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### Cultural Factors that Influence Domestic Adoption in South Africa

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**Cultural Factors that Influence Domestic Adoption in South Africa**

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OVC 110: Introduction to Orphans and Vulnerable Children

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### **Abstract**

South Africa has a long and rich cultural history and this history has impacted domestic adoption in a myriad of ways. These cultural factors include ancestral beliefs, infertility, family structure, and apartheid, and they all affect adoption policies and how the public perceives adoption. Unfortunately, these factors usually result in negative results for children in kinship care or children waiting to be adopted. Kinship care is the informal, non-governmentally regulated practice of relatives caring for children. South Africa's cultural factors of ancestral beliefs, infertility, family structure, apartheid, and the AIDS crisis all impact domestic adoption.

### **Ancestral Beliefs**

One of these cultural factors is the belief in the ancestors of the family and their ability to watch over and protect members of the family. Both rural and urban families possess this belief. South Africans worry that “children deprived of their roots would lose contact with their ancestors, with unpleasant, punitive consequences for the future happiness of the child” (Rochat, Mokomane, Mitchell, 2016). These beliefs that there is an ancestral family watching over the child must be taken into consideration when children are put up for foster care or adoption. Parents and community members worry about children being adopted or fostered by parents from a different tribe, as they are concerned that the ancestors “will fight over the child” (Rochat, Mokomane, Mitchell, 2016). When the child is abandoned and has no familial information attached to them it can make it difficult to appease the ancestors through certain ritualistic practices. These practices will allow non-kin (outside of the family) placement of the child and cannot be performed without family origin information (Rochat, Mokomane, Mitchell, 2016).

The ancestors also play a role in whether a mother chooses to abandon or relinquish their child. Some mothers believe that abandoning a child is better than formally giving the child up for foster care or adoption in the eyes of their ancestors (Blackie, 2014). This belief stems from the idea that, if a mother formally relinquishes her right to the child, it is seen as rejecting a gift the ancestors have given her. This rejection could then result in the mother being struck infertile by the ancestors. When abandoning the child, however, the mother can claim she is not herself, either because she is “suffering from high levels of stress” or because she has been abandoned herself. This allows the mother to sacrifice something to her ancestors and apologize, at which point she could be forgiven (Blackie, 2014).

## **Infertility**

The stigma surrounding infertility continues to impact adoption, even in this modern age. Many South African communities still hold to the belief that womanhood is based on a woman's ability to conceive and birth children. This can result in difficulties in couple relationships and can cause couples to shroud their adoption in secrecy.

Infertility in South African communities results in psychological and emotional stress, particularly for women, as they bear the brunt of the guilt for couple infertility (Dyer, Abrahams, Mokoena, Lombard, & van der Spuy, 2005). Women continue to experience this guilt despite the fact that, in 20-40% of couples experiencing infertility, one of the causes of infertility is from the male partner (Agarwal, Mulgund, Hamada, & Chyatte, 2015). Sometimes, infertility leads to abuse from the male partner, which only exacerbates the emotional and psychological stress the woman experiences (Dyer, Abrahams, Mokoena, Lombard, & van der Spuy, 2005). In addition to emotional stress in women, infertility has been linked to negative experiences within marital relationships, including a decrease in quality of communication, sexual satisfaction, marital intimacy, and marital adjustment (van der Merwe & Greeff, 2015).

Many adoptive couples prefer secrecy surrounding their adoption rather than telling the community they have adopted. The primary reason for this is that couples do not want to admit to infertility struggles, as infertility is a negatively stigmatized topic. Instead, the most common cover story is to say that the child is from the husband's affair, as men having extramarital affairs is less stigmatized in the culture than infertility (Harber, 1999). Some women even try to adopt a child without their partner's knowledge so that they can tell their partner they were pregnant and birthed the child. These applicants are rejected unless they notify their partner of what they are trying to do (Harber, 1999).

While most social workers encourage the couple to tell the child and close family members about the adoption, this is not a required stipulation. The social workers realize that there was a real possibility of the child being rejected by the family or wider community due to the cultural stigma surrounding the admission of infertility. Because of this, adoption and social work agencies have started to adjust their view of what a qualified adoptive family looks like. These agencies realize that rejecting applicants who preferred to keep the adoption secret would result in many black applicants being rejected, as the cultural stigma primarily affects black families (Harber, 1999).

### **Family Structure**

South African family structure significantly impacts adoption and the issue of perceived abandonment. In trying to place Western practices and perceptions of family structure on African culture, children and mothers have been hurt in the process. The Global North views family structure as a nuclear institution with two parents raising the children continuously. However, the Global South views family structure as being more fluid and uses kinship care in many instances to directly provide for children when the mothers and fathers cannot. This can take many forms, including the mother leaving her children with relatives in the country so she can go into the city to find work to send money back to her family. Leaving children with a relative, whether voluntarily or through the child becoming an orphan, is known as kinship care. Because kinship care is not formal foster care, and thus is not regulated by the government, it can appear that the children are not being cared for properly. These different views on what constitutes a family leads to the Global North viewing the Global South as not properly caring for their children, which results in the children being removed from their families and placed for adoption (Högbacka, 2019).

In many instances, the mother would prefer temporary foster care for her children or have support in finding a job or housing. Some mothers place their children in an orphanage or children's home with the intent of coming back in one to two years when they have the money to support them. Unfortunately, this act is often misinterpreted, and the children are placed with an adoptive family by the time the mother returns. Högbäcka says that this produces an abandonment of the birth mothers, who have their children taken from them due to misunderstandings and cultural differences (Högbäcka, 2019).

### **Apartheid**

The white colonization of Africa has historically led to a multitude of issues, especially between races. Apartheid, Afrikaans for "apartness," is another cultural difference that resulted, and still results in, issues with adoption in South Africa (The Editors of Encyclopaedia Britannica, 2019). This was a period of legal "policy that governed relations between South Africa's white minority and nonwhite majority and sanctioned racial segregation and political and economic discrimination against nonwhites" (Britannica). It lasted from 1948 to 1994, when new laws and a new constitution were enacted (Britannica). Apartheid even divided non-white South Africans along tribal lines in order to reduce their political power. It prohibited interracial marriage, told non-white South Africans where they could live and work, established separate public facilities, and gave white South Africans almost 80% of the land (Editors, 2019). In some instances, the legislation separated families as parents were classified as "black" and their children were classified as "white" (Editors, 2019).

Until 1991, transracial adoptions were forbidden, mostly due to apartheid legislation (Breshears, 2018). While transracial adoptions are now permitted, transracial families still receive some criticism, despite families reporting overall positive experiences when interacting

with outsiders. Outsiders mostly make comments or have questions about their transracial family. The majority of transracially adoptive (TRA) families are composed of white parents who have adopted or are fostering black children. Of course, TRA families are clearly visible as adoptive families and cannot pass for biological families, which can intensify an already precarious position depending on the community's view on adoption as a whole. Positive comments families received included "God bless you" and comments expressing gratitude towards the parents for giving the kids the gift of having a family (Breshears, 2018).

However, most families in the study conducted by Breshears also reported having overtly negative interactions with others. They reported receiving more stares and strange looks than same-race families (Breshears, 2018). Negative interactions also included personal questions such as "Where's the mother," "Did his/her parents die of AIDS," "Why didn't you have your own children," and "When are you (the white parents) taking him to the bush?" (Breshears, 2018). "Taking him to the bush" refers to the ritual circumcision practices that occur in some parts of South Africa marking the transition from boy to man. In certain tribes, this follows a specific series of steps. When a boy reaches a mature age, he is separated from his tribe, circumcised and left alone to heal and learn about how to be a man according to his tribe's traditions, and then reintroduced to his tribe (Mavundla, Netswera, Bottoman, & Toth, 2009).

Transracial families admit that they may be hypersensitive to some of these negative interactions, especially the ones involving looks and staring. They realize they could have interpreted those as negative when that is not what was meant by the onlooker. There could also be regional differences in how TRA families are treated. Most of the families from the Breshears study were from the larger cities that tended to be more racially integrated, but they speculated that "TRA families in smaller, rural villages might have more negative experiences when



interacting with outsiders” (Breshears, 2018). When traveling through more rural or conservative areas, parents “reported receiving more negative attention or experiencing dis-ease” than they did when they were in the city (Breshears, 2018).

### **Public Perceptions**

Public perceptions of adoption in South Africa are as varied as the people who live in the country. One study found that there are “three important contextual thematic categories [that] framed perceptions and decisions about adoption and fostering” (Rochat, Mokomane, Mitchell, 2016). These three categories are the social context, the service context, and the knowledge context. The social context included two subcategories of socioeconomic and socio-cultural influences. The service context included access to and quality of adoptive services. The knowledge context included public awareness and access to information. All three of these categories shaped how people viewed fostering and adoption in South Africa (Rochat, Mokomane, Mitchell, 2016).

The social context deals with socioeconomic factors which severely contribute to whether a couple chooses to foster versus adopt. The government provides subsidies for families who foster but does not provide those subsidies for adopting families. This subsidy prompts many families to choose to foster rather than adopt. There are three socio-cultural factors that impact public perception of adoption and fostering. The first is that, culturally, extended kin are “considered the most appropriate source of care, support, and security in the absence of parental care” (Rochat, Mokomane, Mitchell. 2016). One kin female foster parent who was interviewed as part of the study said this: “Adoption, hmmm, I don’t know, I don’t really see the point – in our culture these children are our responsibility and we know that – a piece of paper would not change that so what is the point?” (Rochat, Mokomane, Mitchell. 2016). The second socio-

cultural factor is that, because non-kin placements sever family ties, this is believed to be to be damaging socially to the child. The third factor pertains to the ancestors and the severing of ancestral ties, which was discussed in the first section.

The service context includes access to adoptive services and the quality of the services offered. Two common areas of concern appeared among the adoptive families who participated in the study. The first was the length of waiting periods and the performance of the assigned social worker. The performance of the social worker was often less than desirable, as inconsistencies abounded among social workers in different settings and general incompetency seemed to be the norm. The waiting periods seemed especially unfair to families who had already committed to adopt a child. These issues, of course, can turn prospective adoptive families away from the process if they do not have the patience to struggle through the waiting periods or the money to hire a private social worker in order to keep the process moving (Rochat, Mokomane, Mitchell. 2016).

The third context was the knowledge context, including public awareness and access to information. Misconceptions about eligibility, such as required marital or financial status caused potential parents to self-select themselves out of the process. A few of the misconceptions were that the person seeking to adopt had to be infertile, be legally married, or own property in order to apply for adoption. There are also misconceptions about the process of adoption were also prevalent, as access to credible information was limited (Rochat, Mokomane, Mitchell. 2016).

### **HIV/AIDS Crisis**

Human Immunodeficiency Virus, or HIV, which eventually develops into AIDS (Acquired Immunodeficiency Syndrome) first appeared in South Africa in 1982 (“HIV/Aids in South Africa Timeline 1940s-2009 | South African History Online,” n.d.). However, the first

deaths from AIDS-related causes in South Africa occurred in 1985 (“HIV/Aids in South Africa Timeline 1940s-2009 | South African History Online,” n.d.). Parental AIDS-related deaths resulted in 2.01 million orphans in 2011 (Breckenridge, Black-Hughes, Rautenbach, & McKinley, 2019). Many of these orphans are raised by grandparents or other kin using a kinship care model. This puts stress on the older grandparents as they must now provide for an average of 4.58 dependents (Boon et al., 2009). Despite this stress, grandparents often take on this role willingly, and say their main motives are love and responsibility (Boon et al., 2009). The majority of these caregivers are women, with most of them being single grandmothers (Hearle & Ruwanpura, 2009).

South Africa implemented a grant system to help those who care for AIDS orphans, also known as carers. The Foster Care Grant (FCG) is only available to orphans who are in non-kinship care and whose parents died of AIDS-related illnesses. “Ubuntu” is “the notion that one’s humanity depends on the humanity of others,” and has long existed in South African culture (Hearle & Ruwanpura, 2009). However, this idea directly contrasts the idea of taking public money without reciprocal obligations. This sets up society to define itself in terms of communities instead of individuals (Hearle & Ruwanpura, 2009).

### **Looking Forward**

As South Africa looks to the future regarding foster care and adoption, there are a few things they need to consider. More well-trained magistrates who completely understand adoption law are needed. Currently, many social workers feel that there is a lack of consistency in the interpretation of adoption legislation. An increase in the number of social workers in the country is also needed. This chronic understaffing results in the perception that the adoption process in South Africa is “‘long,’ ‘painful,’ and ‘complicated’” (Mokomane & Rochat, 2011).

In conclusion, South Africa's rich cultural history can be both a hinderance and a blessing to adoption and foster care. Their strong belief in kinship care means that orphaned children are often taken into a relative's home rather than placed with a complete stranger. The public perceptions regarding adoption and foster care are usually favorable, as are transracial families' interactions with outsiders. Despite these, South Africa does have a few areas where the culture hinders adoption and fostering, including their beliefs in the ancestors and the stigma surrounding infertility. Recently, however, South Africa has taken steps to improve their foster care and adoption system. They are Hague Convention members, which means they adhere to international laws concerning children and adoption, and in 2005, they instated The Children's Act which contains laws and regulations pertaining to children in all stages of life (Hague Conference on Private International Law, 1994; Children's Act, 2005). These, coupled with the realization that some long-adhered-to cultural beliefs are actually harmful to some groups of children, have caused foster care and adoption agencies to reevaluate how identify abandoned children and how they recruit and screen prospective adoptive parents.

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