



The adoption of integration into the family: a psychological and social perspective

La adopción de integración en la familia: una perspectiva psicológica y social

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ABSTRACT

This comprehensive work delves into adoption from various perspectives, covering legal, ethical, and primarily, psychological aspects. It begins with exploring the theoretical framework of adoption, addressing definitions, historical evolution, and legal and ethical considerations. It then delves into the Psychological Perspective of Adoption, exploring the impact on adoptive parents, the emotional development of the adopted child, and the affective bonds in the adoptive family. The fourth chapter focuses on the Family Integration Process, breaking down elements such as establishing emotional bonds, adaptation of roles, psychological support, and constructing identity in the adopted child. Finally, the adoption in Argentine law is analyzed, highlighting fundamental principles, key procedures, essential requirements, and its relationship with children's rights.

Keywords: Adoption; Psychological Perspective; Family Integration; Argentine Law; Children's Rights.

RESUMEN

Este trabajo examina a fondo la adopción desde diversas perspectivas, abordando aspectos legales, éticos y, principalmente, la perspectiva psicológica. Inicia con una exploración del marco teórico de la adopción, cubriendo definiciones, evolución histórica y aspectos legales y éticos. Luego, se sumerge en la Perspectiva Psicológica de la Adopción, explorando el impacto en los padres adoptivos, el desarrollo emocional del niño adoptado y los vínculos afectivos en la familia adoptiva. El cuarto capítulo se centra en el Proceso de Integración Familiar, desglosando elementos como el establecimiento de vínculos afectivos, adaptación de roles, apoyo psicológico y construcción de la identidad en el niño adoptado. Finalmente, se analiza la adopción en la ley argentina, destacando principios fundamentales, procedimientos clave, requisitos esenciales y su relación con los derechos del niño.

Palabras clave: Adopción; Perspectiva Psicológica; Integración Familiar; Ley Argentina; Derechos del Niño.

INTRODUCTION

This final paper aims to analyze adoption and integration into the family from a psychological and social perspective. It seeks to understand the psychological and social effects of adoption on the adopted child, the adopters, and their partners, as well as to identify the factors that influence the decision to adopt and the emotional and social needs of adopted children. A mixed-methods approach will be used, combining quantitative and qualitative methods, to obtain a more comprehensive understanding of the topic.

The new Civil and Commercial Code, which entered into force on 1 August 2015, introduced changes to civil life in Family Law that set a different course, assuming the character of a “paradigm shift.”⁽¹⁾

Numerous provisions of the Civil and Commercial Code were enriched by a series of principles drawn from international instruments, such as the rights of the child, progressive autonomy, the right of the child to be heard, and autonomy of the will, among others.

These changes made it possible for new family forms to begin to be made visible and to demand imperatively the recognition of their rights by the civil legal order.

Lorenzetti, who actively participated in the reform of the aforementioned civil code, stated that the purpose of the reforms introduced was to provide a “regulatory framework for a series of social behaviors that cannot be ignored”; the new rule states: “...a series of life options characteristic of a pluralistic society, in which different visions coexist that the legislator cannot disregard.”⁽²⁾

Thus, the so-called “integration or integrative adoption” was not alien to these transformations, as it has undergone substantial changes.

The reform of this subject responds to constant criticism from almost all specialized legal scholarship, given that the Velezano Code did not adequately regulate the institution of adoption, as it only provided for the special case of adoption of the spouse's child, leaving other socio-familial realities outside any regulation.

Integrative adoption has quite peculiar characteristics, all of which have motivated its independent regulation. Kemelmajer is of the opinion that the object is very different from that of general adoption; the jurist states: “that it starts from the idea of an impossibility or difficulty for a child to remain with their family of origin or extended family. Precisely this is not what happens in integration adoption, an institution that is oriented toward the incorporation of a child or adolescent into a family in which their father or mother has married and they wish that child of one of them to be a common child, a child of both, to integrate and constitute a single family in legal terms because they surely already constitute one in practice. (...) It is not intended to exclude, extinguish, or restrict bonds, but to expand them through the integration of a person into an already existing family group, which a child or adolescent forms with their parent”.⁽³⁾

In this paper, we address the topic of integration adoption, which is regulated in art. 630 of the Civil and Commercial Code, with the aim of understanding the function of this figure and the reason for its inclusion in civil legislation.

Undoubtedly, the subject presents various facets to consider, since its treatment is open to controversial interpretations. Indeed, we must first consider the emotional connotation that this institution evokes in both the adopter and the adoptee (4,5,6).

Furthermore, we analyze the topic from a legal perspective in light of comparative legislation and finally consider the new family forms that have emerged from the Civil and Commercial Code and the recognition of their juridical status, thus safeguarding the rights of their members and the possibility of demanding compliance with obligations. The constitutional postulate of comprehensive protection of the family has become plural and diverse.

It is appropriate that “integrative adoption” clearly manifest that the binding element among family members is the affection that circulates among them; it is this that generates family solidarity and the exercise of parental responsibility, whether these be rights or obligations, and whether it is exercised voluntarily or through the coercion enabled by the legal system itself.⁽⁷⁾

All of this leads us to delve deeper into research on this topic, bearing in mind that it is a little-known figure with uncertain regulation, and that, on the other hand, we must be clear that the solution to family conflicts will emerge in each specific case, with the intervention of the interested parties and according to their measure.

What function does integration adoption fulfill, and what is the reason for its regulation in civil law?

Objective

To analyze integration adoption in the family from a psychological and social perspective in

order to understand its effects on the adopted child, the adopters, and their partner. Likewise, we set out the following as specific objectives.

METHODS

A mixed-methods approach will be used, combining quantitative and qualitative elements. A descriptive design will be implemented using a multiple-case study method. To collect quantitative data, a structured questionnaire will be administered to adoptive families; for qualitative data, semi-structured interviews will be conducted with adoptive parents and, where applicable, with adopted children. The sample will be selected purposively, seeking diversity in demographic characteristics and adoption experiences.

Methodological option/approach

A mixed approach will be used, combining quantitative and qualitative elements to obtain a more complete understanding of the study topic. This approach will allow data triangulation, enriching the findings with diverse perspectives.

Design

The design will be descriptive and exploratory, since it is intended to describe and analyze the characteristics and factors related to integration adoption in the family. Furthermore, new areas and dimensions of the phenomenon under study will be explored.

METHODS

A multiple-case study method will be employed, analyzing various families that have carried out integration adoption processes. This method will allow a deep and contextualized understanding of each individual case and, at the same time, allow common patterns among the different cases to be identified.

Importance and justification

Adoption and integration into the family are relevant issues from psychological and social perspectives, since they have a significant impact on the lives of adopted children and adoptive parents (8,9,10). Understanding the psychological and social effects of adoption is crucial to provide adequate support to adoptive families and ensure the emotional well-being of all those involved. Furthermore, this study can contribute to improving public policies related to adoption and promoting a more inclusive and understanding society.

Theoretical references

The following theoretical references will be used for the theoretical framework: John Bowlby's attachment theory, resilience theory, family systems theory, and the ecological theory of human development. These theories will allow a deep understanding of the factors that influence adoption and the psychological and social effects of integration adoption in the family.

Viability

The topic of integration adoption in the family has high viability, since adoption is a social practice that has been present throughout history and there are numerous studies and academic works that address the topic from different perspectives. Furthermore, there is a wide availability of information and scientific literature on adoption, which provides a solid theoretical framework for the study.

RESULTS

This section details the main findings obtained throughout the research, both from the analysis of regulations and from interviews conducted with experts and adoptive families, as well as from the documentary review. The results are divided into the following key areas:

Regulations on integration adoption: It was observed that the Argentine legal framework

has advanced considerably in protecting the rights of adopted children, especially through the incorporation of principles such as the best interests of the child and the right to identity. However, there are regulatory gaps regarding the regulation of post-adoption procedures, which are fundamental to ensuring adequate integration into adoptive families.

Psychological impact on adopted children: Children who have undergone integration adoption processes, particularly those who experienced early separations, present significant emotional challenges (12,13). Among these, difficulties in developing secure attachment and the need to adapt to new family structures stand out. Adoptive families that received psychological support reported substantial improvements in their relationships with the children (14,15).

Perception of adoptive parents: Adoptive parents face emotional challenges related to adaptation and the establishment of emotional bonds with adopted children (16,17). Parents who received training and psychological support programs were able to establish stronger and healthier relationships with their children (18,19,20,21).

Impact of the social and cultural environment: The social acceptance of adoptive families and adopted children is crucial for the success of integration adoption. It was observed that children face social barriers, such as discrimination, that affect their self-esteem and adaptation. Public policies aimed at raising societal awareness about adoption play a crucial role in this regard (22,23,24).

The results suggest that integration adoption is a complex process that requires not only a robust legal framework but also a comprehensive psychosocial approach. Adoptive families need greater support before, during, and after the adoption process to address the emotional challenges that arise during the child's adaptation to the new family environment.

From the perspective of attachment theory, it is evident that adopted children who experienced early separations have difficulties forming secure emotional bonds (25,26). However, when appropriate interventions are implemented, such as psychological counseling and the creation of a stable affective environment, it is possible to significantly improve their emotional well-being (27,28).

The theory of resilience was also relevant to the findings. Adopted children who develop resilience, thanks to the emotional support of their families and social environment, can overcome many of the emotional and adaptive challenges of integration adoption (29,30,31). These results underscore the importance of psychological and social support programs that strengthen children's adaptive capacity.

The results obtained are consistent with previous literature that highlights the importance of emotional and social factors in the success of adoption. Family systems theory is validated in this context, since integrative adoption affects not only the child, but the entire family structure. Adjustments to family dynamics are essential for the new member to feel like an integral part of the adoptive family.

On the other hand, the ecological theory of human development (Bronfenbrenner) is particularly useful for understanding how different social systems influence the adaptation of the adopted child (32,33). Both microsystem support (family and school) and macrosystem public policies are essential for successful integrative adoption (34).

The findings of this study have several practical and theoretical implications:

a) **Public policies:** More robust policies are required that not only facilitate the legal process of integration adoption but also provide psychosocial support to adoptive families during the post-adoptive process. Awareness and social acceptance policies must be prioritized.

b) **Psychosocial interventions:** Psychological interventions that address attachment theory and foster resilience are crucial to support children and their families. This may include counseling programs, support groups, and training for adoptive parents on how to handle the emotional challenges of adoption.

c) **Training of professionals:** Professionals involved in the adoption process must be trained in attachment theories, resilience, and family systems to provide adequate support. A comprehensive approach encompassing the ecological theory of human development will help these professionals work effectively with adoptive families and the institutions involved.

Taken together, these results suggest that integrative adoption in Argentina needs to be addressed from a multidimensional perspective that combines a solid legal framework with psychosocial interventions that promote the well-being of adopted children and their families.

CONCLUSIONS

The detailed exploration of adoption, from its theoretical foundations to its integration into Argentine law, reveals the complexity and richness inherent in this transformative process. The first

chapter provides a solid introduction, establishing the context of the study, outlining the research questions, general and specific objectives, and presenting the methodology. The theoretical foundation in the second chapter contextualizes adoption, exploring its definition, historical evolution, variety of types, and the legal and ethical aspects surrounding it.

The third chapter, focused on the Psychological Perspective of Adoption, highlights the importance of understanding the impact on adoptive parents, the emotional development of the adopted child, and the emotional bonds in the adoptive family. The fourth chapter, on the Family Integration Process, breaks down the crucial stages, from the establishment of emotional bonds to the construction of identity in the adopted child. The inclusion of common challenges underscores the complex but surmountable reality of this process.

The fifth chapter connects theory with practice, examining adoption in Argentine law. The fundamental principles, key procedures, essential requirements, and their relationship with children's rights reveal a legal framework committed to guaranteeing the well-being of adopted minors.

In conclusion, these thematic threads are interwoven, highlighting the importance of a comprehensive approach to adoption. The need to continue researching, adapting, and improving adoption processes is emphasized in order to ensure an environment conducive to emotional and family development. As this study comes to a close, it is clear that adoption goes beyond a legal transaction; it is an emotional and psychological journey that deserves continuous attention, understanding, and support in both theoretical and practical realms.

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