

Sample essay on the foreign policies of adoption in arab nations need to be revie...

[Family](#), [Children](#)



The system of adoption is practiced by western nations and was introduced by them. Western laws, such as those of the USA are rigorous when it comes to adoption matters. The child has to come before all the other interests. Gulf nations have adopted the same school of thinking when it comes to the adoption of orphans. They have put in place measures that seek to grant orphans citizenship in under the article on private law that has been passed under foreign law policies. The Arabic states, however, do not have such reforms but have an increased number of orphans because of the catastrophic political conditions in the areas (Bargach, Jamila, 17). Lack of foreign policy on the citizenship change of their orphans makes it difficult for an individual to adopt orphans from the Islamic states. The countries can also not adopt orphans from other nations around them because of their foreign policy standards.

There is an insurgency of Muslims in western countries, which creates the need for urgent attention. The laws on foreign policies seek to protect children from crimes against them when they are adopted. The increase in wars and Islamic groups makes children vulnerable for exploitation. The situation is especially worse for those that have no rights that are accrued to them by the states. Because the orphans are not of the country's decent, it becomes increasingly difficult for the countries to foster their protection. Technically, when an individual does not have citizenship rights, the law cannot protect them, which is the case with adopted children that have no citizenship. The above is the reason I care. It also explains why everybody else, especially lawmakers in Arabic states, should care.

The conflict in such adoptions in Islamic states exists in the Islamic laws and

dictates (Joseph, Suad, and Afsaneh, 10). The Islamic laws govern Arabic states and incorporate aspects of the Islamic religion into their constitutions. The Islamic doctrines do not allow the change of names from a child's father's name. The only person who can be involved in the change of name is the father to a child (O'Halloran, Kerry, 20). The Islamic laws remain rigid and have no exceptions in cases where the child has no parents. Western laws, which the Gulf States have embraced, recognize the inconsistencies that occur in the family setup. Their laws, therefore, have exception rules for orphans. Because of their rigidity and dictation from Islamic doctrines, citizenship of orphans becomes difficult because it involves a change of name. The unifying factor is in identifying that the protection of the child is mandatory. The factor should unify the laws in Gulf countries and those of Arab nations into putting the needs of the child beyond doctrines.

The law reform I am advocating is the inclusion of a clause on the citizenship of orphans in the laws of countries such as Syria. The clause should contain a sub-clause that allows for the adoptive parents to name the child according to what they deem fit. The clause should also state that the child will be protected under the children's rights act of any country in which the adoption process is processed. To avoid conflicting Islamic laws, the reform, especially in the part of naming, should only be granted to orphans. The rest of the children can still be governed by the Islamic laws that regard naming. The reform will ensure that the children are protected from mistreatment after they are adopted (Hallaq, Wael, 470). There have been instances of child trafficking and abuse from which the law should protect powerless children. The civil war in Syria is reason enough for the country to need to

adopt a law that will make it easier for Gulf States to adopt the orphans that result from it. The law will give the children an equal right to education, and warrant their right to claim resources that might emanate from inheritance. The controversy in such a law, as earlier on stated will emanate from Islamic laws. However, there has been a wrongful interpretation of the laws even from the mother countries. The laws have the underlying intention of protecting children from exploitation from people who are not their parents. Such a controversy can be settled from in both foreign policies because they have the same goal, but are using different approaches to achieve their goals. A case study of the conflict and misplacement of Islamic laws regarding adoption was witnessed in Harroudj vs. France. The case involved the human rights organization under the European human rights. The issue was that the Algerian laws did not recognize the right to adoption, primarily because of the hindrance from Islamic laws. The case was a classic example of the conflict in laws and the need for reforms in private international laws (Jackson, Chuck, 1). The facts of the human rights case involving the French national were that the defendant sought to adopt a child that was undergoing inhuman conditions in the capital of Algeria. The Algerian laws prohibited it even though the girl was in need of a home. The case is still being decided upon but showcases an instance where the laws regarding adoptions in Arab nations limit the rights of the children.

Once the law loses its purpose of protecting its citizens, it becomes barbaric. The case is the ultimate example of why the laws in Arabic nations need to be reformed to allow for the orphans to find homes in the Gulf States. The current state of turmoil in Syria is bound to get worse, and the reforms need

to be made to protect the children. The adoption of children from an international perspective works when both countries sign papers that authorize it. Therefore, the laws in both countries have to have the same thing, which is not the case with Arab nations. Most of them do not recognize adoption.

Works cited

Bargach, Jamul. *Orphans of Islam: Family, Abandonment, and Secret Adoption in Morocco*

Lanham, Md: Rowman & Littlefield Publishers, 2002. Print.

Hallaq, Wael. *Sharī'a: Theory, Practice, Transformations*. 2nd ed. Vol. 2. 2009. Print.

Jackson, Chuck. *Jurist Islamic Law, Adoptions and Kafalah* 6 Nov. 2012. Print.

Joseph, Suad, and Afsaneh Najmabadi. *Encyclopedia of Women & Islamic Cultures*. Leiden: Brill, 2003. Print.

O'Halloran, Kerry. *The Politics of Adoption: International Perspectives on Law, Policy & Practice*. Palo Alto, Calif: Ebrary, 2007. Internet resource.