

In the Best Interests of the Group: The Religious Matching Requirement under Israeli Adoption Law

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Much of the discussion that took place in respect of racial and religious matching requirements in adoption placements has centered on the significance of such requirements in terms of the best interests of the child. Over the years, a number of studies have provided that matching requirements, even when taken the shape of an advisable policy on part of agencies can seriously undermine the child's best interests, since they run the risk of deferring the placement of children (especially those from among underprivileged minorities) with well to do potential adopters, keeping such children in foster or institutional care instead. This study centers on the strict religious matching requirement as it exists under Israeli adoption law. In spite of the long held view that Israeli adoption law seeks to serve the best interests of the child, it turns out that when it came to religious matching, the best interests of religious groups, more precisely those of Jewish majority proved to be supreme. The paper seeks to highlight the legislative history as well as the evolution of the religious matching requirement under Israeli adoption law in the context of group interests.