

# Statement on Religion and Child Welfare Including Adoption

Adopted by the Second Biennial Convention of the Lutheran Church in America—Canada Section

Port Arthur, Ontario, June 23-24, 1965

## Resolutions:

**Resolved, Recognizing the needs of the child where a natural home group has never been established, where it is intact but disfunctioning, or where it is broken up, that Lutheran Church in America--Canada Section approve the following general principles relating to religion and child welfare;**

1. The needs of children are best met through maintaining and strengthening the natural home group. The first objective in any child welfare program is to improve home conditions in order to keep families together instead of removing children from unsatisfactory homes. For this reason the resources of government, community and church must be available to assist families to withstand stress and maintain family unity. Such resources should include programs of adequate Public Assistance, mental health, education, recreation, and better housing. In addition, there must be social agencies with staff adequate in size and training and devoted to prevention of family breakdown as well as early intervention at the time of family crisis.
2. To exercise a preventive role any child welfare program must be accompanied by greatly improved research programmes to identify contributing factors in the behaviour of unmarried mothers and putative fathers and in family breakdown, thereby enabling community and church to exercise their responsibilities more effectively.
3. In any consideration of foster or adoption placement the needs of the child are paramount. The right of the child is to have, first of all, a home group where there is affection and security.
4. The mother, when her child is born out of wedlock, must have the right to state a religious preference for her child. The preference must be respected. A mother may have strong feelings about her religious faith. If she feels her request will not be upheld and that a home of her religious persuasion will not be found, she may be ambivalent about giving up her child for adoption. In other words, she may be hindered in making the right decision for her child. Similarly, where children come from broken homes, the right of the parents with regard to religious persuasion must be respected.
5. The mother, or parents, must also have the right to indicate that they have no preference as to the religion in which the child is to be raised and that the child is to be adopted by persons who in the opinion of the child placement authorities, are the most suitable of those desiring to adopt a child, regardless of their religious persuasion.
6. Although the right of the mother or parents to state a religious preference for the child is recognized, it must not become the overriding factor. Where the care and custody of a child has been committed to child placement authorities and where they have found that no suitable home having the religious persuasion of the child is available, or is likely to be available within a

reasonable time, these authorities should be permitted to apply *ex parte* for a judicial order to have the religious preference of the parent waived.

7. The right of the unmarried mother to keep her child is recognized. This right must be respected in practice as well as in theory. The mother must have a choice. But choice is feasible only when there are supportive social services in the community. At present there are inadequate day care facilities. In some instances, social assistance is available for an unmarried mother with two children but not for a mother with one child. In our communities there are insufficient social services for the one-parent family, in spite of the fact that about one-half of the unmarried mothers choose to keep their children. In no instance should marriage to the putative father be considered a solution to the problem without the benefit of competent professional counselling.

8. Recognizing the welfare of the infant child is paramount, unmarried mothers should be discouraged from leaving their province of residence. In her province of residence the health and social services needed by the mother can be readily given and the welfare of the child will be enhanced. Church and community-at-large have a responsibility to be accepting communities for the sake of the child and the mother.

9. Christian families, concerned about the physical, emotional, social and spiritual needs of children available for foster placement or adoption, must weigh their responsibility in meeting the total needs of such children by efforts to strengthen family life, by support of adequate child welfare legislation and services, and by offers to receive children for foster care or adoption.

## **Background Information**

Child welfare agencies are experiencing difficulty today in finding foster homes and adoptive parents. This applies to both the placement of Protestant children and Roman Catholic children. One of the factors, especially with regard to adoption, is that the children available for adoption are borne by mothers from the post-war generation when there was a high birthrate, while prospective adoptive parents were born during the time when there was a low birthrate. A second factor, reported to be a major obstacle, is prejudice or reluctance to adopt a child of another racial or ethnic origin. Other factors enter into the picture. Because of advances in medical science, previously childless couples now hope to have their own children. The cost and type of modern housing may limit those parents who otherwise might offer to receive a child for foster placement or adoption.

An additional factor in foster and adoptive placements is the religious question. At the present time Child Welfare legislation in several provinces is under review. In general, the provisions relating to religion in foster placements of children under protection legislation are in all provinces specific about no Protestant child being committed to the care of a Roman Catholic institution or agency or being placed in the foster care of a Roman Catholic family; and about no Roman Catholic child being committed to the care of a Protestant institution or agency or being placed in the foster care of a Protestant family.

Two provinces add the qualifying clause, "if possible." Another makes a provision for the situation when there appears to be no suitable family, home, or institution or nursery, of the religious faith of the child, with which he may be placed.

In determining religious preference, the general definition with some exceptions, is that a child whose parents have not been married to each other shall be deemed to have the religious faith of his mother and where a child is born in wedlock he shall be deemed to have the religious faith of

his father. There is in several provinces, with regard to children born in wedlock, a provision whereby a written agreement may specify that the child shall be brought to in the religious faith of his mother.

The legislation with regard to placement for adoption is not as clear as the legislation re foster placements. Generally speaking, there seems to be an adherence to the principle that the religious persuasion of the child shall be properly safeguarded. However, adoption legislation in four provinces makes no mention of religion. Another province makes provision for the parent to give consent of no preference as to the religion in which the child is to be raised and that the most suitable home shall be the guiding factor, regardless of the religion of the adoptive parents. In this province, it is reported, most of the children are being released for adoption with the written statement of non-preference.

Every child, especially in his infancy and early childhood, needs affection and security in a family group. This is his right. He has physical, emotional, social, and spiritual needs. He is dependent on other human beings to meet these needs. The most significant other person is the natural mother or substitute mother. Maternal love and care in infancy is essential for the normal development and personality growth of the child. Mother-deprivation creates a risk to normal development and personality growth. Because of mother-deprivation, some children may be damaged for life, even to the extent of grave personality disturbances.