

Israelis who want to adopt face some of toughest obstacles

LARRY DERFNER

Bulletin Correspondent

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 another 132 children with "special needs," plus another five with Down syndrome. At the same time, estimates of the number of abortions in Israel — legal and illegal — range from 45,000 to 80,000.

Between the high abortion rate, the common use of birth control and the high value placed on raising kids in general, "There are few unwanted children in Israel," said 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 Romania, Ukraine, Brazil and other South American countries. Horror stories are common: Couples get ripped off for many thousands of dollars by criminal baby brokers, getting the runaround, getting stranded abroad and ending up empty-handed. In the late 1980s, one Israeli family had to return their Brazilian baby to his 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.

"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 Britain, Israel is the only developed nation that does not have licensed private agencies that arrange for families to adopt abroad. Child Welfare Services has always had a monopoly on adoptions, but only in recent years has it begun giving limited help to Israelis seeking foreign children.

"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 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.

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 Sephardi rabbi and began overseeing conversions — no foreign adoptees have been converted to Judaism unless their adoptive parents were observant 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 Judaism; otherwise, they are no longer considered Jews.

Before Bakshi-Doron became chief rabbi, many rabbis looked the other way and converted children of non-observant adoptive parents. Secular adoptive parents are now forced to choose between observing *mitzvot* 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 government has finally recognized the disastrous condition of foreign adoption: In May 1993, Israel joined 64 countries in signing the Hague Convention to regulate intercountry adoptions. To comply with the convention, the government has proposed a new law whereby Child Welfare Services would arrange foreign adoptions.

However, the government's proposal, introduced by Justice Minister David Liba'i, restricts Israeli couples to adopting children of their own religion. But 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, said the courts here would have the latitude to prevent such discrimination.

He further justified the status quo on same-religion adoptions, 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."

Yet a senior Justice Ministry source confirmed what all observers assume: Liba'i's proposal is part of the government's agreement to lock in all aspects of the religious status quo — the price for the Sephardi ultra-Orthodox Shas Party's return to the ruling coalition.

Many people remain unconvinced of Liba'i's assurances that his proposal won't stop non-observant couples from adopting abroad. Likud and Meretz have proposed their own 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.

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 Blass 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.

David Ben-Nahum, head of the Association for Private Adoption in Israel, disagrees. "They don't want to give up their monopoly," he said. "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."

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