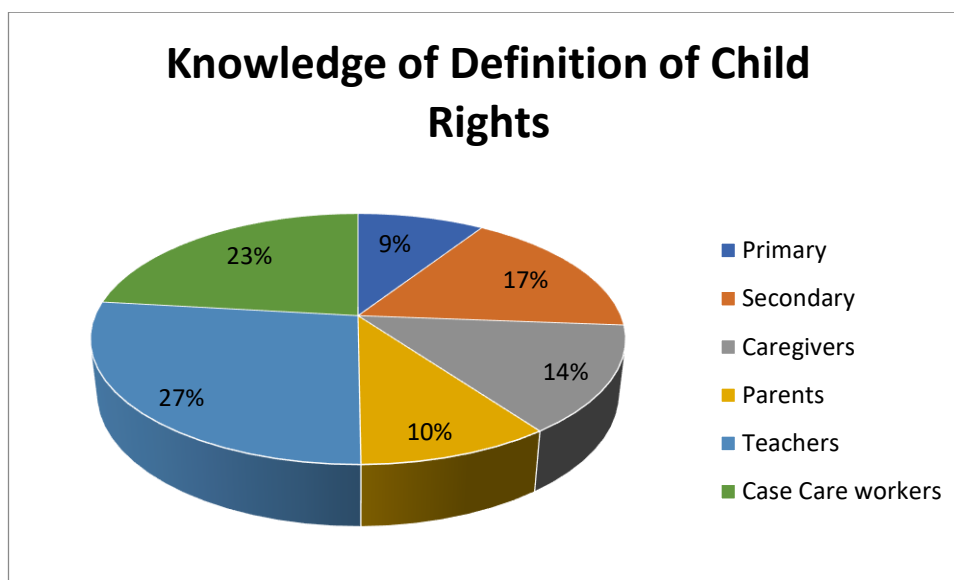


Figure 3: Knowledge levels on the Best interest of the child principle

4.2.4 Definition of Child Rights

Understanding the meaning of child rights is important for any child or any other person who works in direct contact with children. The study revealed that most teachers and child case care workers knew what child rights are. However, not all understood how child rights could be implemented to better protect children as a whole. Children in Secondary school showed a better understanding of child rights compared to the younger children in primary school. Some could identify a few rights such as the right to education which was very common amongst the children. On the other hand the study revealed that only 45.25% of the caregivers understood what child rights are or could identify some of the child rights that they know. Some went as far as to say *“If she lives under my roof her rights are the ones that I give her because I have noticed that with rights children start to think that they are now adults”*. Whilst child rights are broad in their coverage and impact on protecting a child’s life and well-

being the gatekeepers of these child rights have minimum knowledge and understanding of what they are and what they mean to a child. Caregivers such as grandparents were quick to note that in Africa there are no child rights and in their own words one particular grandparent in Dangamvura said that; “...aaah kodzero ndedze vana vemangezi” (rights are for white people’s children only). This narrative clearly shows that without the knowledge or acknowledgement of child rights it is difficult to have the best interest of the child as of paramount importance in decision making for the child.

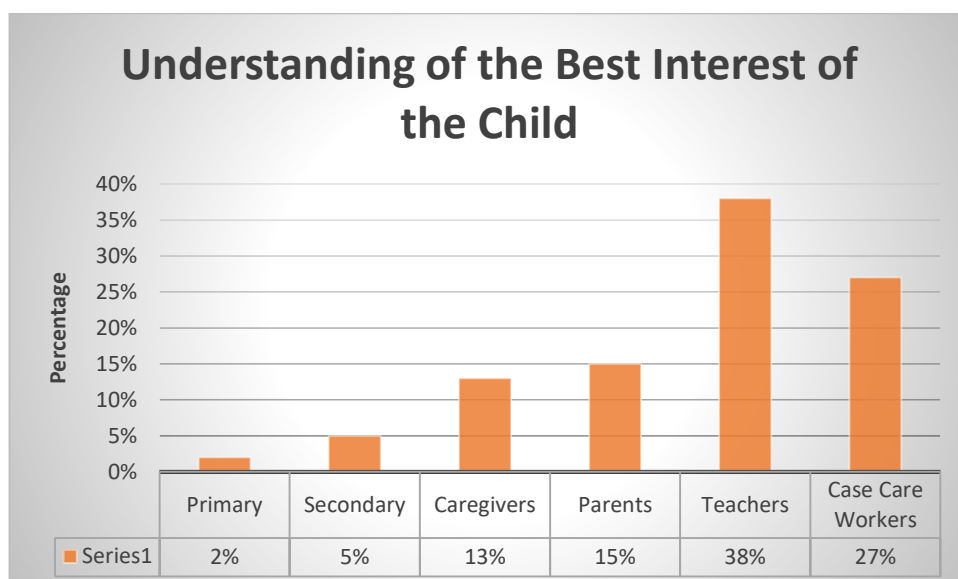


Figure 4: Understanding of the Best Interest of the Child Principle

Understanding the meaning of child rights provides a baseline of the knowledge on the best interest of the child. The study showed that there is little understanding of the best interest of the child amongst the respondents especially the children. Among the primary school children, only 2% of them showed an understanding of what is the best interest of the child. An overview of all the respondents showed that in as much as people might practice what is in the best interest of the child, there is little understanding of the concept and what it means.

4.3 Discussion and Interpretation

4.3.1 Nature of Parent to Child Relationship

Parent Support and Visits

Table 4: Parent support visits

	Regional Parents	International parents
Visits	85%	15%
Support	56%	96.8%

Regular parental visits of at least once a month where children get to see their parents are non-existent as parents opt to visit once a year especially for Christmas when they get breaks from their work places. The research revealed that being out of the country is not a guarantee for child support as some parents fail to send back anything to their children. The study revealed that more than half (56%) of parents in neighbouring countries support their children financially whilst almost all (96.8%) of parents in other continents support their children financially. Caregivers highlighted the importance of the financial support as it assists in the day to day running at the household. The research showed that half of the children (50%) expressed greater interest in wanting to visit their parents in their homes outside the country as they tend to miss them when they are away. However, some of these visits are not always possible as children require passports and visas at the same time they cannot travel unaccompanied which puts them at risk. The best interest of the child in this case is ignorantly applied and ignored at the same time. Connection between parent and child is important as it promotes the development of the child. Parenting is believed to mould a child to be a responsible citizen who is well balanced to deal with any challenges that they might experience.

Upon further analysis, the study also revealed that there is no correlation between time spent away from home and the support given to the child. The study revealed that a

parent who has been in South Africa for the past 10 years is struggling to pay school fees for his/her children who stay with an aunt and uncle whilst another has managed to make quarterly visits for the past two years that they have been away. The general belief is that time spent away from home in the diaspora means that one is doing well and can manage to support their children, however, this research dispelled such notions as there are no direct links and it varies from one parent to another. This shows that the best interests of the child is not a factor that is considered when making decisions to migrate and even if they are considered they are not of paramount importance.

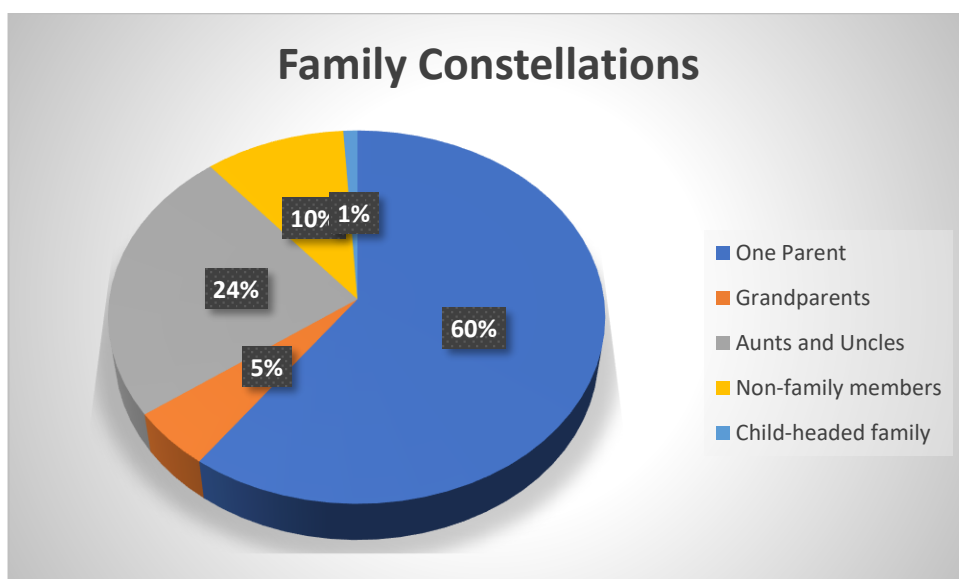


Figure 5: Family Constellations

When the parent migrates, the care of the child falls to the other members of the family. This research established that most of the time one parent goes and the other stays behind as the caregiver to the children whilst the other spouse is out of the country. These types of families are the most existent in the Mutare Urban District whilst the extended family including grandparents and aunts or uncles are left with the children when both parents and/or one of the parents migrates. One child said, “*ndinogara natete namhamha vangu, baba vangu vakaenda kuSouth Africa kare kare*” (I stay with my aunt and mother, my father went to South Africa a long time ago). According to

the study, child-headed families are very few in transnational parenting, however, elder siblings are left behind to take care of the young ones if they are above 18 years of age.

These family constellations define the relationship that exist between a child and their parent. Open communication lines are non-existent when it is through the extended family as all communication is done through the caregiver. Decisions to do with the child's schooling, clothing or even travel is done between the parent and the caregiver, rarely is the child consulted. One guardian said, *"kubvunza vana vemazuvano zvavanoda kupedza nguva ndinongoita zvandinenge ndaudzwa naamai vake"* (consulting a child nowadays is time wasting, I just follow their mother's opinion). This reveals that the child is not involved in the decision making or even a participant of which participation is one of the pillars of the best interest of the child principle. Transnational parenting involves a lot of decision making done through third parties such that participation of the child is important and it defines the nature of the relationship that exist between a parent and child.

4.3.2 Challenges Faced by Children

The research set out to document the challenges faced by the children in transnational parenting. Defining the best interest of the child and translating it to the better understanding of all participants proved to be a challenge however the researcher had put down a list of key words or indicators that reflect the best interest of the child. These child indicators group the challenges faced by children and are explained below

Safety and Well-being

- In terms of safety and well-being a child is expected to be protected from any harmful practices be it in the home or school area. The research asked all those involved with the children (teachers, child case care workers and caregivers)

and the children to identify the issues that involved safety and well-being that challenged the fulfilment of the best interest of the child principle. Safety and well-being involved issues to do with discipline, guardians, play areas and play mates, health and food. The respondents in the study mainly identified the issue of discipline as the major challenge in transnational parenting. Most children have a hard time adjusting to or responding to any forms of discipline from anyone who is not their parent as they see it as punishment. One particular child pointed out that “ *only my mother can tell me what to do* “, this meant that the caregiver, an aunt in this instance has a hard time administering any form of discipline as it is challenged by the child.

Child Expressed Interest

- A child expressed interest is their right to participation. Participation is an umbrella for the right to be heard and taken seriously in all matters that involves the child. This all contributes to the best interest of the child. The research revealed that the child’s expressed interest is a major challenge in transnational parenting. Parents and guardians make decisions regarding the child based on what they believe to be the best interest of the child without consulting the child. When asked if the child is consulted in decision making 80% of caregivers and guardians responded NO, meaning they make assumptions on what they believe is in the child’s interest. The children were also asked if they express their interest to their caregivers and 70% of them responded no and cited reasons such as “*vanoita zvavanoda ivo*” (they end up doing what they want) making it useless for them to participate. The issue of the child’s expressed interest is a challenge to the child’s best interest in transnational parenting as the children fail to make meaningful contributions.

4.3.3. Challenges faced by Parents

The study reveals that parenting is done through other people such that we get a perspective of what a parent expects or requires for their child upon reflecting on caregivers' response. Time spent with the child is dictated by different factors from the parent's side. Upon inferring from the responses we find that different time zones affect the time the parents spend with the child also some working hours affect the time spent with the children. One caregiver stated that "*when she is on night shift she won't be able to talk nemwana as she will be tired and busy*". This shows that in as much as the parent wants to avoid parenting through proxy, circumstances in the host country affects them.

When asked how they communicated with their parents, children gave a varied number of responses. The study shows that modes of communication are a challenge as technology available in the host country a parent may fail to provide it to their children. However, given the advent of social media, older children have mobile phones which they could communicate directly with their parents. The younger ones have to resort to using the guardian's phone to communicate and express themselves. This is a challenge as there is no room for the child to express themselves comfortably if they are using a guardian's phone. Parents have to rely caregivers to tell them what is going on with the children.

CHAPTER 5 SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

This chapter outlines the summary of responses from children, parents and caregivers in Mutare Urban District who are involved in transnational parenting in relation to the application of the best interest of the child principle. The conclusions and recommendations drawn from the study are brought out in the chapter as well. These will help custodians of child rights, parents and caregivers of children in transnational parenting on how to ensure that the best interest of the child is of paramount importance where any matters to deal with children are concerned.

5.2 Discussion

The findings of the study revealed that the application of the best interest of the child in transnational parenting is very minimum. This concurs with the findings of Parke, (2002), who found that in solving various problems within family, children's emotional needs and the right to hold opinions and to participate in decisions that affect them directly or indirectly are less respected. The very first decision for a parent to migrate is done based on other socio-economic reasons without considering how it will affect the child. For some it is a foregone conclusion that the family will take in the child as their own. In this regard the study revealed that caregivers such as aunts and uncles take in children for the financial benefit which will come from the child's parents when they are out of the country. However, this contrasts with the findings of Dreby, (2006) who stated that the children of migrant parents may reap all the economic benefits of their parents' work overseas in terms of their families' overall material and financial resources. The difference in results may be caused by the fact that this research was carried out in a developing country whilst the one of Dreby, (2006) was carried out in a developed country.

Decision making in transnational parenting plays a very important role in the life of the child as what is decided is what is expected of the child. The study showed that children are very much aware of their needs and wants such that they should be involved in decisions to do with their welfare however the study proves otherwise as choices are taken away from the child. This concurs with the conclusions made by Filippa, (2011), who argued that the needs and wants of the child varies from one era to another and also depends on the resources, the developmental level and the culture of the country in which the child lives, however there must be involvement in decision making. Knowledge levels of children, parents and caregivers are well documented in the research as they are a reflection of the application of the best interest of the child in transnational parenting.

The responses to probes and questions show that caregivers and parents lack clear knowledge of what is in the best interest of the child as they believe only material support shows that a child is well taken care of. The nature of parent and child relationships is depicted as reliant on the caregiver. Some parents only rely on information from the caregiver on the welfare of their children without making any effort to communicate with the child directly thus the advent of distant relationships between parent and child, this concurs with the findings of (Madzivadondo, 2012). Open communication lines allow children to have functional relationships with their parents where they are open to communicate as deduced from the study. The time that the parents have spent outside the country has no correlation on what they spent on their children or the time they spent together.

Further analysis shows that parent child relationship is affected by factors such as the parents' working hours which affects the time spent "together". This further highlights that parent child relationships rely on the caregiver more than they should as parents

get second hand news from the caregivers instead from the child directly. A study by Morgan, (2013) shows that technology plays an important role in transnational families as it contributes to emotional closeness which allows to keep alive and nourish the sense of the distant other as a member of the family.

5.3 Conclusions

Drawing from the research findings, the researcher concludes that decision making in transnational parenting does not consider the best interest of the child. They are mostly influenced by the socio-economic needs of the family that the child is staying with, other competing interest such as the needs of other family members and also whether the caregiver chooses to highlight what may be in the best interest of the child. The department of Social Services who are the custodians of Children's Rights in Zimbabwe are not taking into cognizance the vulnerability complex of children in transnational parenting as they are vulnerable to violence from their guardians and others directly or indirectly.

5.4 Implications

The study highlighted the knowledge gaps in literature. Most literature highlights the best interest of the child right and transnational parenting separately. The literature on transnational families' stresses on the strength and resilience of family through strain of separation provoked by migration disregarding the effects on children left behind. The study also noted the absence of information on child rights and parenting to guide parents on the best interest of the child which is an important factor towards motioning the best interest of the child as an important factor in every child's relationship. The study also managed to reveal and expose the vulnerability of children left behind as they are at the risk of being abused by their guardians. The findings of the study revealed that the application of the best interest of the child in transnational parenting

is very minimum as most parents and guardians are still of the belief that children should be seen but not heard.

5.5 Recommendations

From the research findings, the following recommendations were made:

- The researcher recommended that the Department of Social Services work with schools in identifying children who might be at risk because of transnational parenting to help stop any forms of violence against children. This collaboration between the two departments will go a long way in reducing violence against children especially children in transnational parenting who are not a considered at risk. The process should not only identify these children but steps should be taken in engaging their parents so as to have children in a safe and clean environment. Each class teacher should have a social register listing children and their social backgrounds, also they should make an effort to meet each child's caregiver to make their own assessments on the child's stay in the home area. Teachers should share these findings with Department of Social Services so they can make proper home visits.
- Children should be allowed to partake in child rights campaigns in the community and at school to boost awareness on their best interest to the public and families. Children are the best vehicle to convey the importance and understanding of child rights in the country. Campaigns should be organized for the children, by the children so that they become independent in making decisions as well as gain more understating in the issues involving their rights. Therefore in schools children should be guided in the practice of standing up for their own rights everywhere especially in the home, school and play area.

- The government through the Ministry of Primary and Secondary Education should monitor the set curricula to allow learning and understanding of child rights as a protective measure against the violence against children. Monitoring and evaluation of the set curricula should be done so as to measure the impact of the initiative. This process by the Ministry should help improve the set curricula as checks and balances are made from the assessments done. This is a protective measure against the violence against children as it empowers every child in understanding what rights they are entitled to.
- The Department of Social Services should also make home visits for those children who are in transnational parenting to assess the home situation. This process will also help the children in expressing themselves freely in the home and also be able to leave without fear of abuse in the home. A sense of loss is usually felt by the children who are left behind by their parents, therefore the visits by the department of social services will help recommend psychosocial support to the children. Some children might even start to act out by being violent themselves therefore the need for home visits. According to Castaneda and Buck, (2011), unlike the emotional finality of death, children left behind often cannot grieve for missing parents, since they are not dead. However, because their return date is often unknown, feelings of loss can be provoked in the children (Castaneda & Buck, 2011).
- Parents and guardians should also be taught on the meaning of child rights and de-bunking sessions should also be done as most have the wrong impression of meaning of child rights. According to Dewa, (2016) a child's emotional and psychological wellbeing is attributed to receiving support, feeling loved, valued, and competent by their parents. Dewa, (2016) further state that parents

are also viewed as vehicles to promoting connections with others (including extended family) and the community in order to for children to fulfil needs of companionship, support and belonging. Therefore parents and guardians learning the meaning of child rights will give them the necessary tools to fulfill their role in ensuring the best interests of the child are met. These sessions could be done at school meetings whilst involving the Department of Social Services and the teachers.

- It is imperative that an advocacy strategy be developed so that implementation of support services, whilst targeting the most vulnerable areas, feeds into the national child protection strategy. Government has managed to put in place initiatives towards child protection the likes of NAP OVC and BEAM therefore the NGO community needs to take a step further in assisting the government in developing a strategy so that there are more support visits and children in transnational parenting are included as they are left out as a result of being considered non vulnerable due to strain of resources. This initiative needs to be on a timeline as children's rights matter and the country is working towards ending any forms of violence against children.

5.6 Suggestions for Further Research

- The researcher suggests that further research on child rights and parenting should be done on a wider scale so as to have more information on the phenomenon. The Best interest of the child is broad in its scope therefore there is need to do more research in relation to parenting so as to reconcile conflicting issues that result in parenting and applying children's rights.

- Surveys should be done so as to come up with more ways to end all forms violence against children. All studies that are child rights related help come up with ways to combat violence against children.

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Appendices

Appendix 1: Interview Guide for the Children

Instructions for Interviewer: Probe and translate to local language

1. How old are you? _____ years
2. Who is your caregiver? _____
3. Do you go to school and what grade or form are you? __YES __NO Grade ____
4. Where are your parents? _____
5. When where you separated and why? _____
6. Do they support you or visit you? __YES __NO
7. How do they support you? _____
8. How are you coping with the absence of your parents?

9. How are you feeling staying without your parents? _____
10. How do you communicate with your parents? _____
11. How do you tell your parents or guardians what you want or need? What do they say?

12. What are you thinking about your future in the absence of your parents? _____
13. Do you know what child rights are? Can you name any child rights you know?

14. Do you know what the best interest of the child are? _____
15. What are the challenges you are facing? _____
16. How are you dealing with those challenges? _____

Appendix 2: Interview Guide for the Children – Shona

1. Une makore mangani? _____
2. Unogara nani? _____
3. Unoenda kuchikoro here uye urimurugwaro rwechingani? ____Hongu
____Kwete _____
4. Vabereki vako varipi? _____
5. Makarega kugara mese riinhi, chikonzero chaiva chei? _____

6. Vabereki vako vanokubatsira here uye vanokushanyira here? _____

7. Vanobatsira kukuchengeta nenzira dzipi? _____

8. Urikuzviona sei kugara usina vabereki vako? _____

9. Unonzwa sei kugara usina vabereki vako? _____
10. Munotaura sei nevabereki vako? _____
11. Unotaurira vabereki vako kana kuti vaunogara nenzira dzipi kana paine zvaurikuda? Ivo vanotii nazvo? _____

12. Kusagara nevabereki vako unoona kunezvachakonzera kuneramangwana rako here? _____

13. Unoziva here kodzero dzevana? Unokwanisa kudoma dzipi kodzero dzevana?

14. Unoziva here zvinonzi zvinotarisirwa kunge zvakanakira mwana mumwe nemumwe muhupenyu hwake _____
15. Ndeapi matambudziko auri kusangana nawo? _____

16. Matambudziko aya urikumaita sei? _____

Appendix 3: Interview Guide for the Caregivers

1. How many children you are taking care of? _____
2. What is your relationship with the children? _____
3. How are they coping with the absence of their parents? _____

4. How do the children's parents communicate with you? _____
5. How do you identify and communicate the children's needs to the parents?

6. Are you capable of taking care of them? __YES __NO
7. How are they behaving in the absence of their parents? _____
8. What are the challenges being faced by the children? At home? At school? At play? _____
9. Do you know what child rights are? __YES __NO
10. Do you know what the best interest of the child are? __YES __NO
If YES, explain _____
11. Is there any support system for children? __YES __NO

Appendix 4: Interview Guide for the Caregivers – Shona

1. Murikuchengeta vana vangani? _____
2. Munehukama hwakaita sei nevana ava? _____
3. Varikuzvitora sei kusavapo kwevabereki vavo? _____

4. Vabereki vevana vanotaura nemi nenzira dzipi? _____

5. Munoudza sei vabereki vevana zvinodikwaa nevana vavo? Munenge maziva sei? _____

6. Murikugona here kuvachengeta? _____
7. Vana ava vane hunhu hwaaita sei vabereki vavo vasipo? _____

8. Vana ava varikusangana nematambudziko akaita sei? Kumba? Kuchikoro? Nekwavanotamba? _____

9. Munoziva here nezve kodzero dzevana? Ndedzipi kodzero dzamunoziva? _____

10. Munoziva here zvinhu zvinotarisirwa kunge zvakanakira vana muhupenyu hwavo? Mungatiaurira here nezvazvo? _____

11. Pane here hurongwa huripo kuchengetedza vana? Hongu_____ Kwete_____

Appendix 5: Interview Guide for Teachers

1. What is your understanding of children's rights? _____

2. How do the children in transnational families relate to other children in class?

3. Does the children's parents communicate with you? __YES __NO
4. How do the children perform in class and at play with other children?

5. What kind of support do you offer the children? _____
6. Have you recommended expulsion of a child in transnational parenting?
__YES __NO If yes why? _____
7. Have you had cases of children being abused? __YES __NO
If yes how were they abused and by who?

8. Is there anything you can do to assist a child in distress because of transnational parenting? _____
9. What is your understanding of violence against children? _____

Appendix 6: Interview Guide for Child Case Care Workers

1. What do you understand about child rights?

2. What is the nature of your job? _____

3. Who are your main targets as a child case care worker? _____

4. Who determines the best interest of the child in transnational families?

5. What are the best interest of the child in transnational families?

6. What kind of help do you give to children being abused?

7. What are the effects of transnational parenting on children?

8. What are the reasons for transnational parenting?

Appendix 7: Introduction Letter



Dear Sir/Madam

My name is Tafadzwa Chikaka. I am a student at Africa University pursuing a Master's Degree in Child Rights and Childhood Studies. I am conducting a research on Best Interest of the child principle application in the context of transnational parenting. After conducting some consultations and other personal considerations, I have decided that you are one of the few people who can positively contribute to my research project.

It is the requirement of Africa University that every student conduct a research on any area of interest. The objective of the research is to gather data on the application of the best interest of the child in transnational parenting in Mutare. The information provided in this research will remain private and confidential. The material will be used for nothing other than academic purposes by the researcher only.

Your participation will be greatly appreciated. You are free to answer or not to answer.

Thank you in advance

Tafadzwa Chikaka (161012)

Appendix 8: Informed Consent Form

Introduction/ Background

My name is Tafadzwa Chikaka, a final year Master in Child Rights and Childhood Studies student from Africa University. I am carrying out a study on the Application of the Best Interest of the Child Principle in Transnational Parenting: A case of Mutare Urban District. I am kindly asking you to participate in this study by answering to a semi-structured interview.

Purpose of the study:

The purpose of the study is to establish how best interests of the child rights principle is used in transnational parenting in Mutare district. You were selected for the study because your parents live out of the country/ you are a caregiver and have valuable knowledge of the subject being researched on. Other respondents involved are children with parents out of the country, caregivers, child case care workers and teachers.

Procedures and duration

If you decide to participate it is expected that this will take about 20-30 minutes or less than that.

Risks and discomforts

Children may be afraid to talk to strangers. Caregivers will be involved to assure their children that no harm will be meant to them by the researcher. Due to the nature of the study some will be afraid to fully disclose their experiences. The researcher will disclose to the participants the confidentiality value and the issue of voluntary participation so that they willingly take part or pull out when they feel they can no longer continue.

Benefits and/or compensation

It is expected that this research will come out with an understanding of the application of the best interest of the child rights principle in transnational parenting. This study is vital, because it will help policy makers and other non-governmental organizations who champion child rights issues in monitoring and giving support to children of parents living outside the country. It can also be a reference tool for other researchers, academic leaders and academic services of Africa University.

Confidentiality

The participant should note that the highest standards of confidentiality will be maintained throughout the study and any information obtained through the study will

not be disclosed to any other party without the consent of the participant concerned. Names and any other identification particulars solicited by the researcher during the one on one in depth interviews will be solely for researcher's ease of reference and not for unauthorized publication.

Voluntary participation

Participation in this study is voluntary. If participant decides not to participate in this study, their decision will not affect their relationship with the researcher, and Africa University. Additionally, if you decide to terminate your participation you will not be penalized in any way.

Offer to answer questions

Before you sign this form, please ask any questions on any aspect of this study that is unclear to you. You may take as much time as necessary to think it over.

Authorization

If you have decided to participate in this study please sign this form in the space provide below as an indication that you have read and understood the information provided above and have agreed to participate.

Name of Research Participant (please print) Date

Signature of Research Participant or legally authorized representative Date

If you have any questions concerning this study or consent form beyond those answered by the researcher including questions about the research, your rights as a research participant, or if you feel that you have been treated unfairly and would like to talk to someone other than the researcher, please feel free to contact the Africa University Research Ethics Committee on telephone (020) 60075 or 60026 extension 1156 email aurec@africau.edu

Name of Researcher – -----

Appendix 9: Informed Consent Guide – Shona

Zvizivise

Zita rangu ndi **TAFADZWA CHIKAKA**, mudzidzi ari mugore rekupedzisira (**Child Rights and Childhood Studies**) paAU. Ndiri kuita tsvagurudzo yekutarisa kuti **kodzero dzevana nezvavanoda zvakakosha zvirikutariswa here kuvana vane vabereki vari kugara kunze kwenyika**. Ndinokumbirawo kuti muvewo umwe wevachapindawo mutsvagurudzo iyi nekupindura mibvunzo kana kunyora mafomu.

Zvamunofanira kuziva nezvetsvagurudzo iyi:

Chinangwa chetsvagurudzo:

Chinangwa chetsvagurudzo iyi ndechekuburitsa kuti kodzero dzevana nezvanoda zvirikutariswa here kuvana vane vabereki vari kugara kunze kwenyika muno maMutare. Imi makasarudzwa kuva mutsvagurudzo iyi nekuti vabereki venyu vanogara kunze kwenyika/ munogara nemwana ane vabereki varikunze kwenyika. Vamwe vachataurwa navo patsvagurudzo iyi vanosanganisira vamwewo vana vane vabereki varikunze kwenyika, vanochengeta vana vane vabereki kunze kwenyika, vekuSocial Welfare nevadzidzisi.

Zvichaitwa nenguva yazvichatora

Kana masarudza kupinda mutsvagurudzo iyi, zvinotarisirwa kuti tichatora nguva ingaita 20 to 30 minutes.

Njodzi nekusagadzikana

Vana vanogona kutya kutaura nemunhu wavasingazivi. Vabereki nevatariri vevana vachange varipo kubatsira vana kunzwisisa kuti hapana njodzi yavachasangana nayo mutsvagurudzo iyi.

Nekuda kwemamiriro akaita nyaya dzepabonde, vamwe vanhu vanenge vasarudzwa vanogona kusataura chokwadi chezvavakasangana nazvo. Mutsvagurudzi achaudza vese vanenge vari mutsvagurudzo iyi kuti haazofumure zvavanenge vamuudza uye havamanikidzwi kupinda mutsvagurudzo iyi uye vanogona kubuda chero ipi zvayo nguva kuitira kuti vapinde mutsvagurudzo vaine ruzivo.

Kana mutsvagurudzi akaona kuti sekufunga kwake pane vanoda rubatsiro rwecounselling, anovaendesa kumahofisi avo kuti vanobatsirwa.

Zviwanikwa kana mubhadharo

Zvinotarisirwa kuti tsvakurudzo iyi ichabuda nekunzwisisa maererano nekushandiswa kwekodzero dzevana nezvzvanda ana kuvakoshera kune vane vabereki vanogara

kunze kwenyika. Tsvakurudzo iy yakakosha nekuti ichabatsira vehurumende nemamwe mapato vakamirira kodzero dzevana kuti vaongorore nekubatsira vana vane vabereki varikunze kwenyika. Vamwe vadzidzi vanogona kuzoshandisawo tsvakurudzo iyi muzvidzidzo zvavo.

Kuchengetedza mashoko muchivande

Mashoko ese anenge awanikwa kuburikidza netsvagurudzo iyi angazikanwa kuti abva kuna nhing haasi kuzoburitswa pachena pasina mvumo. Mazita evanhu nezvimwe zvingaburitsa kuti munhu ndiani hazvisi kuzobvunzwa pamafomu.

Kupinda mutsvagurudzo nekuda

Tsvagurudzo ino iri kupindwa neanozvidira ega. Kuva mumwe wevachapa pfungwa dzake mutsvagurudzo iyi kuri kuitwa nekuda. Kana anenge asarudzwa kupa pfungwa dzake akati haadi kupinda mutsvagurudzo iyi, sarudzo yavo haizokanganisi ukama hwavo hwamangwana nemudzidzi, AU kana vamwewo. Kana vakasarudza kupinda mutsvagurudzo, vakasununguka kubuda pasina kana mhosva inopiwa.

Mibvunzo ingada mhinduro

Musati masaina bepa rino, bvunzai mibvunzo yamungange muinayo ine chekuita netsvagurudzo iyi kana pane zvisina kukujekerei. Munogona kutora nguva yamunoda kuti mumbofunga nezvazvo.

Mvumo

Kana mabvuma kupinda mutsvagurudzo iyi, ndinokumbira musaine bepa rino pamitsara yakaoiwa pazasi sechitaridzo chekuti maverenga mukanzwisisa mashoko apiwa pamusoro uye mabvuma kupinda mutsvagurudzo iyi.

Date Signature of Research Participant or legally authorised representative
Kana muine mibvunzo ine chekuita netsvagurudzo ino kana gwaro remvumoinopfuura yapindurwa nemudzidzi kusanganisira mibvinzo yezvetsvagurudzo iyi, kodzero dzenyu semunhu apinda mutsvagurudzo, kana kuti muchiona sekuti hamuna kubatwa zvakanaka uye muchida kutaura neumwe munhu asiri mudzidzi, sunungukai kubata ve Africa University Research Ethics Committee parunhare runoti (020) 60075 kana 60026 extension 1156 email aurec@africau.edu
Zita remudzidzi -----

Appendix 10: Informed Consent and Assent for Children

Introduction/ Background

My name is Tafadzwa Chikaka, a final year Master in Child Rights and Childhood Studies student from Africa University. I am carrying out a study on the Application of the Best Interest of the Child Principle in Transnational Parenting: A case of Mutare Urban District. Whenever researchers study children, they talk to the parents or guardians and ask them for their permission for the children to participate. After reading and understanding what the study entails, and if you agree, I will also ask for the child's agreement to taking part in the study. Both of you have to agree independently before I can begin my research.

Please read the following information about the research and if you decide to let the child to participate, please sign in the appropriate space below. You do not have to make your decision today. Before you decide, you can talk to anyone you feel comfortable with. If you do not understand some words or need clarification on certain issues please ask me to stop as we go through the information and I will take time to explain.

Purpose of the study:

The purpose of the study is to establish how best interests of the child rights principle is used in transnational parenting in Mutare district. In this study I will be talking to children and asking them to share their experiences in the home and school as well as their well-being in the absence of their parents.

Procedures and duration

If you decide to give permission to the child to participate it is expected that this will take about 20-30 minutes or less than that.

Risks and discomforts

Children may be afraid to talk to strangers. Caregivers will be involved to assure their children that no harm will be meant to them by the researcher. Due to the nature of the study some will be afraid to fully disclose their experiences. The researcher will disclose to the participants the confidentiality value and the issue of voluntary

participation so that they willingly take part or pull out when they feel they can no longer continue.

Benefits and/or compensation

It is expected that this research will come out with an understanding of the application of the best interest of the child rights principle in transnational parenting. This study is vital, because it will help policy makers and other non-governmental organizations who champion child rights issues in monitoring and giving support to children of parents living outside the country. It can also be a reference tool for other researchers, academic leaders and academic services of Africa University.

Confidentiality

The participant should note that the highest standards of confidentiality will be maintained throughout the study and any information obtained through the study will not be disclosed to any other party without the consent of the participant concerned. Names and any other identification particulars solicited by the researcher during the one on one in depth interviews will be solely for researcher's ease of reference and not for unauthorized publication.

Voluntary participation

Participation in this study is voluntary. If participant decides not to participate in this study, their decision will not affect their relationship with the researcher, and Africa University. Additionally, if you decide to terminate your participation you will not be penalized in any way.

Offer to answer questions

Before you sign this form, please ask any questions on any aspect of this study that is unclear to you. You may take as much time as necessary to think it over.

Authorization

If you have decided to give permission to your child to participate in this study please sign this form in the space provide below as an indication that you have read and understood the information provided above and have agreed to participate.

Name of Research Participant (please print)

Date

Signature of Research Participant

Date

Guardian/ Caregiver Permission:

Name of Guardian/Caregiver (please print)

Date

Signature of Guardian/Caregiver

Date

If you have any questions concerning this study or consent form beyond those answered by the researcher including questions about the research, your rights as a research participant, or if you feel that you have been treated unfairly and would like to talk to someone other than the researcher, please feel free to contact the Africa University Research Ethics Committee on telephone (020) 60075 or 60026 extension 1156 email aurec@africau.edu

Name of Researcher – -----

Appendix 11: Informed Assent for Children

Introduction/ Background

My name is Tafadzwa Chikaka, a final year Master in Child Rights and Childhood Studies student from Africa University. I am carrying out a study on the Application of the Best Interest of the Child Principle in Transnational Parenting: A case of Mutare Urban District. I am kindly asking you to participate in this study by answering to a semi-structured interview.

Purpose of the study:

The purpose of the study is to establish how best interests of the child rights principle is used in transnational parenting in Mutare district. You were selected for the study because your parents live out of the country and have valuable knowledge of the subject being researched on. Other respondents involved are children with parents out of the country, caregivers, child case care workers and teachers.

Procedures and duration

If you decide to participate it is expected that this will take about 20-30 minutes or less than that.

Risks and discomforts

Children may be afraid to talk to strangers. Caregivers will be involved to assure their children that no harm will be meant to them by the researcher. Due to the nature of the study some will be afraid to fully disclose their experiences. The researcher will disclose to the participants the confidentiality value and the issue of voluntary participation so that they willingly take part or pull out when they feel they can no longer continue.

Benefits and/or compensation

It is expected that this research will come out with an understanding of the application of the best interest of the child rights principle in transnational parenting. This study is vital, because it will help policy makers and other non-governmental organizations who champion child rights issues in monitoring and giving support to children of

parents living outside the country. It can also be a reference tool for other researchers, academic leaders and academic services of Africa University.

Confidentiality

The participant should note that the highest standards of confidentiality will be maintained throughout the study and any information obtained through the study will not be disclosed to any other party without the consent of the participant concerned. Names and any other identification particulars solicited by the researcher during the one on one in depth interviews will be solely for researcher's ease of reference and not for unauthorized publication.

Voluntary participation

Participation in this study is voluntary. If participant decides not to participate in this study, their decision will not affect their relationship with the researcher, and Africa University. Additionally, if you decide to terminate your participation you will not be penalized in any way.

Offer to answer questions

Before you sign this form, please ask any questions on any aspect of this study that is unclear to you. You may take as much time as necessary to think it over.

Authorization

If you have decided to participate in this study please sign this form in the space provide below as an indication that you have read and understood the information provided above and have agreed to participate.

-----	-----
Name of Research Participant (please print)	Date

-----	-----
Signature of Research Participant or legally authorized representative	Date

If you have any questions concerning this study or consent form beyond those answered by the researcher including questions about the research, your rights as a research participant, or if you feel that you have been treated unfairly and would like to talk to someone other than the researcher, please feel free to contact the Africa University Research Ethics Committee on telephone (020) 60075 or 60026 extension 1156 email aurec@africau.edu

Name of Researcher – -----

Appendix 12: AUREC Approval Letter



AFRICA UNIVERSITY RESEARCH ETHICS COMMITTEE (AUREC)

P.O. Box 1320 Mutare, Zimbabwe, Off Nyanga Road, Old Mutare-Tel (+263-0202) 60075/60026email: aurec@fricau.edu website: www.africau.edu

Ref: AU1023/19

20 June, 2019

Tafadzwa Queen Chikaka
C/O CSSTHE
Africa University
Box 1320
MUTARE

RE: BEST INTEREST OF THE CHILD PRINCIPLE APPLICATION IN THE CONTEXT OF TRANSITIONAL PARENTING IN MUTARE DISTRICT

Thank you for the above titled proposal that you submitted to the Africa University Research Ethics Committee for review. Please be advised that AUREC has reviewed and approved your application to conduct the above research.

The approval is based on the following.

- a) Research proposal
- b) Questionnaires
- c) Informed consent form



- **APPROVAL NUMBER** AURECAU1023/19

This number should be used on all correspondences, consent forms, and appropriate documents.

- **AUREC MEETING DATE** NA
- **APPROVAL DATE** June 20, 2019
- **EXPIRATION DATE** June 20, 2020
- **TYPE OF MEETING** Expedited

After the expiration date this research may only continue upon renewal. For purposes of renewal, a progress report on a standard AUREC form should be submitted a month before expiration date.

- **SERIOUS ADVERSE EVENTS** All serious problems having to do with subject safety must be reported to AUREC within 3 working days on standard AUREC form.
- **MODIFICATIONS** Prior AUREC approval is required before implementing any changes in the proposal (including changes in the consent documents)
- **TERMINATION OF STUDY** Upon termination of the study a report has to be submitted to AUREC.

Yours Faithfully

**MARY CHINZOU – A/AUREC RESEARCH ETHICS OFFICER
FOR CHAIRPERSON, AFRICA UNIVERSITY RESEARCH ETHICS COMMITTEE**

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Document Information

Analyzed document TAFADZWA QUEEN DISSERTATION Final Draft.docx (D56234897)

Submitted 9/30/2019 11:02:00 AM

Submitted by tendai

Submitter email chakarisat@africau.edu

Similarity 5%

Analysis address chakarisat.africa@analysis.orkund.com

Sources included in the report

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