



#RELATIONSHIPS AND FAMILY

Thinking of adopting a child?

What prospective parents in Bangladesh must know

The journey often begins with a longing to build or expand a family, intertwined with the desire to offer a loving home to a child in need. As they navigate the emotional terrain, adoptive parents must battle with uncertainties — wondering if they will be fully accepted by their child, how they will explain adoption to their growing little one, and whether society will ever see their love as equal to that of a biological connection.

The psychology is often a complex blend of hope, vulnerability, and profound commitment. From the moment parents decide to adopt, they embark on a journey that requires them to confront deep-seated emotions, expectations, and sometimes fears about their own ability to form a bond with a child.

We spoke to Afrin Ahmed, an advocate at the Supreme Court, to understand the legal framework and social perspectives surrounding adoption in Bangladesh. Her insights, rooted in both law and lived realities, help unpack what prospective parents must truly consider — from motivation to legal guardianship and social acceptance.

What are the key factors parents should consider before adopting a baby?

First, they should reflect on their motivations for adopting, ensuring they have a genuine desire to provide a loving home rather than just seeking fulfilment of their own needs. Understanding the emotional,

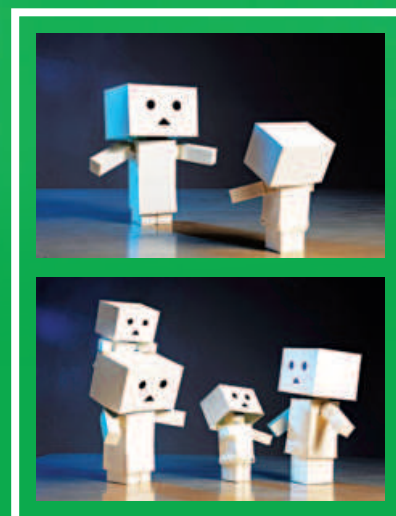
physical, and financial responsibilities of parenting is crucial, as adoption can come with its own unique challenges.

Prospective parents should also familiarise themselves with the legal requirements and processes involved in adoption. Additionally, they should assess their support system, including family and friends, to determine if they have a network that can offer encouragement throughout the process.

Another important factor is the readiness to address potential issues related to the child's background, including any trauma they may have experienced prior to adoption. This requires parents to be open to learning about attachment issues, identity development, and the importance of maintaining connections to the child's cultural or biological heritage.



Finally, parents should evaluate their ability to provide a stable and nurturing environment, considering factors such as their emotional health, financial stability, and overall readiness to welcome a new child into their lives. By thoughtfully considering these factors,



they can better prepare themselves for the profound and rewarding journey of adoption.

How is guardianship different from adoption under Bangladeshi law?

The legal framework in Bangladesh varies for each religious community, and a common cultural bias often favours adopting boys over girls, rooted in societal norms that prioritise sons for their perceived roles in continuing the family line and providing economic support.

For Muslims in Bangladesh, formal adoption is not recognised under Islamic law, and instead, the Guardians and Wards Act of 1890 is followed, where a person can be appointed as a legal guardian of the child.

In the Hindu community, adoption is regulated under the Hindu Adoptions and Maintenance Act (HAMA). Here, there are specific gender-based rules — families can adopt a boy if they do not already have a son. Similarly, they can adopt a girl only if they do not already have a daughter.

For Buddhists and Christians in Bangladesh, like Muslims, the adoption process also generally follows the Guardians and Wards Act of 1890, as there is no separate legal framework specifically addressing adoption.

Other stipulations include — the child must be a minor, defined as someone under the age of 18, to be eligible for guardianship. The focus is on placing children in need of care, such as orphans or those without proper parental support,

under the guardianship of individuals who can provide a stable, nurturing environment.

The process requires court approval, where the judge evaluates the suitability of the prospective guardian based on factors like their financial stability, moral character, and ability to meet the child's needs.

The child's background may also be taken into account to ensure compatibility with the guardian's faith. Guardianship does not automatically grant the child inheritance rights or a change in surname, so guardians often need to make additional legal arrangements to secure the child's future rights. These requirements aim to prioritise the welfare of the child while adhering to the cultural and religious norms of Bangladesh.

What adjustments should parents be ready for when bringing an adopted baby into the family?

Parents who bring an adopted baby into their family should be prepared for significant emotional and lifestyle adjustments. Initially, the child might experience stress or discomfort while adapting to a new environment, especially if coming from an institutional setting. It's important for parents to be patient and provide a stable and nurturing environment to help the child bond with the family.

They should also be ready to address any questions or concerns from friends and relatives and to approach these conversations with sensitivity and openness. As the child grows, parents should be prepared to explain the concept of adoption in a way that is age-appropriate and positive, fostering a sense of belonging and self-worth in the child.

Adoptive parents often face societal stigma, as the culture highly values biological lineage, leading to judgment and intrusive questions from their community. This can be emotionally taxing, alongside challenges in bonding with their adopted child, especially if the child has experienced trauma.