

INTRODUCTION

In July 2005 the cover of *People* magazine read, “Angelina Adopts a Baby Girl!” The story was heartwarming. Jolie was adopting an orphan from Ethiopia whose mother had died of AIDS. Someone identified as “a source” by *People* told readers how to understand the event as a particular form of compassion and generosity. Jolie, said the source, “has a hunger about the world and helping people. The whole world is important to Angie, but she’s very attached to Africa as a continent. Africa is a country [sic] of survivors. She identifies.”¹ The child, subsequently named Zahara, was welcomed by the press with photos of her at the mall, with her newfound family, Brad Pitt tentatively figured as the father, and adopted sibling Maddox, from Cambodia. Although transnational adoption was a half-century old by 2005, and had involved significant numbers of parents and children since the 1980s, Angelina Jolie and other celebrity adoptions in the decade after 2000 marked for many the moment when it become undeniably mainstream, no longer exotic.

However, the sweet and tidy narrative of Jolie saving orphans by adopting them—the early twenty-first century’s act of charity par excellence in an era of shrinking government and expanding faith in individual virtue that eschewed a previous generation’s confidence in development policy (perhaps especially in a region like Africa, so obscure that it was hard for celebrities or *People*’s editors to remember whether it was a continent or a country)—proved unsustainable. Within months, the celebrity press had

found the child's birth mother, Mentwabe Dawit, who turned out to be very much alive. Initial reports suggested that Dawit had been coerced into giving up her child by Wide Horizons for Children, the agency Jolie had worked with. Later reports had it that Dawit became pregnant as a result of rape, but she had, with her mother's help, initially tried to raise the child, whom she named Yemsrach. Poverty made that option impossible, Dawit said, and she watched as the child became too malnourished even to cry. Dawit fled, she said, rather than watch the baby die. Her mother took the baby to an orphanage. When Wide Horizons or maybe the orphanage contacted the baby's grandmother about legal relinquishment, she, not knowing where Dawit was, said that the child's mother had died—putting AIDS as the cause of death—perhaps an oblique reference to the act of sexual violence that had brought them all to this pass.²

A year and a half later though, Jolie was in the news again—this time with her image as the “good” adoptive mother repaired, the one who had avoided the pitfalls, illegalities, and unseemliness of transnational adoption that seemed increasingly in the news. Specifically, she was criticizing Madonna's attempt to bring a baby boy, David Banda, from Malawi to the UK in 2007. In an interview with the French magazine *Gala*, Jolie reportedly said, “Madonna knew the situation in Malawi, where [David] was born. It's a country where there is no real legal framework for adoption. Personally, I prefer to stay on the right side of the law. I would never take a child away from a place where adoption is illegal.”³ Madonna's story generated a great deal more hostility from the press than Jolie's adoption of Zahara; *Time* magazine asked, “Did Madonna Save a Life or Buy a Baby?”⁴ Initial reports suggested that the baby's father, Yohane Banda, had relinquished the baby for reasons of poverty and his inability to care for the baby after David's birth mother died. (Madonna's subsequent adoption in June 2009 of another child, Chifundo “Mercy” James, reportedly for \$12 million, raised more serious questions—about whether the child's father and grandmother even had consented to the adoption.)⁵ Some objected that Jolie was in no position to throw stones; in addition to the discovery of Zahara's mother, new investigation had also cast a shadow over her adoption of her other, older child, Maddox. The agency from which Jolie had adopted Maddox, Seattle International Adoptions, was accused of fraud, and adoptions were later halted from Cambodia under a cloud of allegations of corruption and child stealing.⁶ The *Time* piece went on to be positively scathing about Madonna adopting a child that had a living parent: “There are surely many millions of children who do not even have what Baby

David had, one loving, living parent close by.”⁷ But in fact, there surely were *not* many millions of children who have no parents. Full orphans, as many were coming to recognize, were rare, especially babies. In 2008 *Foreign Policy* called the idea that intercountry adoption was dominated by baby orphans “the lie we love.”⁸

In the aftermath of the Haitian earthquake in January 2010, these two contrasting kinds of stories both got into play even more quickly, as they had come to represent well-worn pathways—good adopters and bad adopters, child rescuers and child stealers. They performed a kind of containment work: while there might be fraudulent or coercive practices in adoption, these exist only in some (bad) adoptions, preserving a space where adoption is an uncomplicated, good thing. For example, in a story that was extraordinarily well publicized, a group of Baptists from Idaho was imprisoned for picking up children in Port-au-Prince and attempting to take them across the border into the Dominican Republic without papers. And as it turned out, according to the AP newswire, none of the thirty-three children was an orphan; all had close relationships with family before they were packed into the Baptists’ van.⁹ Commentators were swift in their condemnation: this was child trafficking, and it was wrong.¹⁰

In contrast, though, the Pittsburgh-based group that airlifted a plane-load of orphans out of Haiti from the BRESMA orphanage was understood in the press to be involved in child rescue. Now of course, the key thing that differentiated the Pennsylvania BRESMA group from the much-criticized Baptists is that in those first days after the earthquake, there was virtually no functioning government in Haiti to demand the children’s papers, and the BRESMA group included the Pennsylvania governor Ed Rendell, who was brought on the trip because he had friends in the Obama administration who could ease visa problems. While much was made of the fact that the children were “in process” for adoption, it turned out that at least twelve of them actually were not (and were hence unadoptable, because they lacked proper court orders and visas). Furthermore, what it means that children’s adoptions were not complete is that there were still supposed to be legal opportunities for their mothers to object, to ask for their children back. And it turned out that all or nearly all of the children *had* mothers, usually single mothers. It was single mothers who were inclined to drop off their children or have them recruited into orphanages—temporarily or permanently—as part of a broader family survival strategy.

When Jamie McMurtie, one of the evangelical women from Pittsburgh who ran the BRESMA orphanage, discussed how she got children, she spoke

about persuading impoverished mothers to relinquish them. “Usually that’s how we get orphans, the fathers leave,” said McMurtrie. “Sometimes parents die or are too sick. But usually it’s because the fathers leave and want nothing to do with the kids anymore.” She told a story of how the orphanage began, when she traveled for hours into a rural area to find a family she had heard of, a mother with three children, who left her toddlers and young children home alone while she worked all day. The father had left the family and taken up with another woman, and McMurtrie walked into this impoverished woman’s home and persuaded her to give away her children. She took them back with her to Port-au-Prince where, with the support of her Pittsburgh church, she started an orphanage that housed them and similarly situated children. The children were sent into an adoption with a family in South Dakota.¹¹ Brutal material circumstances met early twenty-first century evangelical Christian gender politics, and the children of Haitian single mothers became “orphans” available for adoption to the United States. U.S.-based evangelical churches were involved in similar operations around the world, an extension of the Christian Right’s intense affection for fetuses and their profound mistrust of the women who carry them. Even after these fetuses were born, the Christian Right did not much trust impoverished mothers to raise their children properly, unless there was a father involved.

The failure of simple, heroic narratives of rescued orphans is telling. The orphans turn out not to be orphans; money, troubling ideologies about single mothers, or the failure to respect legal parental rights corrupt the exchange; relatives’ consent seems ambiguous or tempered with loss and tragedy. The dualistic structure separating stories of child stealing (like the Baptists and Madonna) and child rescue (like BRESMA and Angelina Jolie) can’t be sustained ultimately, as there is often not much separating the facts to which these narratives are attached.¹² In this book I argue that if we want to understand adoption, especially intercountry and interracial adoption, we need to see that its practices do not resolve neatly into categories of coercive and innocent, good and bad. Adoption may sometimes be the best outcome in a bad situation, but it is always layered with pain, coercion, and lack of access to necessary resources, with relatives (usually single mothers) who are vulnerable. Stranger adoption is a national and international system whereby the children of impoverished or otherwise disenfranchised mothers are transferred to middle-class, wealthy mothers (and fathers). The relative power of these two groups, and the fact that stranger adoption almost never takes place in the opposite direction, sets the inescapable

framework in which adoption is inserted. Further, *Somebody's Children* makes an argument that adoption, while a practice that affects a small and shrinking number of people, has been important to national and international politics out of all proportion to its numerical significance. Symbolically and actually, the politics of adoption and what happens to the children of vulnerable populations, usually single mothers, have been critical to Native peoples' sovereignty struggles, civil rights and the backlash against it, human rights, and the Cold War and its political and economic aftermath.

Toward a Different History of Adoption

We have begun to develop a more critical account of adoption, one that asks about it not as a celebrity event or a private, family decision but as one deeply embedded in the politics of race and poverty, gender and sexuality, and international relations and economies. For example, in the arguments of activist groups like Bastard Nation, we have an analysis and feminist account of why young women were sent to unwed mothers' homes in the 1950s and 1960s. They and others argue persuasively that beyond being an effort to help young women who had gotten "in trouble," the social effect of the unwed mothers' homes was a last ditch effort to protect the male-headed nuclear family from being supplanted or rendered as one possibility among many by families composed of unwed mothers and their bastard children—the derogatory language itself suggesting something of how effectively that possibility was being foreclosed.¹³ From the distance of a generation and a radical transformation in women's ability to find decently paying work, it is clear that the conditions under which it was in the child's "best interest" to be separated from its mother were historically specific and, well, sexist. Daycare centers, improved (if far from equal) access to wages, and the declining significance of categories like "disgraced" women and "bastard" children have made it entirely possible (if not exactly easy) for single mothers, even young ones, to raise their children in the United States. In the 1970s and 1980s, it is probably true to say that this defense of the heterosexual patriarchal family failed, and the women's liberation movement, expanding employment opportunities for women, the declining stigma of divorce, and a feminist defense of the "nontraditional" family as such made space for single mothers and their children. In the decade after 2000 unwed mothers' homes had hardly disappeared, but they were

less mainstream, being championed (and often funded) by Christian Right groups.

We don't, however, have a related account of what happened *after* the 1970s, when young white women stopped losing their children, for the most part, and the adoptable babies and children became disproportionately black, Latino, and Native, or came from overseas. We evade the *politics* of how these mothers came to lose their children and instead tell a demographic and "markets" story. We say that what happened in the late 1970s and 1980s with adoption is that the rise in the availability of abortion, birth control, and mothers' ability to raise their children alone resulted in a shortage of adoptable children, what some came to call, memorably, a "white baby famine."¹⁴ This shortage met with another demographic shift—rising age at first marriage and rising maternal age at first birth—that was producing a structural increase in impaired fertility.¹⁵ More and more women with access to education and careers (or female lovers and partners) were finding themselves involuntarily childless. This fertility gap was met in part through reproductive technology and in part through an expansion of the pool of adoptable children to include children overseas and, even for white parents in the United States, children of color.

I want to suggest that this account is inadequate, a description posing as an explanation. These demographic changes were the effects, not causes, of changes that were politically driven. The concern in the 1970s that there was a shortage of adoptable children was not even new, much less the cause of anything. In fact, every generation in the twentieth century faced a "baby famine." In the 1920s adoptable children were said to be so scarce that in 1929 the *Philadelphia Record* ran a front-page banner headline that read: "Chronicle of a Search for a Homeless Waif in Philadelphia—Where There Aren't Any."¹⁶ In the 1930s Paul Beisser, president of the Child Welfare League of America, testifying unsuccessfully in favor of a bill to allow the entry of German, particularly Jewish, children for transnational adoption, said that on average there were twelve applicants for every adoptable child in the United States.¹⁷ In the 1950s, similarly, when the American Child Welfare League first began placing children with disabilities, the organization justified "special needs" adoptions again because of the shortages in available (nondisabled) infants. In 1955 Estes Kefauver said, in opening the hearings on "black market" adoption: "There has been a tremendous increase over the last 10 years in the demand for children for adoption. As a result, the demand has far exceeded the number of babies

available. This disparity has resulted in gross abuses by certain individuals who have exploited the situation commercially.”¹⁸

If the period from 1920 to 1950 saw virtually continuous “crises” of shortages of children for adoption, the 1960s was an exceptional decade in the twentieth century, when increasing numbers of teens were having sex, birth control was hard to get, and a repressive apparatus rained down on the heads of girls who got “in trouble.”¹⁹ During that decade, the numbers of children placed in adoptions rose consistently, then the numbers began a steady decline after 1970. Abortion and birth control probably did not have a lot to do with that drop. The greatest single factor seems to have been the growing willingness or ability of single mothers to raise their children. The vast majority of unmarried mothers have always decided to parent their babies; before 1973 about 9 percent of all unmarried mothers relinquished their babies for adoption (this is an intensely racialized story, though; that figure is 19 percent for white women and less than 2 percent for black women). In the period from 1973 to 1981, this percentage declined sharply, to 4 percent for all births to unmarried women; from 1982 to 1988, it fell still further to just over 3 percent. There is still a further reason to think that the decline in adoptable children was a trend independent of abortion. Throughout the 1980s, as abortion rates held steady, relinquishments for adoption continued to decline.²⁰

In order to understand the *politics* of the changes in adoption that resulted in the expansion of transracial and transnational adoption, and not just the demographics, we need to widen our lens beyond the largely white and middle-class women who are the subject of that primary narrative and pay attention to how black and Native women in the United States, and those outside the United States, came to give their children up for adoption, or lose them involuntarily, and understand that this story was governed in part by different cultural logics.

This book makes several arguments about the politics of adoption, particularly transracial and transnational adoption. The first is that twice in the twentieth century there was a huge influx of children of color into the child welfare system, where they created a considerable burden on state budgets. The earlier period was quite different for Native and African American families, although both in a broad sense were the result of shifts in the dynamics of race and poverty policy. The first, for Native families, began in the 1950s (when Aid to Dependent Children [ADC] programs for single mothers began to be extended to Native communities, in the after-

math of tribal termination, and when population increase and the loss of historical treaty rights to land, fishing, and water rights made more and more reservation economies unsustainable). Before then, states only rarely had much to do with Native children. The passage of the Indian Child Welfare Act (ICWA) in 1978 was the outcome in a broad sense of a sovereignty movement that recuperated as a politics a fundamental tenet of Indian law stretching back to the beginning of the republic: the United States made treaties with autonomous Indian tribes that never ceded their status as independent nations, a principle repeatedly affirmed by the U.S. Supreme Court. As such, to the extent they might enter into relations of legal protection or dependency (or exploitation, some would say) with the United States, they did so with the federal government, not state governments. ICWA was an important, albeit complex and limited, statement of Native sovereignty, at least over Indian children.

For African Americans, the first time significant numbers of black children entered the child welfare system was during the civil rights movement, when segregationists tried to make an issue of unwed black mothers and their bastard children to counter the image of black dignity and respectability being televised nightly as the peaceful protests of ministers like Martin Luther King Jr. and those often constructed as church folk who marched and sat in were met by the police's apparently out of control violence. The fight to control the behavior of young black mothers mirrored that being waged in the white suburbs, where girls were at this same time being forced into unwed mothers' homes by their parents, but the African American "bastards" in question were considerably less likely to be babies, and it was welfare case workers, not family members, social workers, and psychologists, who were plucking children from their unmarried mothers.

The second struggle over interracial adoption was a moral panic two decades later in relationship to "crack babies" and fetal alcohol syndrome (FAS), which together constituted a moral panic about the health of babies and children that, like fights over segregation and welfare mothers in the 1960s, once again pushed thousands of additional children into foster care. In the 1980s, crack babies became the poster child for the War on Drugs, a tremendously successful effort in Reagan-era America to demonize the poor and push back racial justice claims.

In speaking of these events as a "moral panic," I am deliberately invoking the work of cultural studies scholars in Britain, who have noted how a certain kind of policing gave rise to Thatcherism, close kin to what we in

the United States called Reaganomics and Latin Americans and Europeans call neoliberalism. Specifically, this was the public policy initiative in the 1970s and 1980s to shrink government, reduce taxes, redistribute wealth upward, and disinvest in the poor. In the British account of Thatcherism, a particular kind of social crisis, a moral panic about what was taken to be a sudden rise in street crime, specifically mugging (particularly by black youth), spun a whole tale about what was wrong with postimperial Britain and what its remedies might be. What followed was not just harsh sentences for young “muggers” but a whole rhetoric of a return to “tradition” and an expanding, more coercive state role in policing a growing struggle over race, class, international migration, and the economy.²¹

Ruthie Gilmore, Angela Davis, and a collection of scholars, activists, and scholar-activists around a group called Critical Resistance gave voice to a similar set of analyses in the late 1990s and first decade after 2000 in and beyond the United States. What, they asked, are we to make of the steadily growing incarceration rates, particularly of black men? How are we to understand the extent to which this carceral system is run by private, for-profit companies? They suggest that this prison-industrial system is likewise playing a coercive role in regulating the economy and growing class and racial conflict over sanctioned impoverishment and disenfranchisement of racially aggrieved groups, but in the context of a shift from what was at least theoretically a purely state-organized activity—policing and imprisonment—to one that is increasingly about the growth of a private sector that acts in the name of a public sector.²²

This book sets out to add another layer to these accounts of policing, to notice the pivotal role that the policing of mothers played in the reorganization of race, the state, and economic resources in the last two decades of the twentieth century. It argues that the case for the neoliberal withdrawal of state support for impoverished people, families, and communities was accomplished to a significant extent through a narrative about race and reproduction: specifically, an account of “crack babies” and FAS that sanctified the War on Drugs and other forms of policing and incarceration as protection of the “littlest victims,” reinvigorating an old culture of poverty tale in which poverty was caused by bad mothers. The demonization of black and Latino “crack mothers” and Native women perpetrating “genocide” against their children by drinking during their pregnancies sanctioned a massive disinvestment in communities of color and enabled liberals to join the conservative “Contract with America” Congress to shift welfare policy away from providing support to mothers to placing impover-

ished children in (fairly explicitly white) middle-class households as adoptees. The unique characteristic of this new decade's shifting of children of color from their birth families to white families is that it was done in the name of *antiracism*: in the context of a reinvigorated argument that black and Native children were the subject of racism, "languishing" in foster care because of race-matching policies that preferred placement in black or Native homes, when so many white families were anxious to adopt.

A second argument of this book is about intercountry adoption. Asking how mothers outside the United States lost their children is more challenging, because to do it properly (and not just in terms of how we in the United States or Western Europe view them) requires attending to the myriad policy and economic changes, to say nothing of wars, that compose the microclimates and social geographies in which individual mothers relinquish or lose their children. For this reason, I have narrowed that question to Latin America, particularly Guatemala. The book does not consider extensively the histories of adoption from Asia, except to offer a broad lens through which to view adoption in general. I leave that project to others, and am grateful that a number of excellent accounts have begun the work of telling this story in a way that is sensitive to the nuance and context of local stories in sending countries, particularly Eleana Kim's *Adopted Territory* for Korea and Sara Dorow's *Transnational Adoption* for China.²³ Building on their work, this book takes on the project of narrating the story of adoption from Latin America.

In fact, there are good reasons to attend to Latin America, both for its own sake and as a particularly brutal case study of the politics of adoption. Guatemala in 2006 was the country with the highest per capita rate of adoption in the world,²⁴ virtually the only place where gay and lesbian adopters were welcomed, and a place where adoption was all but unregulated, highly lucrative, and the site of a fair bit of small-scale mob violence. This story matters immensely because it is one of the possible *futures* of transnational adoption: very high rates from small groups of tremendously economically, socially, and linguistically vulnerable groups.²⁵ Social upheaval on the scale of the attempted genocide in Guatemala is perhaps *the* essential precursor to any kind of massive intercountry adoption program: war or economic upheaval that so tears the social fabric that those who want to raise their children cannot, and those who do not wish to raise their children cannot find help or friends or family who can take them in. Where dropping a child off at an orphanage, temporarily or even perma-

nently, becomes one of the reliable strategies mothers use to get food or medical care for their child, transnational adoption thrives.

We also need a history of adoption from Latin America because in the 1970s and into the 1980s, Latin America led the world as a sending region for children in intercountry adoptions (South Korea still had the largest single number for any one nation, but Latin America had the largest combined numbers as a region).²⁶ Greg Grandin makes the argument that most of the strategies employed by the Bush administration in the war in Iraq—from torture to paramilitaries to relying politically on the strength of the Christian Right—originated in U.S. policy in Latin America in the 1980s.²⁷ A similar argument can be made for adoption—the dynamics of nations opening and closing to international adoption, struggles over whether it should be the domain of state actors or private ones, the status of gay and lesbian adopters, the question of what happens to children when citizens of the region move to the United States or Europe as immigrants, the question of kidnapping—all of these questions have been vetted by national publics as much or more in relation to Latin America as elsewhere. It was, along with Korea, the place where the legal, visa, and economic relations of international adoption were worked out. It is a region that has a feminist tradition of activism objecting to adoption, most famously in the Asociación Madres de Plaza de Mayo and the Asociación Civil Abuelas de Plaza de Mayo of Argentina who protested against the Cold War, anti-Communist kidnapping of children and their placement, sometimes with the approval of a judge, in adoptions, including adoptions by members of the military or torturers who participated in killing their parents. More recently, too, the Guatemalan feminist group *Sobreviventes* helped stop adoptions from that country by holding hunger strikes and publicizing the role of kidnapping in providing adoptable children to U.S. agencies and would-be adoptive parents. This tradition among Latin American feminists, of speaking as mothers and grandmothers on behalf of lost and disappeared family members, and against impunity for agents of the state that participated in their disappearance, provides a powerful counternarrative to those who would prefer to start with the assumption that adoptable children are orphans, unwanted, or being separated from abusive or neglectful parents.

In the decades since the 1960s the context in which we might think about questions of reproduction, family, women, and gender in Latin America have changed considerably. Development policy, with its obses-

sive focus on overpopulation, contraception, and sterilization, has largely faded from view. People who might at least be broadly understood as feminists have come to dominate groups like the Population Council and similar NGOs, advocating women's empowerment over the more coercive terms of contraceptive "acceptors" and "refusers." At the same time, the conservative antiabortion (and anticontraception) strain in the Catholic Church joined forces with the emergent transnational evangelical Christian Right to promote U.S.-style culture wars over contraception, abortion, abstinence, and HIV, with adoption being offered up as an alternative to abortion. The notion of reproductive rights has been transformed almost beyond recognition from a demand on the state by peoples and populations for justice, fairness, and freedom from coercion (articulated alongside human rights). Instead, it has become a struggle between an individual's "right to life" or "right to choose." The problem with framing the questions as the right to choose (abortion, adoption, raising a child), as Rickie Solinger and others have pointed out, is that it only makes sense in the context of consumerism, with individuals picking and choosing between variously enticing but essentially equivalent things (what we might call the *Juno* narrative, after the film released in 2007).²⁸ I don't know any woman who felt at any point in her life that she could exercise some free choice for a preference between abortion, adoption, or raising a child the way one opts for cheesecake rather than chocolate cake in a cafeteria. These choices, are on the contrary, ferociously constrained by material circumstances or the place women are in their life course or both.

This is the backdrop against which adoption is being debated. Mario Reyes, arrested in Arizona in 1999 for "trafficking" children from Mexico into adoptions in the United States, defended himself by explaining that he was a devout Catholic, and he was trying to prevent abortions.²⁹ The Central American wars and their complex aftermath are incomprehensible without understanding that Reagan and his right-wing allies in Central America were actively promoting the U.S.-based Christian Right's involvement in the region at the same time that they were calling liberation theology priests and catechists "terrorists" and allowing their murder by death squads.³⁰ The ideology of overpopulation has largely disappeared, allowing adoption to proceed for the most part from countries with quite low birth rates (Korea, with one of the highest rates of adoption after Guatemala from 2000–2005, has birth rates below replacement levels).³¹

We need to attend to the ways neoliberal globalization has transformed the politics of adoption—and, in fact, how the symbolics of adoption and

unwed pregnancy have done ground-clearing work for those who sought freer markets and less government. As Lisa Duggan argues in her essential book, *The Twilight of Equality?*, the “culture wars” over sex and family within the United States did economic policy work—providing good reasons to shrink states and expand the region of the “private” in the service of a neoliberal rationality. States should not be involved in supporting unwed mothers in the United States, since such measures are controversial and offensive to the pious. What we got as a result was not actually a contraction of the state—the federal government in fact became involved in measures to promote abstinence until marriage, marriage classes for the welfare dependent, and the massive expansion of the foster care system. But we did win an agreement that the safety net should be shredded, because, well, the poor were (all) unwed welfare mothers who didn’t want to work. With the end of the Cold War we saw something similar happen in places like Guatemala: Latin America did not need development, or access to birth control—which the Christian Right redefined as cultural imperialism—it needed strong markets, relief from the burden of providing social welfare measures, strong families, a network of NGOs and church groups to provide for displaced children, and the ability to send impoverished infants to families in the United States who could care for them. Adoption was indispensable to the neoliberal economic and political order.

By the 1990s virtually the only white, middle-class young women going to unwed mothers’ homes were the daughters of the Christian Right, like Billy Graham’s granddaughter Windsor, who at the age of sixteen was sent to an unwed mothers’ home out of state, where, in her mother’s sober and perceptive later assessment, “she felt manipulated and trapped.”³² The Christian Right held on to an earlier generation’s resistance to birth control, young women’s sexual autonomy, and mother-and-child families. It produced a whole massive (and profitable) network of unwed mothers’ homes, largely in Sunbelt states like Arkansas and Texas, that place children in adoptions across the United States. This, though, was no “residual” or “archaic” ideology of family and adoption but a cultural innovation as substantive as the feminist one, a response—akin to the British public’s responses to mugging—to the demand for a return to an imagined “tradition” in light of what were construed as the shocking upheavals that rapid social change represented. In the view of the U.S. Christian Right this unraveling of the social fabric was caused by cultural changes in what could be said publicly about family, including homosexuality and abortion. In response, it offered a selective return to tradition, one that interestingly prioritizes resistance to abortion

and, somewhat later (as we will see in chapter 7), homosexuality. Thus, it is possible if not necessarily ideal even for such iconic evangelical, Christian Right girls as Windsor Graham (with her second out-of-wedlock teen pregnancy) and Sarah Palin's daughter Bristol actually to raise their children as single mothers, a considerable shift from a half century earlier but consistent with making abortion (not premarital sex, not unwed family making) the cardinal sin.

The third and final argument this book makes is about two groups whose status has risen and fallen in the decades since the Cold War's end: lesbian and gay people and immigrants. In the 1970s, in the context of feminism and an emergent lesbian and gay liberation movement, lesbian mothers (and a few gay dads) began to fight for the right to raise their children when they left marriages, but hysteria about gay sex and its supposed association with child molesting made this struggle sharply contested, along with a parallel one in the 1980s and 1990s for gay adoption. Increasingly, though, as an economist logic that bordered on a free-market fundamentalism rose to dominate political commonsense in the United States, respectable, middle-class gay people came to be seen as less threatening to children and more of a resource to state governments burdened with providing for "hard-to-place" children as the terrain of immorality shifted for all but the Christian Right from the dangers of sex to the dangerous classes of the poor.

Neoliberal globalization had more ambivalent effects on the children of immigrants, as some of the same populations disrupted by Latin America's civil wars were displaced again, this time as a migratory labor force moving to the United States and Europe. While some saw their horizons expanded by this displacement, we have also in recent years seen rising numbers of U.S. citizen children of immigrants taken into foster care as their parents have become more vulnerable to deportation (the United States is not unique in this regard; the same trend is broadly true in the European Union). To the extent that losing children is an index of political or social vulnerability, these two trajectories—of gay people becoming adoptive parents and immigrants losing their children—suggest the rising (but contested) status of queer folk and the declining fortunes of immigrants to the United States.

The Policy Questions

Adoption has been the subject of considerable public policy debate over the half century after 1960. Although these questions have drawn in many hundreds of commentators over the years, in the two decades from 1990 to 2010 one of the most visible and vocal has been Elizabeth Bartholet, an articulate spokesperson for many of the arguments that this book takes issue with. Bartholet has written extensively and been quite active in promoting easier adoption internationally through her Harvard Child Advocacy Program, which has challenged human rights treaties that effectively limit adoption by protecting birth parents' rights,³³ and her advocacy within the United States of policies that make it easier for white families to adopt children of color and, hence, at the same time make it easier for mothers who want them to lose them, which we will see at greater length in chapter 3.

One of the most powerful and compelling moments in Bartholet's writing about adoption is in her autobiographical book, *Family Bonds*. There, Bartholet tells the story of how she left for Lima in the fall of 1985 to adopt the first of two Peruvian infants she would raise. She wrote that she worried about whether her clothes were appropriate; she struggled to prove herself competent as a potential parent to lawyers and officials and was terribly frightened that she would lose "her" children to a legal system she did not understand, communicating in a language she did not speak. She wrote, "I am now engaged in what will be an eight-week process of legalizing our bond, our connection. This process of making him 'my child' as a matter of law will be an agonizing one, in large part because of the threat that this person who already feels like part of me will be taken from me." In the opening pages of the book, she tells the story of her vulnerability with reference to a night in which she fearfully carried "her" two-week-old child down thirteen flights of stairs in the dark, with far too much cash in her pocket to feel safe from petty thieves, with the electricity out as a result of a bombing near her apartment by the Maoist guerilla group Sendero Luminoso, the Shining Path.³⁴ She tells a vulnerable and moving narrative and returns to argue (uphill, she would say) for the legitimacy of her family by adoption in the face of overwhelming bias for biological bonds.

This move is a characteristic one in constructing narratives about adoption that have the effect of limiting birth parents' rights to their children: the invocation of the vulnerability of the child and the would-be adoptive parent, together with the powerful impulse to protect this child from what

is often construed as a “social nakedness,”³⁵ an infant alone, without parental protection. Yet there is something troubling about this narrative, something too quick about the scare quotes that designate the legal work of, as Bartholet says, “making him ‘my child’” essentially superfluous to the emotional bond that has already, after ten days, made the child part of her. The child whom she calls Michael has birth parents, though she never refers to them; the legal process is at least theoretically intended to ensure that their rights are respected and to provide a forum for any grievance or objection they might raise. And despite Bartholet’s sense of vulnerability, her status as a law professor, from Harvard no less, and a U.S. citizen in Latin America at the height of U.S. Cold War preoccupation with the region (and its “terrorists,” as the guerrillas were consistently named), defines power relations between her and the birth parents that are uneven in a much different direction than the one she maps. Without minimizing the real fear that Sendero Luminoso inspired in Peruvian civilians, it is possible to notice that invoking Latin American Marxists imperiling U.S. mothers and children is hardly an original story—it reads, rather, as an effort to incorporate brown children born in Peru into a familiar account of endangered American-ness. And indeed, this sets up the narrative structure of the book (as it opens onto policy pronouncements): all Peruvian children are innocent, vulnerable, sick, or crying; all Peruvian adults are threatening, corrupt, takers of bribes, thieves, or terrorists.

In the one passage where Bartholet does acknowledge the existence of birth mothers, some are portrayed as “having no good choices,” while others take pleasure in their decision to send their child to the “land of opportunity.” Yet even this marginally sympathetic characterization of birth mothers is cut short—managing one clause of one sentence in a 276-page book—and contrasted with young children in Peruvian foster care, crying alone after being knocked down on a playground, with “birth parents who may never visit and have no apparent ability to function as parents,” and the grief of a would-be adoptive parent whose prospective child was taken away a few days after she met her, ostensibly because the birth parent wanted her back but probably, Bartholet thinks (though she offers no evidence), because some Peruvian official was not given a bribe.³⁶ As the historian Rickie Solinger notes, “Americans who have portrayed ICA [inter-country adoption] as primarily a child rescue mission have tended to define the situation in ways that insist that the biological mother doesn’t really count,” citing Bartholet as a key example.³⁷ One might add that adoptive parents are portrayed as vulnerable, endangered, and fearful,

while birth parents are portrayed as cold, indifferent, or (at best) happily sending their children off to a land where they will have more material benefits.

In *Nobody's Children*, Bartholet sets the terms of the discussion most starkly, beginning with the book's title, which ironically uses English common law's name for a bastard child, *filius nullius* (nobody's child, the child of no man), reminding us again how much these are fights rooted in marriage and legitimacy. In it, she discusses domestic U.S. policy, making a polemical case to limit the time that children spend in foster care in favor of adoption, which she suggests is always the best alternative—arguing that mothers with troubles and temporary or permanent foster parents (whether kin, like grandparents, or strangers) leave a child “without what you might call true parents.”³⁸ She supports twelve-month timelines for mothers (or fathers) to reunify with their children, far shorter than was customary in the 1990s, so that these children can stop languishing in foster care and be adopted. She is suspicious of kinship foster care and adoption, suggesting that family members may do it for the money: “When foster and adoptive stipends are paid to abused children's kin, neighbors, and racial look-alikes, these stipends are going disproportionately to the relatively poor and to racial minority group members. The service and stipends may seem far from generous. But they compare well to what exists in the absence. Foster parents are paid stipends that are significantly more generous than typical welfare stipends.”³⁹ In addition to the apparent assumption here that if mothers and children are struggling, their kin must be on welfare, Bartholet argues that kinship foster care is potentially a bad idea because many of the grandparents or aunts who might provide it come from similar backgrounds to the parents themselves—part of a multigenerational cycle of abuse. Group homes she calls “not good places for children to grow up.” Foster care, together with parenting judged abusive or neglectful, creates what she calls “modern day orphans,” and she argues for adoption as the only good alternative.⁴⁰

Foster care, Bartholet believes, should be a much smaller system than it is, and children should spend less time in it. She argues that there are essentially two reasons why as a matter of public policy we consign children to what she sees as a self-evidently harmful system, often for long periods of their childhood: policies that favor family reunification and “race-matching” policies that, she argues, prevent white families from adopting children of color. Both, she argues, need to be eradicated. Her article published in 1991, “Where Do Black Children Belong,” as well as congressional hearings on race-matching policies in the run up to the

Multiethnic Placement Act of 1994 and the Interethnic Provisions of 1996 (MEPA-IEP), reactivated a vigorous public debate about race and adoption that had receded in the decades since the National Association of Black Social Workers' Statement in 1972 and the debate from 1968 to 1978 about whether jurisdiction over Native children should reside in tribal courts or state courts that culminated in ICWA.

In the Alternative

This book makes a different kind of argument. If we open up the historical record, it suggests, we find that the conditions under which black and Native women in the United States and Latin American mothers lost their children into adoptions are rather more troubling and, indeed, violent than Bartholet's and similar accounts would lead us to believe. One of its broadest goals, then, is to narrate a history of adoption that pays as much attention to the position of those who *lose* children in adoption as to those who receive them.

My own interest in transnational and transracial adoption began in 1999, when I and my then-partner became foster parents of an eleven-year-old Mexican American girl, the child of immigrants (who may or may not have had indigenous, Yaqui-Mexican ancestry). I am Anglo, my partner, Puerto Rican. In 2000 my partner adopted her. I was prevented from adopting her, not because of race, but because the state in which we lived prohibited (and prohibits) a child from legally having two mothers. The state of the national debate about race matching in adoption seemed significantly at odds with our "on the ground" perception of it, which encouraged me, as a historian and analyst of race and reproduction, to pursue the subject further.

Furthermore, as a lesbian with no legal right to my child, I was particularly sensitive to the fear of losing one's children and sometimes identified more with parents who had lost their kids to foster care than with my class peers, the caseworkers and lawyers in the child welfare system. As our social circle expanded to include more and more people with kids with a history of abuse, people who had, or were threatened with, losing their children, sometimes I was horrified at the reasons Child Protective Services (CPS) took kids: irregular school attendance by the child, seemingly manageable parental mental illness like bipolar disorder, and homelessness. In addition, as a gender and women's studies professor for more than a

decade, I've known CPS workers, too, former students with no more training than a bachelor's degree in women's studies or psychology, sometimes sheltered young women or men who have admitted to me their complete sense of inadequacy in the face of even understanding what is going on in the families they investigate.

It also seemed apparent to us from our experience with social workers, from attending foster- and adoptive-parent trainings and support groups, and developing an extensive local network of friends and acquaintances involved in fostering and foster adoption that strikingly little attention was being paid by anyone to race matching for the black and Latino children whom we knew in foster care and public adoption services, and this had been true for at least the past decade. When I attended parties and picnics first for foster children and then for adoptive children, nothing about the hundreds of families I saw indicated to me that anyone had sought racial matching. Furthermore, my daughter had spoken only Spanish when first removed from her birth family in 1990; she was not then or ever, until she came to our house, placed with anybody who spoke Spanish. When we met her in 1998 she was attending a school where the only nonwhite kids were foster children from a particular group home, and they were cruelly teased in racist ways. It is hard to find an all-white school in the urban Southwest, but the foster care system, in its wisdom, had found a white and wealthy enclave in which to isolate these kids from the majority Latino and Native school systems nearby. All her foster parents had been white, except for one, who was African American. In apparent ignorance of ICWA, we were also invited to think about adopting a Native child. When we responded skeptically about the legal framework for such an adoption, the social worker responded: "What's ICWA?"

I was also struck by the strangeness of the assumption that what was happening in foster care was "languishing," and that adoption was always a preferable alternative. While "languishing" evokes an image of children sitting on suitcases, in the circles I moved in children in foster care seemed busy—going to school, going to therapy, visiting parents, playing with their foster siblings and friends. Adoption did not seem like the best alternative for all of them, nor did foster care always represent a bad alternative—and certainly not an alternative in which they were unloved or bereft of support or guidance. The foster parents I knew were generous, compassionate people with terrific skills with kids; not at all what I had expected from the public conversation. I met plenty of grandparents raising grandchildren whom they adored (and to my knowledge, none were on welfare). While

they were universally furious at their children for the ways they had messed up their own lives and those of the grandchildren, they never said adoption was their first choice. They knew how their grandchildren never stopped missing their parents and hoped that leaving open a route to being with their children again might provide a path toward sanity and healing for their own sons and daughters.

For my daughter, legal adoption was a disaster. It created a painful sense of divided loyalties, for no matter how we tried to offer her an alternative narrative, she believed (and not without reason) that adoption creates an exclusive relationship with one family that terminated all relatedness to the other family (and it certainly did not improve her relationship to adoption that only one of the two people raising her could legally adopt her). Foster care does not disrupt the possibility of a continuum of kinds of family relationships the way adoption does. Ironically, while the adoption community in general is moving toward greater openness, and maintaining ties with birth parents, in foster care policy we are trying to shut down the one legal mechanism that really does allow children to have two sets of parents. Furthermore, as increasing numbers of children in the United States are raised in stepparent and blended families, a broad cross-section of the population has experience with nonexclusive relationships where children belong to more than one family. Arguments that foster care represents inferior parenting relationships because they are not exclusive rest, at least in part, on an outmoded nuclear family ideal.

Adoption also creates material challenges not faced in foster care. For us, it terminated many health-related benefits my daughter had received as a foster child. Since there is virtually no private health insurance plan that provides very much in the way of mental health benefits, this was no small loss.⁴¹ Indeed, it was not long after her adoption that I came to realize that from the point of view of most of the state mental health workers whom we encountered, adoption had terminated not only her entitlement to some services but also her need for any (since family cures everything), which was, not incidentally, tremendously helpful for their budgets.

Our daughter came to us from a painful past, and prior to federal-level changes that provided bonuses to states and agencies for adoptive placement, she had been identified as a child who ought not be adopted—the exact sort of assessment to which Bartholet has so strenuously objected. Yet while she, at the age of thirteen, and we were compelled by the narrative that the agency therapist told us, that most of her struggles would abate when she was adopted, on the contrary, they turned into a full-

fledged nightmare. Although she felt close to us, she spoke often about how family triggered her, setting off cascades of painful memories and feelings, and how group homes were easier.

For my daughter, there was considerable pain and trauma in her young life, and one of those traumas was being removed from her birth family. If there is a glimmer of hopefulness in her story, it is that when she turned twenty, she decided she wanted to have a relationship with her birth family—although that is full of its own complications; they are hardly the relatives I would choose for her. Nevertheless, that decision seems to have opened up some new possibilities for her life. For me, she obviously became “my daughter” without legal adoption or exclusivity; for her and my then partner, legal adoption created new problems without adding anything to their existing relationship. Had we not adopted her but continued as her foster parents, she would not have been any less our child, but she would have had access to additional resources and maintained the legal form, at least, of her relationship to her birth family, which I suspect would have spared her a good deal of pain.

While this experience does not make me antiadoption, for older children or anyone else, I *am* struck by the fact that smart social workers with twenty and more years of experience working in child welfare were correct in their judgment that adoption was a bad idea for my daughter—and were overruled by funding-starved local agencies who, in response to federal incentives made available in the 1990s (in response to Bartholet and others), pushed adoption as the correct course for all children. If our experience does not point in any one, singular direction as the right or wrong way to negotiate foster or adoptive relationships, federal policy does, requiring that a “permanency” plan—either family reunification or adoption—be made within strict time limits, usually a year.

For a scholar like me, there is a tremendous advantage to actually having raised a foster child. Although many scholars make pronouncements about the foster care system, it is actually surprisingly difficult for scholars to get empirical data about children in care or even to accurately describe child policy. Generalizations about foster care are ridiculously hard to make because there is not *a* foster care system in the United States but diverse systems in fifty states, eight U.S. territories and possessions, 562 federally recognized Indian tribes, and the District of Columbia. Institutional review boards at universities put up considerable—and perhaps appropriate—obstacles to studying “vulnerable” populations like foster children; the adoption placement agencies I contacted guarded the privacy of adoptees

and birth parents jealously, even from inquiries about things that took place decades ago. Until recently there was no national reporting system that even tracked something as basic as the number of children in these diverse foster care systems. Even in 2010, state-level tracking systems were sufficiently different that getting relevant data was extremely challenging. Caseworkers often have considerable latitude in determining what happens to children, so the kinds of things that may be recorded as policy (like “we don’t take children for reasons of poverty”) may or may not be enacted when an individual caseworker walks into somebody’s house. Transparency is not a virtue embraced by child welfare systems, and the confidentiality promised to foster children can equally cloak malfeasance by the adults in the system, who include a complex mix of mental health providers, group home staff and administrators, lawyers, judges, foster parents, social workers, and welfare and child protective service caseworkers. While this book is not in any sense autobiographical, my nine years of experience with the child welfare system in a particular state do shape my questions and intuitions.

Outline of the Book

This book is composed of seven chapters and three parts. The first part is about adoption within the United States. Chapter 1 tells the story of some of the first feminists to defend unmarried welfare mothers from losing their children: the National Association of Black Social Workers, who argued that “black children belong in black families,” not in white and wealthier counterparts. Chapter 2 explores the resistance to the Christian missionary assimilationism that sought the termination of American Indian tribes and the adoption and conversion of Native children. The American Association of Indian Affairs, born out of the land and cultural autonomy politics of the 1920s, fought for tribal sovereignty in child welfare issues, ultimately winning ICWA in 1978. Chapter 3 tells the story of “crack babies,” FAS, and the reinvigoration of what we might call the Moynihan Report story: the problem with the poor is their disorganized, pathological families. However, Moynihan at least thought their families ought to be supported. Newt Gingrich promised to take the children of the poor and put them in orphanages. In a surprising alliance with feminists and liberals like Bartholet, this goal was transformed into moving those children into group homes and foster families and then out again, into adoptions.

The second part explores transnational adoption to the United States, beginning with chapter 4 on the birth of transnational adoption in the refugee crises and political conflicts of the 1930s, 1940s, and 1950s in the constitutive conflicts of the twentieth century: Communism and Fascism, first, and then Communism and “democracy” (or perhaps more accurately, U.S. and NATO anti-Communism). It argues that two crucial ideologies of adoption were born in these moments—solidarity and rescue. Participants in anti-Fascist solidarity movements began fostering child refugees from Franco’s Spain and Hitler’s Europe. An anti-Communist U.S. State Department promoted programs to foster children from behind the “Iron Curtain” after the Second World War and from Castro’s Cuba after 1959, and evangelical Christians promoted adoption programs to save children from Communism and starvation after the U.S. wars in Korea and Viet Nam. Chapter 5 takes us to Guatemala and elsewhere in Latin America for the *guerras sucias*, the dirty wars, that composed the Cold War and follows a story that we don’t much tell but should: the birth of transnational adoption from Guatemala in the kidnapping and disappearances of children from the families and communities of supposed leftists. Chapter 6 explores how the end of the war marked a turn to a hypercapitalism and the transformation of the problem of reproduction and reproductive governance from a concern about ideology—whether children would become Communists—to one about markets, on the one hand (whether enough children could be found to feed a vigorous market to the north in adoptable children), to, on the other, individualizing solutions to poverty and replacing community development with adoption.

Finally, the last part turns to the hottest parts of the culture wars in the United States in the first decade of the twenty-first century: struggles around the status of queers and immigrants. Chapter 7 notices how the position of lesbian, gay, bisexual, and transgender (LGBT) families has shifted: at first, lesbians were people who lost their children as a result of an account of the moral contamination caused by homosexuality. Now, there is a fight between the Christian Right, which actually has intensified its account in recent years of the moral danger to children of queer parents and queer adoption, and some states, which have found the privatization of dependency, specifically by allowing LGBT people to raise children, to be a positive good in a neoliberal state and thus have endorsed gay marriage as a way to ensure that children not become wards of the state. To end in this contradictory place is to mark the most recent site of contestation, over queers and over the state: whether *laissez-faire* will trump moralism or not.

The book closes with a brief epilogue about the increasing role of foster care and adoption as a placement for the U.S. citizen children of deported immigrants, often from Latin America. In a chilling reenactment of Latin America's dirty wars, parents are being disappeared off the streets by agents of Immigration and Customs Enforcement (ICE), leaving children at day-care, at school, and at home, from whence they sometimes make their way to U.S. foster care and adoption.

In studying adoption we also follow the traces of all the big stories of the last seventy or eighty years, because people lost their children in circumstances of exceptional vulnerability and powerlessness and because adoption was implicated in them. Civil rights and the struggles over race, indigeneity and the fight for self-determination, the rise of the Christian Right, struggles over socialism and neoliberalism—all took place surprisingly often with reference to adoption. A history of adoption tells us about the political shift from development and anti-Communism to individuals, rights, and markets in the relationship between “First” and “Third” Worlds. It tracks the rise of new transnationalisms and new forms of government and governance. It reveals the trajectory of the rise of the Christian Right in U.S. politics and international politics. It shows us some of the ways feminist and queer politics have given rise to new family forms. It tells us a great deal about race and the contradictory effects of neoliberalism. It may even, ultimately, reveal the emerging shape of repression against immigrants. Families are where we live our economic and social relations, and in families formed by law the fiction that families are “private,” constituted in opposition to the “public,” is laid bare as the fairy tale that it is.