

## Research Article

# Child adoption among Yoruba people: legal and traditional procedures

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### Abstract

Adoption is the process by which children from unrelated families become full and permanent legal members of another family while remaining genetically and psychologically connected to their birth parents. The goal of this study was to evaluate child adoption among Yoruba people, as well as legal and traditional procedures. The descriptive survey design was used in this study. Residents of Ife Central Local Government and Ministry of Women, Children, and Social Affairs staff were included in the study population. A questionnaire was used to collect data, which was then analyzed using frequency counts, percentages, and mean scores. The findings revealed that respondents have a high perception toward child adoption, viewing it as a way of providing a good home for a motherless child, bringing a new member into the family without a blood relationship, accepting another man's/woman's child without giving birth to the child, child adoption is an acceptable and government approved practice, and child adoption is a way of assisting a woman without a child. The findings revealed the respondent's perspective on child adoption practiced among Yoruba people, as child adoption is practiced without knowing the parents under statutory law, Islamic law, customary law, traditional method, and Christian faith. It also revealed that Yoruba people do not want to adopt children for the following reasons: they may become wayward due to fear of the unknown, the child may later in the future leave or go in search of his/her biological family, lack of knowledge of the child's background, fear of any medical condition that the child may later have, social stigmatization, high premiums and the hijacking of the adoption process by middlemen, and a lack of biological/genetic family. Findings revealed that traditional methods of adopting children of deceased siblings through foster care, customary law, and Islamic law were the most commonly used and accepted by the Yoruba. Conclusion It was suggested that lawmakers, government agencies involved in child adoption and child care, and non-governmental organizations (NGOs) collaborate to revise Nigeria's adoption law in order to benefit everyone looking to adopt a child, and that effective and efficient public awareness of adoption methods be provided.

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### Introduction

Marriage and having children are the most common ways for Africans to start a family. Because the expectation of motherhood is an important part of marriage, couples who are unable to conceive face intense pressure, which increases their anxiety significantly (Nachinab, Donkor, & Naab, 2016). Many infertile women in rural and low-income areas have difficulty finding medical care. Those who are infertile but want children should consider adoption. (Jajoo & Chandak, 2013 in Ti-enkawol Nachinab, Donkor, & Naab, 2019).

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The family is a vital component of any society; without it, the other components would not exist. The Yoruba consider having one's own family to be the pinnacle of human existence. Yorubas believe that before starting a family, one must first marry or have a spouse. Having children after marriage is the most important aspect of a family; the culture emphasizes having at least three children to be considered a family man. They also believe that one's social success is determined by the number of children one has. Yoruba people believe that having children is spiritual because they say and believe that children are the joy of the world, that they bring everlasting love and peace to people and the world in general, and that they are an amplifier of good health and wealth.

Adoption is the process of assuming parental responsibility for another person, usually a child, who has been abandoned by his or her biological or legal parents. Child adoption began as a means of preserving family lineage, securing inheritance, and forging alliances, but it has since evolved into a method of meeting the needs of adults who want to have their own children (Effiom, Ekwok, & Akpama, 2021). The two types of child adoption are customary adoption and formal adoption. The informal transfer of a child's care to another relative is known as customary adoption. During the formal adoption process, legal requirements must be met, and a formal procedure must be followed. The Children's Act of 1998 outlines the requirements and process for formal adoption (Eke, Obu, Chinawa, Adimora, & Obi, 2014). Adoption of children occurs in Nigeria under either statutory or customary law. The type supported by adoption laws is statutory adoption, which permanently terminates the child's rights and legal relationship with his natural parents (Ogwezzy, 2018). Traditional adoption is less formal and usually occurs between blood relatives (Umoh, 2021). Adoption can take place under customary law and can be formal or informal. Informal adoption involves the adopter adopting a relative's or orphan's child into his family. The child is raised and treated in the same manner as the adopter's other children (Obi, & Aduma, 2022). Customary adoption, unlike statutory adoption, has not developed sufficient criteria to differentiate the institution, which is why adoption is sometimes confused with guardianship or fostering (Nwogugu, 2014).

Adoption is a legal process under state statute that terminates a child's legal rights and duties to his natural parents and replaces them with similar rights and duties to his adoptive parents. It provides relief to parents who are unable to care for their children. Adoption is wonderful because it brings a child into this world rather than having them aborted. However, there are various cases where children are abandoned, such as babies abandoned in the trash, or a case where a teenage mother abandoned her new born babies in pit toilets, but because the baby is destined to live, the baby was rescued by women from the surrounding community, as a result, the researchers were required to investigate the perception and acceptability of child adoption in Osun State based on legal and traditional procedures. The study's specific objectives are to: determine the general perception of adoption among Yoruba people; examine child adoption practices among the Yoruba people; discover why Yoruba people do not want to adopt children and investigate the best and most effective methods/ways to adoption accepted by the Yoruba people

## **Method**

### **Research Model**

This study adopted the descriptive survey design. This research design is relevant to the study because the researcher has no intention of manipulating any information collected and data collected, as they are reported factually as collected from the field. Osun state was chosen because the Yoruba people, primarily of the Ibolo, Ife, Igbomina, Ijesha, and Oyo subgroups, inhabit in the State. Various spheres of life, including arts, literature, music, and other social activities, are culturally rich in Osun. This state also benefits from a highly educated and articulate populace that makes up a productive and strong workforce coupled with the fact that the state has a Ministry of Women Affairs where the social welfare department charged with the responsibility of child adoption in the state usually assess the capability of prospective adopters.

## Sample

The study population comprised the residents of Ife Central Local Government and staff of Ministry of Women, Children and Social Affairs. The sample size for this study was 220. Simple random sampling was adopted to select twenty respondents in the eleven wards in Ife central local government namely: Ilare I, Ilare II, Ilare III, Ilare IV, Ireto I (Ajebandele), Ireto II, Ireto III, Ireto IV, Ireto V, Akarabata and Moore Ojaja.

**Table 1.** Respondents' demographic data

Sex	Frequency	Percentage
Male	72	48.3
Female	77	51.7
<b>Age Group</b>		
20-30years	57	38.3
31-40years	37	24.8
41-50 years	21	14.1
51-60 years	14	9.4
61 years and above	20	13.4
<b>Educational Qualification</b>		
Senior secondary school leaving certificate	27	18.1
Diploma	11	7.4
OND/HND/First Degree	80	53.7
Master's Degree	31	20.8
<b>Religion</b>		
Islam	68	54.4
Christianity	81	45.6
<b>Marital Status</b>		
Single	55	36.9
Married	86	57.7
Separated	3	2.0
Divorce	5	3.4%
<b>Total</b>	149	100

According to Table 1, 72 (48.3%) of respondents were male, while the remaining 77 (51.7%) were female. 57 (38.3%) of respondents are between the ages of 20 and 30, 37 (24.8%) are between the ages of 31 and 40, 21 (14.1%) are between the ages of 41 and 50, 14 (9.4%) are between the ages of 51 and 60, and 20 (13.4%) are between the ages of 61 and above. 27 (18.1%) had a Senior Secondary School leaving certificate, 11 (7.4%) had a diploma certificate, 80 (53.7%) had an OND/HND/First degree certificate, and 31 (20.8%) had a Master's Degree or higher. 68.6% of respondents are Muslim, while 81.4% are Christian. Respondents are 55 (36.9%) single, 86 (57.7%) married, 3 (2.0%) separated, and 5 (3.4%) divorced.

## Data Collection Tool

The researchers created the study's instrument from scratch. The instrument consisted of a single questionnaire divided into five sections. Section A collected demographic data from respondents. Section B: Perception on Adoption Scale: The researchers created this scale to assess Perception on Adoption. This section has eight questions. Section C: Child Adoption Practice Scale: This scale was developed by the researchers to measure child adoption practice among Yorubas. It is a 4-point rating scale ranging from Strongly Agree (SA), Agree (A), Strongly Disagree (SD), and Disagree (D). This section includes five questions. The scale has four points: strongly agree (SA), agree (A), strongly disagree (SD), and disagree (D). Section D: Difficulty in Child Adoption Scale: The researcher created this scale to assess the reasons why people do not adopt. This section includes seven questions. The scale has four ratings: Strongly Agree (SA), Agree (A), Strongly Disagree (SD), Disagree (D), and Section E: Adoption Methods Scale: The researcher created this scale to assess

the methods of adoption. There are nine questions in this section. The scale has four ratings: strongly agree (SA), agree (A), strongly disagree (SD), and disagree (D).

The scale's face and content validity were determined by experts in the social welfare unit of the Department of Adult Education at the University of Ibadan. Corrections, criticisms, and suggestions were thoroughly reviewed and incorporated into the final draft copy. The split-half method was used to assess reliability among 10 respondents in Ibadan North Local Government Area over a two-week period. The Perception on Adoption Scale had a coefficient reliability of 0.81, and the Child Adoption Practice Scale had a coefficient reliability of 0.80. The Difficulty in Child Adoption Scale was 0.79 and the Methods of Adoption Scale was 0.83, indicating that the instruments were reliable and could be used for data collection.

Before beginning the fieldwork, a letter of introduction was obtained from the University of Ibadan's Department of Adult Education. The research was approved by the Coordinating Director, Ministry of Women, Children, and Social Affairs, Osun State Secretariat. The researchers were guided by humanities ethical principles by carefully following these steps: confidentiality and ensuring no harm comes to the participants. The respondents' anonymity and privacy were protected throughout the study.

Before administering the questionnaire, respondents were asked for their permission to collect information for the study. The respondents were guaranteed confidentiality, voluntary participation, and the right to withdraw at any time during the study. For respondents who do not understand English, the questionnaire was translated into Yoruba, and non-literate respondents were assisted in filling out the form. A total of 149 questionnaires were retrieved as valid and used for data analysis out of the 200 administered.

Data for the demographic characteristics of the respondents were collected, coded, and analyzed using descriptive statistics of frequency counts and simple percentage, pie charts, and bar charts, while frequency counts and mean score were used for the research questions raised for the study. For perception of child adoption, the scores between 50-100% as high and below 50%-as poor. A score of less than 50% was considered negative for practices,

## Results and Discussion

### Analysis of Research Questions

#### Research Question One:

What is the perception of the Yoruba people on child adoption?

**Table 2.** Perception of the Yoruba people on child adoption

S/N	Statements : Yoruba People See:	A	SA	SD	D	$\bar{x}$	S.D
1	child adoption as a means of providing a good home for motherless child	42 28.2%	27 18.1%	44 29.5%	36 24.2%	2.54	1.090
2	child adoption is a way of bringing new member into the family without a blood relationship	40 26.8%	30 20.1%	45 30.2%	34 22.8%	2.37	1.117
3	child adoption is a process or way of completing one's family if one does not have a particular sex	39 26.2%	21 14.1%	47 31.5%	42 28.2%	2.23	1.047
4	child adoption is a way of accepting another man's/woman's child without you giving birth to the child	27 18.1%	31 20.8%	58 38.9%	33 22.1%	2.21	1.170
5	child adoption is the social, emotional, and legal process by which children who will not be raised by their biological parents become full and permanent legal members of another family while retaining genetic and psychological ties to their birth family.	55 36.9%	23 15.4%	21 14.1%	50 33.6%	2.54	0.919
6	child adoption is the process of adopting another parent's child by taking them into one's custody and raising them as one own child	54 36.2%	55 36.9%	12 8.1%	28 18.8%	3.02	0.941
7	child adoption is a way of assisting a woman without a child to have her own child/children, that is an alternative to infertility	44 29.5%	47 31.5%	12 8.1%	46 30.9%	2.85	0.964
8	child adoption is the process by which one person assumes parental responsibility for another, usually a child, from that	67 45.0%	30 20.1%	15 10.1%	37 24.8%	2.75	0.892

person's biological or legal parent or parents. which is acceptable and government approved.

Weighted Mean = 2.54

Table 2 depicted Yoruba people's attitudes toward child adoption. Child adoption was agreed upon by 46.3% of respondents as a means of providing a good home for a motherless child, while 53.7% disagreed. Child adoption is a method of bringing a new member into the family without a blood relationship, according to 47% of respondents, while the remaining 53% disagree. 40.3% agreed that child adoption is a process or way of completing one's family if one does not have a specific sex, while 59.7% disagreed. Child adoption, according to 38.9% of respondents, is a method of accepting another man's/woman's child without one giving birth to the child, while 61.1% disagreed. Child adoption is the social, emotional, and legal process by which children who will not be raised by their biological parents become full and permanent legal members of another family while retaining genetic and psychological ties to their birth family, according to 52.3% of respondents, while the remaining 47.7% disagreed. Child adoption, according to 73.1% of respondents, is the process of adopting another parent's child by taking them into one's custody and raising them as one's own child, while the remaining 26.9% disagreed. 61% agreed with the statement that child adoption is a way of assisting a woman without a child to have her own child/children as an alternative to infertility, while 39% disagreed. Child adoption, according to 65.1% of respondents, is the process by which one person assumes parental responsibility for another, usually a child, from that person's biological or legal parent or parents. which is acceptable and approved by the government, while 34.9% of respondents disagreed.

The scores grade of above 50% indicate high and good for perception of child adoption. The analysis results show that Yoruba see child adoption as a way of providing a good home for a motherless child, child adoption is a way of bringing new member into the family without a blood relationship, child adoption is a way of accepting another man's/woman's child without you giving birth to the child, child adoption is an acceptable and government approved, child adoption is a method of assisting a woman who is childless to have her own child or children as an alternative to infertility. This implies that Yoruba people have a favorable attitude toward child adoption. This study backs up Kumari, Sheoran, and Kaur's (2018) finding that the vast majority of adults (92.5%) favor adoption. According to the Effiom, Ekwok, & Akpama (2021) study, knowledge of child adoption was relatively high 92.6% among participants.

### Research Question Two:

How is child adoption practiced among the Yoruba People?

**Table 3.** Respondents view on child adoption practice among the Yoruba people

S/N	Statements	SA	A	SD	D	$\bar{x}$	S.D
1	Child adoption is widely practiced in Yoruba land through statutory law.	28 18.8%	59 39.6%	14 9.4%	48 32.2%	2.68	0.887
2	Yoruba adopt children through Islamic law.	27 18.1%	51 34.2%	24 16.1%	47 31.5%	2.54	0.969
3	Yoruba practice child adoption through customary law.	31 20.8%	30 20.1%	60 40.3%	28 18.8%	2.51	1.183
4	Yoruba practice child adoption using traditional method.	25 16.8%	36 24.2%	39 26.2%	49 32.9%	2.52	1.040
5	Yoruba adopt children through Christian faith without knowing the parents.	17 11.4%	62 41.6%	19 12.8%	51 34.2%	2.52	0.859

Weighted Mean = 2.45

According to Table 3, 58.4% of respondents agreed that child adoption is widely practiced in Yorubaland under statutory law, while 41.6% disagreed. 52.3% agreed that Yoruba adopt children under Islamic law, while 47.7% disagreed. 40.9% of respondents agreed that Yoruba use customary law to adopt children, while 59.1% disagreed. 40.9% of

respondents agreed that Yorubas practice traditional child adoption, while 59.1% disagreed. 53% of those polled agreed that Yoruba adopt without knowing the parents, while the remaining 47% disagreed.

A score of less than 50% was considered negative, while a score of 50% or higher was considered positive. The findings revealed the respondents' perspectives on child adoption among Yoruba people. It was discovered that Yoruba adopted children under statutory law, Islamic law, customary law, traditional method, and Christian faith without knowing the parents. This implies that Yoruba child adoption is based on statutory law, Islamic law, customary law, traditional method, and Christian faith without knowing the parents. This finding backs up scholars' submissions about how child adoption is practiced in Nigeria, for example, child adoption occurs in Nigeria under either statutory or customary law. The type supported by adoption laws is statutory adoption, which permanently terminates the child's rights and legal relationship with his natural parents (Ogwezzy, 2018). In other words, a child's relationship with his or her birth parents may continue after adoption in customary adoption. Traditional adoption is less formal and usually occurs between blood relatives (Umoh, 2021).

### Research Question Three

Why do Yoruba people do not want to take up child(ren) for adoption?

**Table 4.** Respondents view on the reasons why Yoruba people do not take up child(ren) for adoption

S/N	STATEMENTS	SD	D	A	SA	$\bar{x}$	S.D
1	Adopted children will eventually become wayward due to fear of unknown	22 14.8%	52 34.9%	47 31.5%	28 18.8%	2.48	0.997
2	The child might later in the future leave or go to search for his/her biological family	33 22.1%	53 35.6%	45 30.2%	18 12.1%	2.32	0.953
3	lack of biological/genetic linkage	36 24.2%	57 38.3%	39 26.2%	17 11.3%	2.29	0.931
4	The fear of social or family discrimination and stigmatization	37 24.8%	61 40.9%	38 25.5%	13 8.7%	2.18	0.908
5	High premium and the hijacking of the adoption process by middlemen	29 19.5%	62 41.5%	43 28.9%	15 10.1%	2.30	0.897
6	People do not adopt because they do not have any knowledge of the child's background	33 22.1%	47 31.5%	46 30.9%	23 15.5%	2.40	0.999
7	Fear of any medical condition that the child might later have	35 23.5%	41 27.5%	50 33.6%	23 15.4%	2.41	1.014

Weighted Mean= 2.35

Table 4 explains why people refuse to adopt children. The statement that adopted children will eventually become wayward due to fear of the unknown was agreed upon by 50.3% of respondents, while 49.7% disagreed. 42.3% agreed with the statement that the child may later leave or go in search of his or her biological parents, while 57.7% disagreed. 37.5% agreed with the statement "lack of biological/genetic linkage," while 62.5% disagreed. 34.3% of respondents agreed that the child is afraid of social or family discrimination, while 65.7% disagreed. 39% of respondents agreed with the statement that high premiums and middlemen hijacking the adoption process, while 61% disagreed, people do not adopt because they do not know anything about the child's background, according to 46.4% of respondents, while 53.6% disagree. 49% of respondents agreed that the child's fear of any future medical condition was justified, while the remaining 51% disagreed.

The weighted mean of 2.30 was chosen as the reference point for Research Question Three. According to the findings, Yoruba people do not want to adopt children for the following reasons: they may become wayward due to fear of the unknown, the child may later in the future leave or go to search for his/her biological family, lack of knowledge of the child's background, fear of any medical condition that the child may later have, social stigmatization, high premium and the hijacking of the adoption process by middlemen, and lack of biological/genetical family.

According to Kumari, Sheoran, and Kaur (2018), the most common reasons for hesitation to adopt a child were culture, the child's unknown background, and the child may not be kin and thus cannot inherit genealogical rights. Other factors included the child's fear of abnormal behavior or diseases inherited from biological parents that may not be socially acceptable. There was also the fear that an adopted child would leave if he or she learned of his or her adoption status from an outsider. The findings corroborate the submission of Chikwe, Emelumandu, and Okoye, (2022) study that child adoption in Nigeria faces several challenges ranging from stigmatization, unknown parental background, possible inherited or genetic diseases, psychological and religious beliefs, poverty, establishment of illegal adoption and orphanage homes, future claim by biological parents, disloyalty or abandonment of adoptive parents the child when the child learns that he or she is adopted.

#### Research Question Four

Which of these methods is mostly used and accepted by the Yoruba people?

**Table 5.** Frequency distribution of respondents view on methods of adoption mostly used and accepted by the Yoruba people

S/N	Statement	SD	D	A	SA	$\bar{x}$	S.D
1	Most Yoruba people are not familiar with the methods of adoption	48 32.2%	43 28.9%	32 21.5%	26 17.4%	2.24	1.088
2	Legal adoption is mostly used and accepted by the Yoruba people	41 27.5%	41 27.5%	44 29.5%	23 15.5%	2.33	1.043
3	Yoruba people adopts the child(ren) of their deceased siblings through foster care	23 15.4%	48 32.2%	66 44.3%	12 8.1%	2.45	0.850
4	Traditional way of adopting a child is practiced mostly among the Yoruba non-literates	33 22.1%	51 34.2%	45 30.2%	20 13.4%	2.35	0.972
5	Yoruba people prefer to adopt through the Islamic law	40 26.8%	54 36.2%	37 24.8%	18 12.2%	2.22	0.978
6	Yoruba traditional way of adopting a child is easy and more accessible	14 9.4%	41 27.5%	64 43.0%	30 20.1%	2.74	0.888
7	Islamic law is a method accepted by Yoruba in child adoption	58 38.9%	34 22.8%	26 17.4%	31 20.8%	2.20	1.168
8	Customary law is a method accepted by Yoruba in child adoption	30 20.1%	44 29.5%	48 32.2%	27 18.2%	2.48	1.011
9	Most people adopt secretly with any legal procedure	39 26.2%	49 32.9%	41 27.5%	20 13.4%	2.28	1.001

Weighted Mean = 2.38

Table 5 depicts the most common and widely accepted method of adoption among the Yoruba. 38.9% of respondents agreed that most Yoruba people are unfamiliar with adoption methods, while 61.1% disagreed. Legal adoption is widely used and accepted by the Yoruba people, according to 45.0% of respondents, while 55.0% disagree. The remaining 47.6% of respondents disagreed, with 52.4% agreeing that Yoruba people adopt the child(ren) of their deceased siblings through foster care. 44% of respondents agreed that traditional methods of child adoption are mostly used by non-literate Yoruba, while the remaining 56.0% disagreed. 37.0% agreed with the statement that Yoruba people prefer to adopt Islamic Law, while 63.0% disagreed. Yoruba traditional child adoption is easy and more accessible, according to 63.1% of respondents, while 36.9% disagree. 38.3% of respondents agreed that Islamic law is a method of child adoption accepted by Yoruba, while 61.7% disagreed. Customary law is a method accepted by Yoruba in child adoption, according to 50.4% of respondents, while 49.6% disagreed. Most people adopt secretly with any legal procedure, according to 40.9% of respondents, while 59.1% disagree.

For the most used and accepted methods/ways to adoption, a score of less than 50% was considered negative, while a score of 50% or higher was considered positive. The findings revealed that the respondents' views on the methods of

adoption most commonly used and accepted by the Yoruba revealed that the traditional method Yoruba adopts the children of their deceased siblings through foster care is most commonly used and accepted, customary law is a method most commonly used and accepted by Yoruba for child adoption, and Yoruba people prefer to adopt through Islamic law. This implies that foster care adoption, customary law, and Islamic law are the most commonly used methods by Yoruba people. This finding backs up Ojelabi, Osamor, and Owumi's (2015) claim that kinship adoption is mostly informal but not illegal. It entails mutually agreed-upon placement of children in the homes of relatives, usually without the assistance of public agencies. In most cases, kinship adoption can be compared to fostering. According to Ogwezzy (2018), customary law of adoption is practiced in some parts of Igboland, including the Yako tribe of Plateau State, the Okrika tribe of Rivers State, the Ishan tribe of Edo State, and the Egbas tribe of Yorubaland..

### Conclusion

According to the findings, Yoruba people have a positive attitude toward child adoption and its acceptance in society. It has also been revealed that the Yoruba people's child adoption practice is based on statutory law, Islamic law, customary law, the traditional method, and Christian faith without knowing the parents.. It was concluded that Yoruba people do not want to adopt children for the following reasons: they may become wayward due to fear of the unknown, the child may later in the future leave or go to search for his/her biological family, lack of knowledge of the child's background, fear of any medical condition that the child may later have, social stigmatization, high premiums and the hijacking of the adoption process by middlemen, and a lack of biological/g biological family.

### Recommendations

The following recommendations were made based on the findings of the study:

- Lawmakers, government agencies involved in child adoption and child care, and non-governmental organizations (NGOs) should collaborate to revise Nigeria's adoption law in order to benefit everyone seeking to adopt a child.
- The public should be made aware of effective and efficient methods of adoption.
- Communities and their leaders, as well as governments and their officials, should provide means for all methods of adoption to be incorporated.
- In order to harmonize the adoption process, continued advocacy, including community mobilization and additional public education campaigns, should be strengthened.
- Social and mass media should be used to spread positive news about the successes of adopted children and their loving adoptive families, which will reduce people's fear and worry about why they don't want to adopt a child..

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