



# **The social temporalities of adoption and limits of plenary adoption**

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# INTRODUCTION

Increasing complexity of the social field of adoption :  
diversity of agents, challenges and debates

Taking Québec as a point of reference, I will discuss:

- Three different temporalities of adoption
  - The length of the administrative and legal process
  - The child development
  - The genealogical transmission
- The limits of plenary adoption



# PLENARY ADOPTION

- Child becomes full member of adoptive family
- Adoptive kinship is exclusive : the adopted child becomes a stranger to its birth family

In Québec,

- New birth certificate does not mention adoption
- Adoption records are confidential
- Limited access to information for adoptees

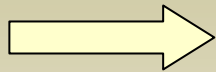
In some countries,

- legal adoption does not break previous ties
- plenary and simple adoption coexist (possible choice)



# LENGTH OF INTERNATIONAL ADOPTION PROCESS (1)

- In the 1980s, numbers of adoption candidates are growing, but government restrain all private initiatives



development of the adoption field

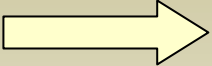
[adopters associate and start lobbying ; voluntary agencies demand to be recognized as legitimate partners ; professionals and experts are debating...]

Among the issues debated :

- risks of illegality, fraud and traffic of children linked to private adoptions,
- foreign adoption judgments that do not produce the same effects as our plenary adoption.



# LENGTH OF INTERNATIONAL ADOPTION PROCESS (2)

- **In 1990**, a new legislation eases the tension : independent adoptions are permitted, professionals in private practice are authorized to assess potential adopters, the role of the accredited agencies is clarified, etc.  
         **International adoption «boom».**
- **In 1993**, the Hague Convention favors recourse to accredited agencies only
- **In 2004**, a new Québec legislation prohibits independent adoption, with some exceptions (it took effect in 2006)
- **Diverging interest of receiving and sending countries have become clearer**
  - Search for new sending countries to satisfy the adopters' demands
  - Conversion of all foreign adoptions into plenary adoptions



# CHILD DEVELOPMENT (1)

Since the end of the 1980s,

- Development of permanency planning for children in foster care
- Development of scientific and clinical expertise on attachment
- **Québec adoption services develop the «mixed bank» program for potential adopters who are assessed and accredited to be both:**
  - 1) **foster family** for a child, pending his/her availability for adoption;
  - 2) **adoptive parents** of that child, if and when eligibility for adoption is declared



## CHILD DEVELOPMENT (2)

A “mixed bank” placement involves adopters in an experience of shared parenthood.

But,

the aim is adoption and exclusivity, as soon as possible

### **IS PLENARY ADOPTION ALWAYS IN THE CHILD’S INTEREST?**

- Some children have significant relationships with birth family ;
- Some birth parents would consent to an adoption that would not completely erase them ;
- Foster parents sometimes end up feeling that the completion of the adoption project will compromise their child’s equilibrium



# TRANSMISSION (1)

In plenary adoption, adoptive kinship is the only intergenerational pathway for transmission.

However,

- less anonymity and confidentiality than before
- *International Convention on the Rights of the Child* grants children the right to know their parents, to maintain personal relationship with them if not contrary to the child's interest, and as far as possible to enjoy continuity in terms of education and ethnic, religious, cultural and linguistic origins
- Signatory countries of *Hague Convention on IA* must conserve information about the origins of international adoptees and make it accessible to them, where permitted by their legislation.



## TRANSMISSION (2)

Keeping a transmission channel open on the side of the original filiation. What does it look like in practice?

- Memory of origins constituted in reference to the birth country's culture (not to the birth family)
- Open adoption (contact with the birth family without challenging the exclusive relationship created by plenary adoption)
- Access to information kept in adoption records (limited to the child and his parents,



# TRANSMISSION (3)

## Access to origins for international adoptees

- Access to information is facilitated by central authority, as well as location of a birth parent
- Québec confidentiality rules apply whatever the country of origin :
  - Private searches and reunions are not legitimate
  - Siblings cannot ask for information and reunion
- Birth countries are given integration reports, although third parties should not have access to such information
- Adoptees bring new issues to light:
  - Access to residence, work permit or citizenship in birth country? Right to sponsor a birth brother or sister with a view to immigration ? Recognition of a dual identity?



# CONCLUSION

In some cases, it could be in the adopted child's interest to create a filiation further to the existing one instead of replacing it.

Contrary to oft-expressed fears, the effects of additive filiation (in terms of name, heritage, etc.), could be handled so as not to disadvantage the child by comparison with a child adopted under the plenary scheme.