126003 - Do adoptive parents come under the same rulings as real parents? Can I look for my father?

the question

If a non-Muslim family adopts a child, and when this child grows up he becomes Muslim, is he obliged to take care of them and treat them kindly? It was narrated that a person should obey his parents even if they are not Muslim, so long as they do not tell him to do anything sinful. Does this apply in the case of adoption? If this child has never seen his real parents, but he found out later on that they are still alive, is he obliged to look for them, and to take care of them, even if the parents do not know who this person is because they did not bring him up?

Detailed answer

Firstly:

The word adoption, as customarily used by people, may refer to two things:

The first is undertaking to raise a child and take care of him, without changing his lineage (or his name).

The second is undertaking to raise the child and take care of him, whilst attributing that adopted child to the adoptive family, making him one of them.

Undoubtedly the second type of adoption was permissible at the beginning of Islam, so Zayd ibn Haarithah was attributed to the Prophet (blessings and peace of Allah be upon him], and thus he became known as Zayd ibn Muhammad; and Saalim was attributed to Abu Hudhayfah and became known as Saalim ibn Abi Hudhayfah. Then when Allah, may He be exalted, prescribed the annulment of adoption and enjoined that each individual should be named after his birth father – and in the case of one whose father was not known, he should be called So and so the brother of so-and-so, or So-and-so the freed slave of So-and-so – the people responded to the command of Allah, may He be exalted, so Zayd was attributed to his real father Haarithah, and Saalim became known as Saalim the freed slave of Abu Hudhayfah.

Allah, may He be exalted, says (interpretation of the meaning):

“Call them by [the names of] their fathers; it is more just in the sight of Allah . But if you do not know their fathers - then they are [still] your brothers in religion and those entrusted to you. And there is no blame upon you for that in which you have erred but [only for] what your hearts intended. And ever is Allah Forgiving and Merciful”

[al-Ahzaab 33:5].

Many rulings are connected to lineage, such as rulings on breast-feeding, custody, guardianship, spending on maintenance, inheritance, legal retribution (qisaas), the hadd punishments for stealing and slander, testimony and so on.

With regard to the first type of adoption, which refers to taking care of a child – an orphan or one who is poor – and raising him as one would raise one’s own child, without changing his real name or lineage, that is not haraam; rather it is one of the noblest of good deeds, especially if that child is one who has been displaced by war, or is one who has lost his entire family in an accident or war.

In both of the cases mentioned above, the adoptive family, or the family that raises the child, does not come under the same rulings as the child’s real family, with regard to showing kindness, upholding ties, and obeying parents, because that only applies to birthparents.

See the answer to question no. 5201 for an explanation of the difference between adoption and sponsoring an orphan.

See the answer to question no. 10010 for an explanation of the difference between the two cases mentioned above.

This does not mean that one should cut off ties altogether with an adoptive family, and it does not mean that it is forbidden to visit them, ask about them, uphold ties with them and honour them; rather that is in accordance with Islamic values and teachings. If this is what is required with strangers, then it is definitely more important towards those who did a person the favour of raising him, taking care of him and breast-feeding him. Knowing the rights that such a doer of

good has, and rewarding him for his kindness, is something that is known to anyone of sound human nature, and is something that is encouraged by Islamic teachings and etiquette.

Allah, may He be glorified and exalted, says (interpretation of the meaning):

“Is the reward for good [anything] but good?”

[ar-Rahman 55:60].

It was narrated that ‘Abdullah ibn ‘Umar (may Allah be pleased with him) said: The Messenger of Allah (blessings and peace of Allah be upon him) said:

“Whoever seeks refuge by Allah, give him refuge; whoever asks by Allah, give to him; whoever invites you, then respond; whoever does you a favour, then return the favour, and if you cannot find any way to return the favour, then pray for him until you think that you have returned the favour.”

Narrated by Abu Dawood (1762) and an-Nasaa’i (2567); classed as saheeh by al-Albaani.

Al-‘Azeemabadi said in ‘Awn al-Ma‘bood:

“whoever does you a favour” means whoever does you a kindness in word or in deed, “then return the favour” by doing him a kindness as he did you a kindness, because Allah, may He be exalted, says (interpretation of the meaning): “Is the reward for good [anything] but good?” [ar-Rahmaan 55:60] and “And do good as Allah has done good to you” [al-Qasas 28:77].

“and if you cannot find any way to return the favour” that is, in the form of wealth, “then pray for him” that is, for the one who did you a favour; in other words, reward him by praying for him, “until you think” that is, until you think or you know, “that you have returned the favour” that is, pray for him repeatedly until you think that you have given him his due. End quote.

In fact, what we think is that these people, just by showing kindness and raising the child, are not like real fathers and mothers, either in terms of Islamic rulings, or in rights and duties between them and the adopted children.

The scholars of the Permanent Committee have discussed the issue of adoption and the fact that it is prohibited according to Islamic teachings, then they said:

From the above, it is clear that putting a stop to adoption does not mean putting a stop to humane actions and Islamic duties such as brotherhood, friendship, upholding ties, and showing kindness, and everything that is connected to these sublime principles and encourages one to do acts of kindness.

Shaykh ‘Abd al-‘Azeez ibn Baaz, Shaykh ‘Abd ar-Razzaaq ‘Afeefi, Shaykh ‘Abdullah ibn Ghadyaan, Shaykh ‘Abdullah ibn Qa‘ood.

Fataawa al-Lajnah ad-Daa’imah (20/347).

They said, discussing the relationship between an adopted girl and the one who adopted her:

Adoption does not make you a daughter of the one who adopted you, as was the case at the time of the Jaahiliyyah. Rather what is meant by adoption is to show kindness, take care of the child and look after his interests until he grows up and becomes mature, and can take care of his own affairs and live an independent life. We hope that Allah will show kindness to the one who was kind to you, but he is not a father or a mahram to you, so you must observe hijab in front of him. In this regard, he is like anyone else who is a stranger to you, but at the same time you can reciprocate his kindness and favour to you whilst observing hijab and not being alone with him.

Shaykh ‘Abd al-‘Azeez ibn Baaz, Shaykh ‘Abd ar-Razzaaq ‘Afeefi, Shaykh ‘Abdullah ibn Ghadyaan

Fataawa al-Lajnah ad-Daa’imah (20/360).

Secondly:

Regardless of whether the adoption in question was one of the two forms mentioned above, we think that it is essential for that man to look for his parents, because of the Islamic rulings that are connected to that, as well as the psychological effects. The real reason why they left him is not known; they may be in an unfortunately situation, either psychologically or physically, and

seeing their son and touching him may have a healing effect on them, as happened in the case of Ya'qoob and his son Yoosuf (peace be upon them).

Looking for his parents to meet them, see them and take care of them is something natural, and does not need any evidence from the Quran and Sunnah to indicate that it is permissible or, indeed, obligatory. Even if the parents gave up their child deliberately, this does not make it permissible for the child to give up on them or disavow them. This has been discussed previously in the answer to question no. 104768.

For more information on honouring parents, please see the answers to questions no. 22782 and 13783.

And Allah knows best.