


Haiti adoptions and children's right to name, nation and lineage



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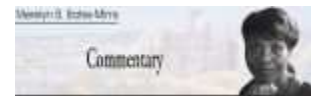
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Do children have human rights?

“Of course!” one might hastily reply. Since 1948, in the wake of the Holocaust, nations across the world spoke in one voice to create international instruments for the protection of citizens and individuals and minorities against capricious behaviors by national governments and strong-willed leaders.



Yet the question remains—this time applied to the Haitian natural disaster where scores of children are being swept up in quick adoption by “loving families.” The route, however, is through altered Homeland Security procedures and harried “emergency humanitarian program” rulings.

By military transport this past week, 53 Haitian toddlers up for American adoption were airlifted to Pittsburgh hospital beds, “each with a teddy bear on it.” The Miami Catholic Archdiocese’s plan is to bring thousands of children to the U.S. and according to written sources, the Pierre Pan quick-adoption mandate only applies to cases where children have been “legally confirmed as orphans.”

The Haitian government, however, is the source of such legal confirmations—the same government that during normal course of life before the devastating quake, was the subject of ABC’s expose on the selling of Haitian children into slavery. ABC’s 2008 story, “How to buy a child in 10 hours,” points out that the trafficker, a dealer in the sale of Haitian children, introduced himself as a former member of the Haitian parliament.

Do foreign-adopted children, Haiti citizens under age 18, have a legal right to forbearer knowledge and kinship memory—genealogy knowledge already stymied for U.S. African-Americans by Atlantic Trade chattel history?

Do Creole-Haitian children, like Creole U.S. Orleans children, possess and retain inalienable rights to their own language and culture; their own geography and personality, and foremost—**their own name and lineage**? Yes is the answer, even in the midst of natural disaster horror and chaos.

Who can forget the television images of the two little girls, one left behind while the other is gathered up into foreign adult arms and whisked away by flight to places and posterity unknown, the children’s wailing protests unheeded in the midst of glim-glam charity and the camera.

Moral voice documents forewarn that charity without justice degenerates into sentiment and emotionalism. Aid-givers, often ignoring the relational social context and content of aid-receivers, dispense their aid blind to the value of receivers' wisdom, and without restorative intent. The injustice of such benevolence outweighs any initial positive effect, as shown in the recent history of the lost boys of Sudan.

In a comparative Katrina contrast, New Orleans people, too, were provided free air transport to non-Creole destinations—without their knowledge or consent. And the excuses for slow delivery of services to the Haitian people, said New Orleans Mayor Nagin at the recent national mayor's conference, are “eerily similar” to his experience during Katrina.

Finally, the Joint Council on International Children's Services has announced that Haiti is closed to new adoptions by U.S. citizens. The JCICS cautions that “bringing children into the U.S., either by airlift or new adoption during a time of national emergency, can open the door for fraud, abuse and trafficking.”

So are there currently good working models for locally meeting orphans' needs?

One example is South Africa, where Oprah Winfrey's model provides humanitarianism to orphaned children in their own place, thus avoiding abrupt severance from nation and language that out-of-country adoptions bring. UNICEF, Save the World, World Vision and the British Red Cross recognize the threats to civil and human rights inherent in hasty international adoptions, and are advocating for the establishment of safe zones and registrations for unaccompanied children.

Though the U.S. signed the 1990 Convention on the Rights of the Child, the treaty has never been ratified by the Senate. The U.S. joined Somalia as the only two countries not ratifying.

The U.N. Convention on the Rights of a Child defines a child as “any human being under the age of 18”—“human” being the operative word.

(Dr. Bates-Mims is an advocate for children and serves as founding chair of Christ Church Cathedral, Cincinnati's Darfur project and the cathedral's ecumenical coalition on human rights).

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