



Ethical Dilemmas and challenges in research on orphans of Jammu and Kashmir: A study

 Sarmad Yaseen Butt^{1*}

¹Research Scholar, Department of Education, Maulana Azad National Urdu University, Hyderabad, India.

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*Corresponding Author: Sarmadbutt17542@gmail.com

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Orphanages play a very important part in providing care, assistance and support to orphans as well as to those children who are in need of childcare institutions. As far as the region of Jammu and Kashmir is concerned, orphanages are playing a climacteric role for the wellbeing and development of orphans. They provide these children lot of facilities including food, shelter and most important education and a feeling of stability. Despite their significance, conducting research on the status, condition, education of orphans residing in orphanages often poses significant challenges. This study examines the ethical challenges faced by researcher working on orphans residing in orphanages of Jammu and Kashmir. Based on the experiences of fieldwork, this paper culminates noteworthy and serious issues like bureaucratic impediments, privacy and confidentiality issues, emotional sensitivity of children and the ramifications of system deficiencies on research. This paper focuses on the problems and difficulties faced by researcher in the field. The objective of this paper is to identify and study the challenges faced by researcher while working on orphans residing in orphanages and to study bureaucratic and systematic barriers faced by researcher. The researcher has attempted to provide some recommendations with regard to problems and challenges.

Keywords: *Orphans, Challenges, Orphanages, Bureaucratic Barriers.*



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1. INTRODUCTION

Conducting research with vulnerable section of society particularly orphans present unique ethical concerns and specific problems and challenges. It demands a meticulous ethical framework to safeguard their wellbeing and dignity.

This study has tried to explore the ethical concerns and challenges which a researcher faces while researching on orphans residing in orphanages of Jammu and Kashmir. Being a

vulnerable and unshielded section of society, Orphans have experienced trauma, pain, misery, suffering and instability, which make it important to ensure their wellbeing, prestige and dignity throughout the process of research.



The children who have lost their parents are considered to be at risk, unprotected and vulnerable because they do not possess that kind of emotional and physical maturity to deal with their psychological trauma and suffering that is associated with parental loss. In the society, orphan children are often considered to be at more risk to be exploited than average children. (Nazki,2020)

Child welfare and protection have long been a primary factor and priority for the Ministry of Women and Child Development in India. Before 2009, the Ministry implemented three separate and specific schemes to protect and safeguard children particularly those who are in need:



In 2010, these schemes were consolidated into a single initiative known as the Integrated Child Protection Scheme (ICPS). This scheme was subsequently renamed the Child Protection Services Scheme in 2017 and finally rebranded as Mission Vatsalya in 2021-22.

Mission Vatsalya serves as an umbrella scheme for child protection and welfare services across the country. The main objectives of Mission Vatsalya are to ensure a healthy and happy childhood for every child in India, and to provide opportunities that helps children to realize their full potential and worth, and assist States and Union Territories in delivering the mandate of the Juvenile Justice Act, 2015.

2. SIGNIFICANCE OF STUDY

The study is of significance for various reasons as it focuses on the ethical challenges experienced by researcher while conducting research on vulnerable section of society specially orphans. It lays stress on the significance of developing a meticulous ethical and proper framework to shield and safeguard the wellbeing and dignity of these children. To apprehend these challenges is indispensable for researchers, policy makers, child welfare organizations and other stake holders to make sure that academic research do no harm the population they intend to help. By identifying and pin pointing bureaucratic and systemic hurdles, the study provides valued and practical comprehensions and insights into the structural deficiencies within the child welfare system of Jammu and Kashmir. The findings of this study can apprise the development of a better and coherent research processes together with improvements in the protection and care of orphans. The recommendations of this study can also guide stakeholders in refining policies leading to better outcomes for orphan children. It also underlines the need for cultural sensitivity, building rapport, trust building and profound understanding of the socio- political context in which the research is being carried out. This

apprehension can also be valuable for researchers who are working in similar domains, enabling them to conduct more effective and ethical research.

3. OBJECTIVES

- To identify and study the challenges faced by researcher while working on orphans residing in orphanages.
- To study bureaucratic and systematic barriers faced by researcher.
- To provide some recommendations with regard to problems and challenges.

4. METHODOLOGY

The study is mainly qualitative in nature. It is based on the experiences of researcher on fieldwork. Other data is collected from secondary sources which includes books, journals, newspapers and websites.

5. CHALLENGES

5.1. Initial hesitance and reluctance from authorities

In spite of having authority letter from department, obtaining the list of orphanages and information regarding the number of orphan students residing in orphanages from Mission Vatsalya was strenuous due to concerns about the sensitivity of the data. Authorities concerning the department were hesitant to share required information for academic research even with official permission letter from university.

5.2. Multi-layered Approval Process

Visiting orphanages and collecting data called for permission from multiple authorities, including the District Social Welfare Officers and the Child Welfare Committees. This process had to be repeated for each and every district from which the researcher has to collect data.



5.3. Juvenile Justice Act Compliance:

One of the leading and significant challenges in research on orphans residing in orphanages is making sure that research is undertaken keeping in mind the privacy regulations under the juvenile justice act. This Act directs strict confidentiality to safeguard the identities of juveniles, including orphans. This statutory requirement is important for protecting and safeguarding the privacy, safety and dignity of individuals in sensitive situations. But it can initiate complexities for researchers regarding the process of data collection. Researchers must manoeuvre these regulations carefully and thoughtfully to make sure that personal information of orphans is securely handled.

But in practice, some officials may explicate the JJ Act as a blanket restricting on access to data and other details about orphanages, at times quoting it as a reason to hold back data information. But this misinterpretation can be ambiguous and misleading. The main focus of this act is to maintain confidentiality and privacy of the identities of individuals so that it cannot be misused rather than putting hindrances in academic research. It is crucial to elucidate that the Juvenile Justice Act does not contain any specific provisions that obstruct academic research.

5.4. Orphanage Reluctance:

It was observed from fieldwork that some orphanages were reluctant to share any information because they were apprehensive of the fact that their internal issues and related matters might be exposed. As a result, they were hesitant to arrange interactions with the children of orphanages.

In a study also it was reported those children who are living in orphanages their situation is pathetic, especially in the developing countries. Neglect, starvation, discrimination and malnutrition affect orphans more commonly than their non-orphaned peers. These children are more likely to be exploited (subjected to child labour and sexual exploitation) and are less likely to go to school. (Long, 2013)

Concerns about maintaining the privacy and dignity of the children in orphanages influenced the cooperation levels of concerning authorities of orphanages. This hesitation was blended by fears of potential ramifications or

negative publicity resulting from the research findings. The researcher has to take care of all these things and proceed accordingly.

5.5. Trustworthiness:

Trustworthiness appeared as a key factor in the research process, especially in gaining access to sensitive data. The authorities of orphanage showcased significant trust issues, in the first instance they showed hesitation to open up and share details and other information about the children and their backgrounds. This reluctance aroused from a protective and shielded instinct, as well as concerns about the potential misuse of data.

To deal with such issues, the researcher should engage in transparent and open communication with the authorities and other stakeholders, clearly and comprehensibly outlining the objectives, scope, and ethical considerations of research. The researcher should provide comprehensive explanations of how the data will be used, emphasizing the confidentiality and anonymity measures in place to protect the children's identities. This effort to build trust with the concerning authorities was central in gaining their cooperation and access to the required data and information.

5.6. Emotional Impact on Children:

While conducting research on emotional stability and social intelligence of orphans, a clear emotional reaction was observed by the researcher. A study done by Kaur also reported that orphans and other vulnerable children and adolescents residing in childcare institutions are more susceptible to behavioural and emotional problems compared to normal children living with their families, as they are deprived of family's love, attention, safety and care. (Kaur,2018). To interact with such children demands a sensitive approach on the part of researcher.

5.7. Building trust and rapport with students

Knowing the significance of rapport and trust, the researcher started interactions by spending time with children by engaging in casual conversation. This startup phase was pre-eminent for breaking the ice and making the children feel comfortable. The researcher observed that simple activities like talking to them about their class,

friends, future goals etc. created a base and foundation of trust, sincerity and openness.

In the initial phase, children can feel a bit hesitant; to overcome this, the researcher should persistently exhibit empathy, patience and genuine interest in their struggles, experiences and stories. Eventually, this approach will enable the children to open up and share their views and opinions.

5.8. Living Conditions and Health Issues:

Orphan children often experience harsh and unfavourable living conditions, exposure to violence, sexual exploitation and sometimes very limited access even to the basic health care.

Many orphans experience psychological problems and face problem in their adjustment and accommodation in society, particularly when they leave their child care institution. (Naqshbandi,2012).

Another report Voluntourism and child trafficking into orphanages forget me not Australia stated that Orphanage tourism which means visiting orphanages while travelling or collecting funds from tourists, is often understood and appreciated as a noble act, but in reality, it exploits and harms children. Such orphanages usually subject children to harmful practices, for instance forced performances for tourists and begging; to generate and attract sympathy and donations, they kept such children starving for so many days. Research spanning over sixty years reveals that institutionalization, regardless of how well-run an orphanage is, hinders child growth and development. Moreover, orphanages are susceptible to exploitation by predators posing as volunteers due to inadequate background checks. (Voluntourism and child trafficking into orphanages forget me not Australia, 2017, p.no 1)

Researchers who wanted to work on orphanages had to navigate such intricate and distressing realities while maintaining ethical standards.

5.9. Internal System flaws and loopholes Contradictions in Authority Attitudes:

While concerning authorities exhibited care and concern for the safety, privacy and wellbeing of orphan children living in orphanages, but the researcher observed visible gaps and fickleness within the internal system. This inconsistency and

instability at times impede effective and ethical research practice.

During the process of collection of data from the orphanages in Kashmir, one of the owners of orphanages shared that he faced many challenges while running the orphanage. That orphanage was running exclusively on local funding, without any grant or fund from the Mission Vatsalya. Despite this, the department of Mission Vatsalya constantly administer inspections, which adds extra burden for the owner. The owner shared that Mission Vatsalya brought a Bangladeshi adolescent to his orphanage, who was being involved in forced labour. The department said that the orphanage should take of him for a week till the legal procedures are completed to return him back to his country. But after several months, that adolescent was still under the custody of that orphanage. The owner exhibited his concern that if anything will happen to child or he run away- who will be responsible. He also expressed his concern about the education of the child because he was not admitted in any school. Despite numerous attempts by the owner to contact department for assistance, there has been no response. This situation brings to light the difficulties faced by orphanages in managing administrative challenges and providing for the needs of all children under their care.

During another visit to government-run girls' orphanage, it was revealed that the Mission Vatsalya department also placed child marriage victims, rape victims, and eloping girls' cases of the district in that same orphanage. Although these girls were only kept for only one or two weeks, depending upon the severity of their case but their presence could negatively impact the other orphaned girls. This practice highlights the need for separate shelter homes for such cases to make sure the well-being of all children. In this way privacy of such girls will also be maintained. The lack of concern regarding this important issue from authorities was deeply troubling.

5.10. Socio-Cultural Barriers

The researcher while conducting such researchers should understand the socio-cultural differences. He should try to understand their culture, language and way of living. Such researchers require a sensitive approach. The

researcher can also take the help of local interpreters.

5.11. Limited number

The limited number of orphans in orphanages poses a significant challenge in gathering sufficient data required for meaningful research.

The study conducted by the Ministry of Women and Child Development (MWCD) in 2016-17 has revealed that there are only 9589 CCIs/Homes (registered/unregistered);



The number of children who are beneficiaries under CPS scheme during 2019-20 was only 75824, which is 0.25% of such vulnerable children. (Orphans: The Forgotten Children of India, 2024)

This impediment makes it a bit difficult to achieve a representative sample size, which in turn impacts the reliability and generalizability of the research. Researchers should take into account other alternative methods or extended study durations to mitigate this limitation and ensure representative data collection.

5.12. Geographical dispersion

Orphanages in Jammu and Kashmir are mostly scattered across different regions, posing operational hurdles for researchers. This geographical dispersion of orphanages makes the process of data collection complex and a bit difficult, requiring extensive travel and coordination efforts. As a result, conducting comprehensive and consistent research becomes more challenging and demanding, impacting the efficiency, practicality and feasibility of the study.

5.13. Emotional toll

Working closely with vulnerable populations, such as orphans, can be emotionally arduous and demanding for researchers. While collecting data, it involves having interactions with children who have experienced significant distress, trauma, loss, suffering and instability. Hearing their stories of struggles and suffering, witnessing their circumstances firsthand can be distressing and painful and may evoke strong emotional responses. This emotional burden can affect the researcher's mental health and well-being. Moreover, the ethical obligation to ensure the well-being, privacy and safety of the participants adds to the emotional load. Researchers must remain sensitive to the children's needs and should avoid any actions that can cause further distress. To balance the need of collecting precise, valid and comprehensive data with the imperative of protecting the participants' emotional health requires a high degree of empathy, patience, and ethical rigor.

5.14. Societal neglect

During fieldwork, the researcher constantly experienced difficulty in locating orphanages, even with precise addresses. Upon reaching the vicinity, the researcher often had to ask local residents for directions. Most of the times, the locals were unaware of the orphanage's existence. This lack of awareness underlined a broader societal neglect and indifference towards the presence and needs of orphanages and the vulnerable children they serve. This phenomenon culminates the urgent need for increased societal awareness and engagement to support these institutions and their residents more effectively and productively.

6. RECOMMENDATIONS FOR RESEARCHERS WHO WANT TO WORK ON ORPHANS

Every child is a beacon of hope and every child (whether they are orphan or not) needs the same love, care, and attention to safeguard their healthy development. It is an unquestionable fact that the presence of a mother and a father plays an important role in children's mental, emotional, behavioural, physical, social, and psychological development process. Every child needs their parents' care, attention, and love. It is gloomy and unfortunate situation when a child loses both parents and then they are forced to live their lives in institutions, where they miss every emotional

attachment like siblings, relatives, and social relationships, and importantly they miss the customs, culture, tradition, norms, and regulations of the society. They grow up in institutional culture where they do not enjoy these things. Their mental setup, vision, nature is quite different and sensitive than normal children. Following are the recommendations for researchers who wants to work on orphans.

6.1. Build Trust with Authorities:

The researcher should engage in transparent and open communication from the inception. Clearly outline the objectives, scope, and ethical considerations of your research. Main emphasis should be to protect the confidentiality and anonymity of the children's identities. The researcher should be ready to provide detailed explanations and documentation to address any issues or concerns the authorities may have. Patience and persistence are key in gaining the trust and cooperation of the concerning authorities.

6.2. Bureaucratic Hurdles:

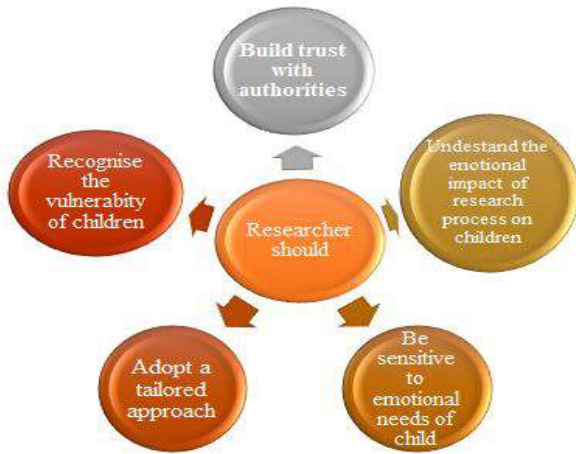
Those researchers who wants to work with this vulnerable section of society should plan for an extended timeline to deal with the multi-layered approval process. The researcher should be prepared for repeated requests for permissions from the concerning authorities, including the District Social Welfare Officer and the Child Welfare Committee. The researcher should maintain organized records of all communications and permissions to streamline the process for each district involved in the study.

6.3. Address Privacy and Confidentiality Concerns:

The researcher should strictly adhere to legal requirements under the Juvenile Justice Act, ensuring that the privacy and confidentiality of children is protected and their identities are not disclosed.

6.4. Establish Rapport with Children:

Spend initial time with the children in their daily environment, engaging in casual conversations to build trust and rapport. Use simple activities and discussions about their interests, goals, and experiences to create a foundation of openness.



6.5. Adopt a Multi-Method Approach:

The researcher should use a combination of both qualitative and quantitative methods, such as interviews, surveys, and observations, to gain a well-rounded understanding. The researcher should conduct in-depth interviews with various stakeholders, including orphans, orphanage staff, social workers, and policymakers. The researcher should use open-ended questions to gain detailed insights into personal experiences, perceptions, and opinions. Interviews can provide rich and detailed data that helps to understand the complexities of life in orphanages. The researcher should observe daily activities and interactions within orphanages to gain an understanding of the environment and social dynamics.

7. RECOMMENDATIONS FOR AUTHORITIES

7.1. Curriculum Development

The findings of the study emphasised the need for educational programs that address the unique needs of orphan children. Orphan children often face significant emotional and social challenges and problems that can impact their learning experiences. Traditional curricula may not be tailored to address these issues, potentially leaving gaps in their educational and emotional development. The findings of this study underlined the importance of integrating emotional and social learning components into the curriculum. Orphans may have experienced trauma, loss, and instability, which can affect their ability to engage with conventional educational materials. A curriculum designed specifically for these children should include modules that focus on building emotional resilience, fostering social skills, and providing support for mental health issues. This approach can help children develop

coping strategies, improve their interpersonal relationships, and enhance their overall well-being. Curriculum development should incorporate emotional and social learning components to help these children develop resilience and social skills.

7.2. Teacher Training

Teachers in orphanages play a crucial role in the educational and emotional development of orphans. Because these children do not have parents for their guidance, they are solely dependent for everything on their teachers. Given that these children often face unique psychological and emotional challenges, it is essential that educators receive specialized training to effectively support their needs. This training must be designed to address the specific trauma and emotional issues that orphan children may experience. Teachers working in orphanages should receive specialized training to handle the emotional and psychological needs of orphaned children. This training should focus on trauma-informed teaching practices and strategies to create a supportive and nurturing learning environment.



7.3. Counselling Services

Providing accessible counselling services within orphanages can help address the emotional and psychological challenges faced by orphaned children. Trained counsellors can offer support and interventions to promote mental well-being and stability. Authorities should establish a more efficient process for granting research permissions, reducing delays and bureaucratic hurdles.

7.4. Clear Guidelines:

Provide researchers with clear guidelines on ethical standards, privacy requirements, and the emotional needs of orphaned children. By addressing these recommendations, future research on vulnerable populations can be conducted more ethically and effectively, ensuring the protection and dignity of the subjects involved. Improved educational practices and support systems can significantly enhance the well-being and development of orphaned children in Jammu and Kashmir.

8. CONCLUSION

To wind up, I would like to say that navigating the ethical challenges and problems while researching on orphans of Jammu and Kashmir exhibited a complex reciprocation of bureaucratic hurdles, issues about privacy and confidentiality, emotional sensitivity and systemic shortfalls. This study underlines the critical need for a rigorous ethical framework to protect the wellbeing, safety and dignity of vulnerable children during research. The multiplex issues encountered, from the reluctance of authorities to share sensitive information to the emotional toll on both children and researchers, highlight significant areas for improvement in the research process and the overall care system.

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