

Adoption: Biblical View and Govt. Regulation in Nigeria – [Asaolu O. S.](#)

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Galatians 4:4-7 *But when the fulness of the time was come, God sent forth his Son ...that we might receive the adoption of sons. And because ye are sons, God hath sent forth the Spirit of his Son into your hearts, crying, Abba, Father. Wherefore thou art no more a servant, but a son; and if a son, then an heir of God through Christ.*

Introduction: Adoption is the action or fact of legally taking another's child and bringing it up as one's own. It creates a parent-child relationship between an adult and a minor with attendant rights, privileges and responsibilities. As earlier noted in prior lesson, having and raising children is a blessing associated within marriage purview. Yet, some have various challenges such as infertility, loss of offspring, single and advanced in age, being carrier of genetic disorders, desire to create a legal-relationship with a step-child, etc. which could make such consider adoption. Some out of love for children just want to provide for little kids; prospective adoptive parents recognize that there are many children who do not have the safe, loving and supportive home environments they need. Fostering is giving parental care to a child who is not one's natural or legally adopted child. It is more common in Northern Nigeria since Islamic law does not recognize adoption.

What options may a person use to raise a non-biological child?

Kidnapping is sinful - 1 Kg 3:16-27, 1Tim 1:10. Biblical concepts to raise non-biological children are:

1. **Fostering** - one takes care of another's child by agreement; the child often knows the real parents and such may visit one another. Thus a couple treats someone else's child as if it were their own, though the child may go back to the original home later. Today there are official 'Foster Programs' where one could be linked with such children who may periodically exchange mutual visits with their biological parents. Most people prefer to foster the children of their relatives via an informal arrangement. Abram considered one of his servants as his foster child and as probable heir till he was assured of getting Isaac.

Genesis 15:2 *And Abram said, Lord GOD, what wilt thou give me, seeing I go childless, and the steward of my house is this Eliezer of Damascus?* 3 *And Abram said, Behold, to me thou hast given no seed: and, lo, one born in my house is mine heir.* [Timothy was Paul's foster child (1 Cor 4:17), Esther (2:7) was Mordecai's]

2. **Adoption** - one becomes a legal parent to an abandoned child and raises such as his/her own. God endorses such action -Psalms 68:5-6. Moses was an adopted son of Pharaoh's daughter (Exo 2:1-10, Acts 7:21), Abraham cared for his orphaned nephew Lot. (Gen 11:27-12:5) while David took the crippled son of Jonathan his late friend as his own (2 Sam 4:4; 9:6-13). [God '*predestinated us unto the adoption of children by Jesus Christ to himself*' - Eph 1:5, Rm 8:15-17] An adopted child bears one's name. If such child's relative or biological parent surface in future the bond with the nurturer cannot be easily broken. An adopted child has inheritance rights though such may freely turn it down as Moses later did when he came of age given the subjection of his people [Heb 11:24].

Govt. Regulation in Nigeria:

1. A child is anyone under the age of 18 years, only such persons, under special conditions may be F/A
2. Fostering is for a child who is: abandoned by parents, orphaned and abandoned by relatives or one voluntarily presented by parents/guardian, found destitute or abused or a wanderer without a home. Consent (of all associated parties) where possible must be obtained before the court will make a Foster order. This is done as a State Govt. foster parent or via placement by a voluntary organization or **privately** amidst relatives. A child shall in respect of his custody, maintenance and education stand to the foster parent exactly in the position of a child born by that parent in lawful marriage.
3. Statutory provision was first made for adoption in Nigeria (1965). The Child Rights Act 2003 makes provision for adoption and this is reflected in the law of states which have passed similar legislation. Three categories of persons may adopt a child:
 - i) A married person who has obtained the consent of the spouse may adopt

- ii) A married couple may jointly adopt with the authorization of a court if one of them has attained the age of twenty-five years
- iii) A single person not below thirty-five years old may adopt, and must (except in Lagos) be of same sex as the child to be adopted

Besides, an applicant must be at least twenty-one years older than the child to be adopted, such and the child must have been resident in the same state for at least five years, both be citizens of Nigeria. Furthermore, an applicant must have informed a Social Welfare Officer of the intention to adopt within twelve months and must have cared for the child for at least three consecutive months prior to when the adoption order is made to allow bonding, observed care, compatibility, etc. The adopter(s) must be persons found suitable as prospective parents by the appropriate investigative officer. Section 127 of the Child Right Act prescribes that in placing a child for adoption, the court should, as far as practicable, have regards to the wishes of the parents or guardians of the child in respect of the *religious upbringing* of the child.

4. [Process of Adopting a Child](#) [Following section culled from [trustedadvisorslaw.com](#)]

Request to the appropriate adoption agency: Each state in Nigeria has an adoption unit/welfare agency responsible for the process of adoption. In Lagos State, for instance, there is an adoption unit responsible for adoption services under the Ministry of Youth and Social Development. The applicant must submit a formal request to the welfare agency in the state.

Interview Process: Before the request for adoption is granted, the applicant has to go through a series of interviews/counseling sessions granted by the state adoption unit/welfare agency to determine the suitability of the prospective adopter/adapters.

Upon the completion of the period of three months, the applicant files an application for adoption of the child. The necessary forms and documents must be filled and filed at the court as part of the adoption process. The documents to be filed include:

- i. Where the applicant is a married couple; their marriage certificate or a sworn declaration of marriage.
- ii. The birth certificate or sworn declaration of the age of each applicant
- iii. Two passport photographs of each applicant
- iv. A medical certificate of the fitness of the applicant from a Government hospital; and
- v. Such other documents, requirements, and information as the Court may require for the purposes of the adoption.
- vi. The court then orders an investigation to be conducted by a Child Development Officer, a Social Welfare Officer, a supervision officer, and such other persons as the Court may determine, to enable the Court to assess the suitability of the applicant as an adopter and of the child to be adopted.
- vii. The court in reaching a decision relating to the adoption of the child must have regard to all circumstances including; (a) The need to safeguard and promote the welfare and the best interest of the child throughout childhood of that child; and (b) Ascertaining, as far as practicable, the wishes and feelings of the child regarding the decision and giving due consideration to those wishes and feelings, having regard to the age and understanding of the child.
- viii. Once the court is satisfied with the suitability of the applicant, then the child is allowed to live with the applicant for a period of three months before an adoption order can be made by the court. This is done to determine the compatibility of the child and the applicant.

Conclusion: *Fostering and Adoption are personal ways of epitomizing James 1:27.* Due to the tenuous and prolonged process of legal adoption in Nigeria, many patronize unlawful organizations such as Unregistered Children’s Home and Baby Factories. Better to do the proper thing and go through the right channels and procedures. Any other method, without following due process will be deemed as kidnapping and child-trafficking! Get a family law expert involved as you approach the relevant govt. agency. Above all friends, be born again and adopted into God’s family –Jn 1:12, 2 Cor 6:17-18. [Video on [Church of Christ UNILAG Facebook Page](#)]