

FOREWORD

MARIA DONATA PANFORTI

This volume collects several papers dealing with issues related to the national and intercountry adoption of minors.

Over the last century, adoption has undergone a great process of change in most of the legal systems of the world. Not only its implications appear more and more complex and connected with ethical and cultural matters, but the differences between national and international adoption have widened to such an extent that it is doubtful whether we are still dealing with only one institution.

Furthermore, it is beyond question that some of the Western countries are experiencing a much more frequent recourse to international adoption than in the past. In some of these countries including Italy, from a social, political, and legal point of view, international adoption is nowadays a much more questionable institution than the national one.

The aim of this book is to help clarifying some trends and perspectives using a comparative approach.

Paul Vlaardingerbroek discusses intercountry adoption in a critical viewpoint, envisaging a more careful approach in the child's interest. Lynn Wardle concentrates on the Hague Convention and its discouraging effects. Margaret Brinig deals with the relation between adoption and abuse of disabled children, particularly those who suffer from Attention Deficit/Hyperactivity Disorder (ADHD). Barbara Bennet Woodhouse debates about the different attitudes and values of the U.S. and Italian legal systems, with special reference to the role of the state, the approach to racial discrimination, and the means to ensure the well-being of the adopted child.

Isabella Ferrari then draws attention to the consequences of closing orphanages in Italy. Piotr Fiedorczyk illustrates the Polish discipline, while Zdeňka Králíčková portrays adoption rules in the Czech Republic. Chen Wei and Shi Lei give a full account of the actual international

adoption in a country of special interest in this topic, China. Ayako Harada highlights the policies, the history and the actual developments of national and intercountry adoption in Japan.

Nowadays all the countries of the world may be listed as either sending or receiving countries. Given the supranational character of adoption, then, it would be probably wiser if the legal approaches were similar. On the contrary, it appears that every jurisdiction has its own strategy and legal rules often differ greatly, as it is demonstrated by the essays published here.

Thus, this volume aspires to be a step in promoting a deeper awareness of the divide in the domestic disciplines with a view to fostering a more consistent dealing with the intercountry adoption of minors.