

Childless in Israel

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EDITOR'S NOTE: As representatives of 180 nations convene in Cairo this week for the United Nations International Conference on Population and Development, Israelis grappled with the population-related issues of adoption and abortion.

TEL AVIV — Couples who want to adopt children have a hard time in any country, but surely one of the hardest countries of all, at least in the developed world, is Israel.

For the thousands of couples here who want to adopt, the waiting list is six years. Last year only 79 normal, healthy Israeli infants were adopted, along with 132 children with "special needs" and another five children with Down's syndrome.

At the same time, estimates of the number of Israeli abortions, legal and illegal, range from 45,000 to 80,000 a year.

With the high abortion rate, the common use of birth control and the



value placed on raising the kids who do get born, "there are few unwanted children in Israel," says Ella Blass, director of the state-run Child Welfare Services, Israel's only adoption agency. "Also, there is no longer a stigma in Israel attached to single mothers. What still carries a stigma, though, is giving up your child for adoption. The mother is seen as a monster."

With so little chance of adopting in Israel, hundreds of couples go abroad each year to try their luck — mainly to Brazil and other South American countries, Romania and Ukraine. Horror stories are common — couples being ripped off for many thousands of dollars by criminal baby brokers and ending up empty handed.

In the late 1980s, one Israeli couple had to return their Brazilian baby to its biological mother four years after they had adopted him when it turned out the child had been kidnapped by a gang of international cradle robbers.

No private agencies

"When it comes to intercountry adoptions, Israel is almost in a class by itself for backwardness," said Eliezer Jaffe, a Hebrew University professor of Child Welfare and Public Policy, and a leading adoption reform activist.

Except for England, Israel is the only developed nation that does not have legal, licensed private agencies that arrange for families to adopt abroad. Child Welfare Services has always had a monopoly on adoptions, and while it has been giving limited help in recent years to Israeli couples seeking foreign children, in the past it gave no help at all.

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"The reason we didn't [aid foreign adoptions] more before was for political reasons," Blass said. "I won't say any more than that."

The "political reasons" appear to have been that control over the Ministry of Labor and Social Affairs, which operates Child Welfare Services, was usually reserved for one of the religious partners in past government coalitions — the National Religious Party or one of the ultra-Orthodox parties. The Orthodox Jewish establishment has had various objections about the religious legitimacy of foreign adoption, and today it is making it harder than ever for Israelis to adopt a child abroad and raise the child here as a Jew.

Few adoptees converted

Conversions to Judaism in Israel are done only by the Chief Rabbinate. For the last year-and-a-half — ever since Eliahu Bakshi-Doron became Chief Sephardic Rabbi and began overseeing conversions — no foreign adoptees have been converted to Judaism unless their parents are obser-

vant Orthodox Jews.

The reason, explained Bakshi-Doron's aide Rafi Dayan, is that Jewish law requires converted children to declare at age 13 that they accept the Jewish religion, otherwise they are no longer considered Jews.

"A child who is brought up without keeping the mitzvot, without keeping Shabbat, cannot honestly say at age 13 whether he accepts Judaism, because he doesn't know what it is," Dayan said.

Until Bakshi-Doron came in, rabbis used to look the other way and convert children of non-observant adoptive parents. "It was a fiction. Now it's finished," said Dayan. Secular adoptive parents are now forced to choose between observing mitzvot against their will and getting their children converted, or maintaining their lifestyles and raising non-Jewish children. There are efforts to find a loophole in Jewish law to get around this agonizing problem; so far none has been found.

The whole disastrous condition of

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foreign adoption for Israelis has finally been recognized by the government; in May 1993 Israel joined 64 other countries in signing the Hague Convention to regulate inter-country adoptions. To comply with the convention, the government has proposed a new adoption law whereby foreign adoptions would be arranged via Child Welfare Services.

However, the government's proposal, introduced by Justice Minister David Liba'i, would keep the restriction that Israeli couples could only adopt children of their own religion. As Blass notes, "There are no Jewish children abroad available for

adoption."

With the limitations on conversions, it seems the government proposal would make it impossible for any but observant Orthodox parents to adopt foreign children and raise them in Israel as Jews. Liba'i, however, says the courts here would have the latitude to prevent such discrimination.

He further justified the status quo on same-religion adoptions by saying: "As there is sensitivity in Israel about converting Jewish children to Christianity or Islam, so is there sensitivity in the world about converting children to Judaism. Therefore, we must not give the world the impression that we are systematically bringing children here to convert them to Judaism..."

A government deal

Yet a senior Justice Ministry source confirmed what all observers assume: that Liba'i's proposal is part of the government's agreement to lock in all aspects of the religious status quo, as the price for the Shas (Sephardic ultra-Orthodox) party's return to the ruling coalition. "All sorts of things are done in the name of strengthening the coalition," the source noted with a mild laugh.

Liba'i may give assurances that his proposal wouldn't stop non-observant Israeli Jewish couples from adopting abroad, but many people remain unconvinced. Likud and Meretz have introduced their own proposed laws that make no mention of religion, and that would also allow the creation of

nonprofit adoption agencies, licensed by the Justice Ministry, to arrange foreign adoptions. Jaffe, however, expects that coalition pressures will keep both these attempts from getting anywhere in the Knesset.

Within a few months, Blass said, a representative of Child Welfare Services should be set up in South America to shepherd Israeli parents through the labyrinth of adopting there. "I hope that all the terrible stories will then be over," she said. While she acknowledges that Child Welfare Services has always been underfunded, understaffed, and subject to political pressures, she is dead set against any private agencies, even licensed and regulated by the Justice Ministry, from entering the field of adoption.

"Since we built the system, we're the ones professionally qualified to administer it," she said, claiming that private agencies would make a "business" out of adoption.

Association for adoption

David Ben-Nahum, head of the Association for Private Adoption in Israel, said this was a dodge. "They don't want to give up their monopoly. They are the only organization that handles adoptions, and they can decide to do whatever they want. This is totalitarian thinking — that the government knows best," he said.

At any rate, Ben-Nahum maintained, Child Welfare Services will never have enough manpower or money to handle all foreign adoptions by itself. ■