

# Adoption Option

## Growing More Popular

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Photographs by SEBASTIAN JOHN

As Indians' views change, and regulations become clearer, more children are growing up in families rather than orphanages.



**A** typical day at Palna, a children's home set amid lush gardens in New Delhi, is full of activity. An Indian couple sits down with their adopted son to discuss adopting a second child. A Western couple walks into the doctor's office, cradling their new Indian daughter and getting medical advice on how to keep her comfortable in the summer. Young girls giggle, babies cry and the 116 children living there are getting ready for lunch.

Palna's general secretary, Aruna V. Kumar, remembers when it was not so busy. A few decades ago, the adoption scene in India was inactive and one-sided at best. Raising children not born in the family was considered unacceptable by most Indians, and even though some Indians wanted to adopt, most orphaned children went abroad. But 1984 brought the country's first adoption regulations, and by 1989 a quota system was introduced that required 25 percent of all orphaned children to be adopted within India. Since then, a social revolution has taken place, and more orphaned and abandoned children have a waiting list of parents who want to take them home.

According to the Central Adoption Resource Agency (CARA) 1,707 children were adopted in India last year. (This figure does not include agencies not registered

with CARA, but with state governments for domestic adoptions only. Because of the large number of such agencies, CARA estimates the actual domestic figure is two to three times as high.) In addition, 1,021 children were cleared for foreign and non-resident Indian families to adopt.

Kumar smiles when she identifies the most visible indicator of progress: Hindi television serials no longer consider the topic unmentionable. "It is used as a ridiculous, sensational plot device," Kumar says, "but at least it is being discussed in the open."

It's not that adoption didn't take place in India before. In the epic Mahabharata, the archer Karna was adopted by Adhiratha and Radha and raised as their own son. Many childless couples adopted children from other family members. However, children from outside the family were generally looked on as risky, and if an adoption did take place, it was kept secret for fear of disapproval. The extent to which that has changed is illustrated by



*Above and left: Children at Palna orphanage in New Delhi.*

*Above, right: G. Nataraj and S. Jaishree play with their adopted daughter, Gauri, at home in New Delhi.*



Shivani, one of the first single mothers to adopt in northern India.

Shivani, who uses only one name, adopted her daughter, Yamini, in the late 1990s. Shivani's father accepted her choice and her friends were supportive, but her mother was concerned. When Shivani initially approached adoption agencies in New Delhi, they told her they would give preference to waiting couples. She then traveled to Chennai, where, she had heard from friends, adoptions were more liberal. She was welcomed by the agencies. However, a social worker encouraged her to go back to New Delhi and push her case. So she returned, and after six months the same agency that initially rejected her gave her a girl.

And when the baby came home? "The pediatrician said, 'Let there not be too many visitors. Let the baby get to know your face,'" Shivani recalls. Yet, she just couldn't keep people away. And once everyone saw her new daughter, all the concerns just melted away. "It was all excitement and joy."

But for every acceptance, stigmas remain elsewhere. Though encouraged to tell children the truth about their adoption, some parents still keep it a secret. Says Kumar, "By not telling, you risk the child hearing it from someone else....Children have felt it is a huge betrayal."

Shivani was truthful with Yamini, who she says is "absolutely cool with adoption." Though there were awkward questions posed by her classmates, Shivani or Yamini would explain the

situation, and the other children understood.

Shivani always knew that she wanted to adopt, but many parents do not consider it until they find they cannot have a biological child. Leila Baig, who heads an adoption coordinating agency in New Delhi, says: "Unfortunately, many parents have waited out 10-12 years of infertility when they come to us." Baig counsels couples that infertility is not their fault and that there is no shame in adoption. Her survey of 500 families showed that only 5 percent of them adopt babies just because they think it's a good idea. Most Indian families want a healthy child who shares the same physical traits as their own family.

And it is in this area that foreign adoption plays an important role. Social workers say most Indian parents do not want older children or those with extremely dark complexions or children with special needs, such as physical, emotional or mental disabilities.

Also, the Hindu Adoption and Maintenance Act of 1956 allows only one child of each sex to be legally adopted from a family; the rest of the siblings must be taken under guardianship. This makes it difficult to keep together sisters and brothers. A child eligible for adoption who is not taken by Indian parents after a certain amount of time, usually six months, can be cleared for foreign adoption. The United States receives the largest share of Indian children.

One agency that has been in India for 25 years helping special needs children is Americans for International Aid and Adoption. Since the agency began, parents like Johanna and Tom Overstreet have been welcoming these children into their homes in the United States.

The Overstreets are in the process of adopting four-year-old Chetan, who has hemophilia. They have three biological children and one adopted child from Sierra Leone, who is also considered a special needs child because he lived through that country's long civil war.

To get ready for Chetan's arrival, Johanna is poring over adoption books, as well as keeping in touch with the doctors who will treat him. They have sent care packages and are keeping a collage of Chetan's photos in their livingroom so that the other children can become familiar with their new brother.

Many people look at adopting special needs children as an act of charity, but Mrs. Overstreet feels differently. "We aren't afraid of children with special needs....I think we are the ones who are blessed. We didn't enter adoption to rescue a child or be praised.

"We did this because we love children."

A trained nurse who now stays home with her children, Mrs. Overstreet had always wanted to adopt from India, but feared that India's adoption process would be cumbersome. Instead, she found it "easy to understand and easy to handle." In fact, CARA is working to establish a fast-track clearance process just for special needs children so that they get into family care quickly.

Challenges from special needs aside, children adopted internationally also experience a degree of culture shock. But Leiden University in the Netherlands, which analyzed 50 years of adoption data from across the world, found adopted children were only slightly more likely than non-adopted children to have behavioral problems, such as anxiety and aggression. The study found they were less likely to have behavioral problems than children adopted within their own country.

International adoptions are set to become easier, safer and more transparent when the Hague Adoption Convention is implemented in India, the United States and other countries. The treaty, signed by 66 nations, is designed to facilitate ethical adoptions and develop uniform procedures for all signatories on international adoptions. In doing so, it helps prevent child trafficking and exploitation. It includes standards for authorizing adoption agencies and procedures for making children available for international adoption and will aid in immigration and naturalization. The United States, which signed the convention, is expected to ratify it soon. Considering that India, like the United States, has different adoption regulations in every state, the convention will do a great deal to create more uniform procedures throughout the country.

Differences abound in India's domestic adoption scene. The demand for boys still remains significantly higher in northern India, but that's balanced by the southern states, where girls are more in demand, according to CARA chairperson Aloma Lobo. Also, across the country, more girls are available because more girls are abandoned. But even that situation has improved. Says Baig, "Earlier we would say that close to 80 percent of the children in institutions were girls; now that's closer to 60 percent."

There are also different rules for different religions. According to the Hindu Adoption and Maintenance Act, only Hindus, Sikhs, Jains and Buddhists can adopt legally. Adoptions by Indian Christians and Muslims, as well as foreigners, come under the Guardians and Wards Act of 1890 and are classified as guardianship, which officially ends when the child reaches 18. This distinction can affect a child's inheritance rights, so adoption workers recommend parents in such cases deposit money in the child's name immediately.

This added monetary worry, and the frustration of not being able to fully adopt under the law, has not deterred Christians and Muslims from parenting orphaned children in increasing numbers, says Meena Kuruvilla, project coordinator for Kerala's adoption coordinating agency. She assures the prospective parents that the religion and upbringing of the child is up to them after they become guardians, but she feels a uniform adoption law would better protect the rights of the children. "There should

## Finding India

Indian children who have been adopted abroad often want to return to India to search for their roots. Most never find information about their birth parents, but that doesn't mean they can't find pieces of their origins.

Nilima Mehta, chairwoman of the Child Welfare Committee in Mumbai, runs a program for these returning children. She counsels those who are frustrated by the lack of information and takes them to the adoption center they lived in, the cradle they slept in and the people who cared for them.

In the United States, there are special camps for children adopted in India, such as those run by I-Child. Children and their families learn about Indian arts, dance and history.



*Charles (left), who was adopted at 6, with his father Terry, mother Maureen and sister Mara, adopted at 11 months, attending Camp Masala Indian Heritage Camp in Minnesota. Charles, 9, and Mara, 5, take classes in modern Indian dance and Charles attends the School of Indian Languages and Culture.*





*John, 16, poses at home in Tennessee behind his parents, Wayne and Carol, who adopted him in India in 2000. At left is his sister Jennifer, 7, born in Korea and adopted in 1999; and at right is his sister Cecilia, 17, born in Guatemala and adopted in 2004.*

be a bill so that a child can be ours if we want it,” agreed Baig, a Christian. The Human Rights Law Network, a legal group in New Delhi, is working on public interest litigation in the Supreme Court that aims to liberalize adoption laws.

The waiting time for a child differs from state to state. Parents in New Delhi wait an average of three to four years for boys and one to one-and-a-half years for girls. However, in Maharashtra, the most progressive state for adoption, the courts move faster and the waiting time is often reduced.

While the city of New Delhi has 10 adoption agencies, the populous states of Rajasthan and Bihar have none. Because of a well-meaning law to prevent child trafficking, which bans children from crossing state lines for adoption purposes, orphans and abandoned children in those states end up spending their lives in institutions, says Baig. Some illegal adoptions are probably taking place there, but Baig would love to see a legal infrastructure in place to better meet the needs of children and families. Besides being within the law and giving inheritance rights, legal adoption gives parents access to a child’s medical information so they can make an informed choice.

Another huge swath of the country with little adoption infrastructure is the Northeast, where many children have been orphaned by a wave of HIV/AIDS-related parental deaths.

However, even there, one can find success stories, like that of Laishram Dhiraj Singh’s family in Manipur. They found their daughter at the Missionaries of Charity, which has branches across the country, even in the most under-served areas. The process took just three months. The family’s experience motivated three other couples they know to adopt.

And as more families adopt, more examples will inspire. S. Jaishree and G. Nataraj, a South Indian couple living in New Delhi, decided to adopt their daughter, Gauri, after spending time with a friend’s adopted child. “Her daughter cleared up any doubts in our minds,” Jaishree says.

They applied in January and found the required home study by a social worker friendly and easy. (Home studies check to see whether the prospective parents are stable and capable of child rearing.) After some delays with agencies, they were advised in May to approach their local coordinating agency directly. They did, and as soon as they said they had no preference for a light complexion, Gauri came to their home within a week. When she arrived, like most new parents, they had quite a bit of learning to do. Nataraj says, “We were on the phone asking, ‘How do you fold a nappy?’ ‘How do you use a bottle?’ It’s been fun.”

Delighted with her new baby, Jaishree acknowledges that adoption is a tough decision for some families. “The most difficult part is knowing your own mind,” she says. “The rest is just destiny.” □

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