



Introduction

The Circulation of Children

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In the early twenty-first century, many concerned observers suggest, we are entering a brave new world in reproduction, with medical technologies sundering genetics, gestation, and parenting, the globalization of adoption, and unprecedented waves of migration separating parents and children. This is true. Yet, at the same time, we are contending with the legacies of the past, including the best and the worst of the twentieth century. From the “Great War” that convulsed Europe in 1914 through the civil and international conflicts that have engulfed many regions of the world almost continuously since then, wars, refugee crises, ethnic cleansing, and movements to defend human rights have all marked adoption. As anthropologist Pauline Turner Strong wrote about the adoption of Native children by non-Native parents in North America, “adoption across political and cultural borders may simultaneously be an act of violence and an act of love, an excruciating rupture and a generous incorporation, and an appropriation of valued resources and a constitution of personal ties” (2001: 471). Adoption opens a window onto the relations between nations, inequalities between rich and poor within nations, the history of race and racialization since the end of slavery in Europe’s colonies and the United States, and relationships between indigenous and non-indigenous groups in the Americas and Australia. Transnational adoption emerged out of war. Only recently has it become, rather than an occasional practice, a significant way of forming a family for those who cannot have children. Even this new form of transnational adoption has been marked by the geographies of unequal power, as children move from poorer countries and families to wealthier ones—and the forces that make a country



rich and powerful are above all historical. In this sense, transnational adoption has been shaped by the forces of colonialism, the Cold War, and globalization.

Adoption has become a reflection of the horror and the generosity of our recent history in part because in the twentieth century we came to see children as innocent and particularly vulnerable to victimization, in contrast to earlier periods when they were regarded as like miniature adults (Ariès 1962, Zelizer 1985). Pediatrics as a distinct medical specialty emerged at the beginning of the twentieth century; the Swedish feminist Ellen Key published a book proposing new attitudes towards children in 1909; the Polish-Jewish physician Janus Korczak wrote about the idea of “children’s rights” in 1910; and a group of physicians from Argentina, Uruguay, and Brazil initiated a series of American Child Congresses in 1916 (Therborn 1996). Adoption was transformed over the twentieth century from an institution of labor similar to apprenticeship, or a form of inheritance involving the appointment of a legal heir, by the uneven emergence of this new notion of childhood.¹ To this way of thinking, children are not little adults, smaller and less skilled workers, funnier and cuter participants in all human relationships, but rather occupants of a distinct stage of life—innocent, in need of special protection, and deserving shelter from life’s harshness.

Fostering War Refugees in Europe

After the First World War, this notion of childhood was deployed quite effectively to feed refugees, in a project that formed a precursor to transnational adoption. The Fight the Famine Council—an organization that later became Save the Children—was founded in England in response to news reports of hungry children in Germany and Austria subsisting on cabbage, of six-year-olds the size of two-year-olds, when the Allied powers were blockading Austria and Germany in order to force them to accept the terms of the Treaty of Versailles. One of the group’s founding members, Eglantyne Jebb, was arrested for handing out a leaflet showing a starving Austrian baby with the heading “Our Blockade Has Caused This.” The Famine Council sent relief funds from England to a host of unpopular places and peoples during the interwar years: Germany and Austria (as well as France and Belgium), refugees from the Armenian genocide, and

Soviet Russia. In 1924, the group persuaded the League of Nations to issue a Declaration of Children's Rights (Therborn 1996). In the United States, the American Friends Service Committee, a Quaker group, developed a child-feeding program in response to the crisis.²

Although many commentators have dated the history of transnational adoption to the post-World War II period, when the resumption of immigration made U.S. citizens' adoption of foreign children possible, Europeans met the human rights disasters of the 1930s and forties by fostering and adopting children in trouble, including those victimized by the Nazis and by Franco.³ Civilians have never really been protected from war, but the horrors of "modern warfare" that deliberately targeted civilian populations still had the capacity to shock: the bombs dropped on the Basque city of Guernica by Franco's forces and the German Luftwaffe, the Blitzkrieg against London, the Allied firebombing of Dresden, the atomic bombs dropped by the United States on Hiroshima and Nagasaki, and the Holocaust, the extermination campaign against Jews and others judged racially inferior or politically or socially undesirable conducted by the Nazis. In response to this targeting of civilians, groups across Europe organized to rescue the victims, especially the children. Young people from Guernica were sent to foster and adoptive homes in Mexico, Scandinavia, the Soviet Union, and Belgium. Almost 4,000 children were evacuated from Bilbao, in the Basque region of Spain, to Britain.⁴

The British *kindertransport* brought 10,000 unaccompanied, mostly Jewish refugee children from Germany and German-occupied Austria and Czechoslovakia, while others were relocated to foster and adoptive homes in Holland and Belgium. Swedes took in Danish children after the Nazi occupation there, and an estimated 70,000 Finnish children were evacuated to Sweden to escape Finland's war with Russia. Britain evacuated children from London to rural areas, and an estimated 13,000 were privately evacuated to the United States and Canada. A plan by the Children's Overseas Reception Board to evacuate children to England's overseas Dominions was scrapped after only a few thousand children had been transported, following a tragic incident in which a ship carrying child refugees to Canada, the *City of Benares*, was sunk by a submarine. Across Europe, thousands of Jewish children were hidden in homes, schools, and monasteries to protect them from the Nazis. At the same time, children fathered by German soldiers in occupied areas with "Aryan" mothers were returned to the "fatherland" and adopted there (Altstein and Simon 1992,

Wyman 1968, Laquer 2001, Legarreta 1984, Forbes and Weiss Fagen 1985, 1984, Ressler, Boothby, and Steinbeck 1988, Lovelock 2000, Harris 2000, Slesin 2003).

In the United States, in contrast to these extensive European humanitarian efforts to rescue children during the war, opponents of immigration largely prevented refugees, including children, from entering the country. The 1924 Immigration Restriction Act set strict quotas to minimize the presence of those who, it was said, would degrade the “racial stock” of the U.S. population. Still more devastating, even these restricted quotas were not filled during the war, as the State Department exercised its authority to ban those who were “LPC,” liable to become a public charge, i.e., dependent on charitable or government assistance. In 1939, the U.S. Non-Sectarian Committee for Refugee Children was able to persuade its allies in Congress to sponsor hearings on a plan to provide foster and adoptive homes for 20,000 children from Germany and German-occupied areas. Although the committee lined up considerable support from religious leaders, politicians, and child welfare experts, the measure to give visas to unaccompanied children, the Wagner-Rogers bill, was never reported out of committee, defeated by arguments that these children would grow up to take jobs from Americans, anti-Semitism against those whom some called “refu-Jews,” and the suspicion that those who opposed fascism were communists. As one person who testified against the bill said, “Of course the communist house would welcome a child” (U.S. Congress 1939: 132). Quietly, being careful to avoid attracting the attention of authorities, some families did bring in unaccompanied Jewish refugee children, the “one thousand,” as they were called. About 5,000 British children were also welcomed into U.S. foster homes in 1940.⁵

These initial efforts on behalf of refugee children in the Spanish Civil War and World War II were markedly different from what followed. These were explicitly foster homes, not adoptive families. When possible, children were encouraged to maintain connections with their parents. When parents died or disappeared, as happened to many Jewish children, international social service groups sought other surviving family members to raise the children. Although some foster families objected and many found the separations wrenching, there was little belief that foster parents ought to have rights to, or even contact with children who had spent four or five years with them—some for essentially their whole lives, since they were babes in arms (Slesin 2003, Harris 2000).

Adopting War Orphans and the Progeny of American Soldiers

In the United States, the end of the Second World War brought the uneven and gradual but decisive removal of most legal barriers to immigration, as the nation assumed an increasingly prominent role on the world stage. The human geographer Richard H. Weil linked the interest in overseas adoption at the end of the war with the illegitimate children fathered by men in the U.S. forces occupying Europe and Asia, although “the U.S. military has never developed a policy to deal with foreign adoptions by its personnel” (Falatko 1983, quoted in Weil 1984: 279). The only relevant action was a 1947 order by the Occupation Force that turned over control of local adoptions by U.S. personnel to the German courts (Hochfeld and Valk, quoted in Weil 1984). “The first step [in] formulating appropriate foreign adoption criteria occurred in 1948 when the Displaced Persons Act allowed 4,065 ‘orphans’ (a term which has remained broad enough to include children relinquished by a parent or parents) to enter the country.” Among this group were 500 children adopted by U.S. personnel, but how many of them were the progeny of the Occupation Forces is unknown (Weil 1984: 279–82).

As historian Christina Klein has argued, the idea of U.S. Americans adopting children from overseas was part of the “middlebrow imagination” that provided grassroots support for the political transformation of the United States into a world power. She points to Norman Cousins and the *Saturday Review*, where an article about children in Hiroshima orphaned by the atomic bombing prompted an outpouring of offers to “sponsor” a child in an orphanage and urgent questioning about changing U.S. immigration law so that readers could actually adopt the children. Klein argues that these kinds of impulses helped transform the United States from an isolationist nation to one whose citizens could imagine themselves with a somewhat paternalistic responsibility for the rest of the world (2003: 143–90). More formally, the U.S. State Department resettled 1,300 children from Hungary as the Soviet Army waged its bloody battle for Budapest in 1945, as part of Truman’s effort to salvage something from the “loss” of Eastern Europe behind the “Iron Curtain” (Lovelock 2000).⁶ Another significant group of children was admitted for adoption after the United States supported the anticommunist forces during the civil war in Greece (1946–1949). Liberal groups such as Pearl Buck’s Welcome House sought U.S. adoptive parents for “Eurasian” and “Amerasian” children left

behind by U.S. and European servicemen in the Philippines, Japan, and China (Buck 1967, Buck and Harris 1966, Conn 1996).

In the United States, though, the largest group advocating the resettlement of children orphaned or displaced by the “small” wars that flared during the Cold War was evangelical Christians (of course, for those who were caught in them, there was nothing small or cold about these wars). A young minister in Youth for Christ, Rev. Bob Pierce, founded World Vision in 1950, an evangelical missionary organization that focused on organizing U.S. Americans to send \$5 a month to sponsor a child, beginning in China and then expanding into Korea. Evangelical Protestantism was undergoing a revival during the 1950s as a key ally of a political anticommunism, most famously through another member of Youth for Christ, Billy Graham. Rev. Graham was drawing large crowds with a simple message: the Bible is the literal word of God, and it demands that we act in the world to stop “godless communism” (Bagdikian 1997). Although evangelicals were as politically conservative as the anti-immigrant forces that had blocked transnational adoption to the United States in previous decades, theirs was a universalist faith, insisting that all people were equally God’s children. This message inspired U.S. American conservatives, and evangelical anticommunism became powerfully wed to conservative international politics—and both became intimately entwined with transnational adoption.

Bertha and Harry Holt, an Oregon couple, attracted attention for taking Rev. Pierce’s plan of sponsoring an orphan one step further and adopting Korean children in the aftermath of the war. Pierce and World Vision had filmed *Lost Sheep*, a documentary full of sad-eyed children in South Korean orphanages that was shown in evangelical churches around the United States, urging viewers to sponsor an orphan. According to their narrative, when Bertha and Harry Holt saw that film one night in Eugene, it changed their lives—and the face of Christian transnational adoption. Through World Vision, the Holts began the arduous mission of legally adopting eight Korean “orphans,” most the “Amerasian” progeny of American GIs who had been stationed in Korea, obtaining a special act of Congress to allow visas for the children. Nine children, including one destined for another couple, arrived in Oregon to considerable fanfare. World Vision employed a publicist on their behalf, and photographers and journalists made their arrival into a media circus. A few years later, celebrity couple Roy Rogers and Dale Evans of rodeo, radio, and TV fame, who were also prominent evangelical Christians, adopted a Korean

orphan through the Holts' enterprise. The Holts expanded their sphere of church-based child rescue activism to include building orphanages in South Korea and running an adoption service in the United States. Half a century later, Holt International remains one of the largest international adoption agencies in the country (Evans Rogers 1965, Holt and Albus 1956, Holt 1982, Holt, Wisner, and Albus 1992). In significant measure as a result of the Holts' campaign to publicize the plight of Korean children, the Refugee Relief Act of 1953 and another law in 1957 allowed up to 4,000 special visas for children to enter the United States (Hochfeld 1954, Kim et al. 1979, Koh 1982 quoted in Weil 1984: 282). In subsequent years, immigration restriction eased for those entering the United States from Asia; symbolically in 1954, when the McCarren-Walter Act offered ridiculously tiny quotas, and actually in 1965. During these years, smaller but significant numbers of Korean children also began to be adopted to Sweden, Norway, and the United Kingdom (Hübinette 2005, Howell, this volume). When the war in Viet Nam ended in 1975, more than 2,000 children were picked up in Saigon and flown to adoptive families throughout the United States, Canada, and Europe. Many of them were of mixed ancestry, literally embodying the U.S. (and French) war there. Organized by Holt International and a host of other organizations, Operation Babylift (with a name that sounds like a military campaign) was warmly embraced by liberals and conservatives alike as an opportunity to salvage something from the horror of the war. Some witnesses expressed uneasiness, suggesting that children were hurriedly being picked up off the streets of Saigon and packed onto airplanes, without any effort to find their parents, as the city fell to advancing North Vietnamese troops (Warren 2004, Lipman 1996, Dolgin and Franco 2002).⁷ Others continue to tell the story of Babylift as a way an individual can make a difference. One of the precipitating events occurred in 1973, when the photographer "Chick" Harrity of the Associated Press took a picture showing a street child sleeping in a cardboard box with her brother by her side on a Saigon street that was published in newspapers around the world. The girl, Tran Thie Het Nhanny, was adopted by Evelyn Heil of Springfield, Ohio, an event that was followed by thousands of Vietnamese children being adopted by American families. In 2005, when Harrity was honored with the White House News Photographers' Association's Lifetime Achievement Award, the awards committee observed "that a picture became instrumental" in promoting the adoption of these children. After an emotional meeting in which Harrity and Nhanny embraced, Harrity added "It was one of those

drop-dead moments. It brought home the real aspect of what we do. It can change lives. It certainly changed her life. We can affect the world” (Halstead 2005).⁸

The Korean War marked a change in the nature of efforts on behalf of children in war zones. In contrast to the committees that placed children in foster homes during World War II, Holt and similar agencies understood the goal as adoption, the permanent removal of children from their family, community, and country. Evangelical Protestants were also committed to religious conversion; the children would be raised Christian, whatever the faith of their birth parents. While secular agencies provided no explicit direction about the religious faith in which adopted children would be raised, leaving it up to the adoptive parents represented a real decision to promote or at least allow conversion. In contrast, there was an explicit effort during World War II to preserve the Jewish identity of rescued and hidden children; after the war, if no living relative of a hidden child could be found, international committees sought out a Jewish family to raise the child. Some Catholic institutions and some individual families had baptized Jewish children during the war, but these baptisms were controversial and contested. Those arranging adoptions of Korean children were singularly incurious about the religious background of the children. The programs took for granted that children would be converted religiously, nationally, and socially: they would become little Americans, or Swedes, or Norwegians (see Howell, this volume).

Removing Indigenous Children and Taking Children in “Dirty Wars”

In the 1950s and sixties, many countries in Western Europe and North America expanded their national programs to address poverty, more or less explicitly in answer to the Cold War questions raised by the Soviet Union in particular and socialists in general about whether poverty was better addressed by communism than by capitalism. These programs had contradictory effects on adoption. More people who had been ignored by the state came to its attention; at times they received aid and were subjected to regulation and reform. In the United States, Canada, and Australia, Native children began to be taken into the care of the child welfare system in startling numbers. Although all three countries had had boarding school programs with a curriculum of “civilizing” aboriginal peoples

since the nineteenth century, these were contracting, leaving more and more aboriginal children living with their parents on reserves. Efforts to address poverty brought these children to the attention of social workers. The result was what Canadians called the “Sixties Scoop” and Australians called the “Stolen Generation,” but most non-Native people in the United States have not yet grappled with: Native children were taken from their families and placed with white families in considerable numbers. In 1969, the Association on American Indian Affairs in the United States calculated the proportion of Native children not living with their families or tribes at as high as one-third in some states (U.S. Congress 1977, Johnson 1983).⁹ This period also saw a sharp increase in the number of African American children in foster care, which some in the United States called the “browning of child welfare.” The influx of racially minoritized and impoverished children into the child welfare systems put pressure on states to find permanent homes for them, both because temporary homes were seen as bad for children and because state care was hugely expensive. As a result of this increase in children in temporary care, the rise of racially based integration movements, and a spirit of social experimentation, child welfare and adoption systems began to experiment nationally with what the Korea program had initiated internationally: cross-religious and transracial adoptions.

Canada and the United States, through the Adoption Resource Exchange of North America (ARENA) program in the 1970s, organized one of the early transnational adoption programs, initially as a way of placing Native children with white families on both sides of the border. This was the most formal of such adoption exchanges, although not the earliest. In the 1950s, the Congressional hearings on “black market babies” chaired by Senator Estes Kefauver (D-Tenn.) revealed that many private, for-profit adoption exchanges had occurred between the two countries in the forties and earlier (U.S. Senate 1955). Canada was both a sending and receiving country for intercountry adoptions from the forties through the seventies, as the United States is now. The United States continues to send children and babies into adoptions to Canada and Europe—mostly to the Netherlands and the United Kingdom—and, especially in the Netherlands, particularly African American children (Balcolm 2007).¹⁰

At the same time that some Native and African-descended children were becoming more likely to be adopted, rising standards of living on the whole had the opposite effect, reducing the number of white children available for adoption within the United States and Western Europe.

Beginning in the 1960s, fewer “unwed” mothers were placing their babies for adoption as a combination of state supports for parents and rising wages and employment opportunities for women enabled them to keep their children. As soon as single mothers could afford to keep their children, they did. In the United States, this change, together with the legalization of birth control for unmarried women in 1972 and of abortion in 1973, contributed to what some came to call the “white baby famine”—the perception that the only babies available for adoption are Black or Latino children in foster care. Although the growth of private and commercialized adoption in the decades that followed expanded the pool of adoptable white infants, once the Pandora’s Box of women being able to control their fertility and support their children on their own wages was opened, there was no return to the relatively high number of adoptable white children available during the 1950s (Solinger 2001, 1992). In Western Europe, where nations did not develop privatized or commercialized adoption systems and the social welfare system was far more extensive, the transformation was even more complete; only small numbers of older children with extensive histories in the child welfare system, usually from families in trouble, are available for adoption domestically.

While the Cold War prompted efforts at alleviating poverty that, at least temporarily, brought greater social equality in some countries, in Latin America it brought fierce civil wars, declared and undeclared, supported with arms and training in intelligence and counterinsurgency by the United States and the Soviet Union. For the superpowers, these became proxy wars, although they were never only that in Latin America. Adoption was a significant propaganda tool in these conflicts. When Castro took power in Cuba in 1959, Cuban exiles in Miami sought to bring Cuban children to the United States. In keeping with other anomalous immigration programs for Cuban exiles after the revolution, Cuban children were admitted without visas, accepted with a simple photocopied letter from a particular Miami priest. There were suspicions that Operation Pedro Pan, as it was called in the United States, not only received these kinds of special favors from the State Department but in fact was actively abetted by the Central Intelligence Agency (CIA). In 1997, political scientist and former Pedro Pan child María de los Angeles Torres sued the CIA under the Freedom of Information Act and received documents that confirmed this suspicion. The CIA was deeply involved with the anti-Castro underground on the island that promoted rumors that Castro was about to “nationalize” children, taking them from parents and sending

them elsewhere on the island, or to the Soviet Union. The agency promoted these rumors through Radio Swan, and it was kept apprised of the success of the effort to bring more than 14,000 unaccompanied children to the United States between 1960 and 1962, when the State Department cut off the flow—and stopped parents from reuniting with their children—by halting all flights from Cuba. Wayne Smith, who worked in the U.S. embassy in Cuba in this period, told María de los Angeles Torres that he believed that the goal of the visa waiver program and the rumors that Castro was going to remove children from their families was propaganda. “The idea was to frighten families and . . . strengthen anti-government actions and attitudes. And also it was good propaganda, all these children coming out, fleeing godless communism because the Cuban government might take them away from their parents” (Torres 2003; see also Triay 1998, Conde 1999, Dubinsky 2007, Crespo and Marrawi 2000).¹¹

Throughout the Americas, the decades from 1950 through the mid-1990s saw many internal purges of accused communists, opposition members, and many civilians who were essentially innocent bystanders, including the “Dirty War” in Argentina, Chile, and Uruguay, the terror in Stroessner’s Paraguay, the civil wars in El Salvador, Guatemala, and Nicaragua, and the bodies by the side of the road under the military junta in Brazil. In these and other countries, taking the children of accused leftists was a tactic of terror, and human rights groups have used these kidnappings and the children’s subsequent “adoptions”—including transnational ones—as the focus of criminal prosecutions of those wielding political power during those years.¹² Although many of those who might have otherwise been named as war criminals were protected by retrospective amnesties, kidnapping children and sending them to be raised by other families was the one crime that could be prosecuted, because the children were not returned to their families and the crime continued past the date of the cut-off for pardons (Asociación de Abuelas de la Plaza de Mayo 1995, Arditti 1999, Cortina et al. 2005).

During the Cold War, many Latin American countries began to organize systems to make significant numbers of children available for transnational adoption, based on a model that combined the earlier goal of rescuing refugee children from war zones with the concerns that became prominent in subsequent decades, matching impoverished children with childless couples in other countries. Children “disappeared” for political reasons were also part of this mix, and many well-meaning adopters inadvertently became part of this process of disappearances. After 1989, as

the Cold War drew to a close, so too did the era of civil wars and dictatorships in Latin America, and nation after nation began slowly to return to democratic systems of governance. Transnational adoption, under a cloud of allegations of exploitation, kidnapping, commercialization, and even the adoption of children for organ theft, was gradually reduced to a trickle in most countries by the end of the 1990s in favor of in-country adoption (see Fonseca, Abreu, Leinaweaver, Selman, in this volume).¹³ The exception was Guatemala, where the trickle became a flood until 2007; the future of Guatemalan adoption policy is now uncertain.

Adopting Children “Abandoned” in Post-Communist Countries

The forcible taking of children from indigenous parents and from parents accused of political radicalism during “Dirty Wars” are extreme cases of a more general trend. Since the end of the Cold War, most children circulating in adoption are social orphans; they have living parents but have been relinquished by them or taken by the state and declared legally abandoned; they are only legally “orphans.” While the primary sending countries have shifted, the social character of orphanhood has been reinforced.

As Latin American countries were increasingly “closed” to transnational adoption, other nations, particularly in the former Soviet Union and elsewhere in Eastern Europe, “opened,” often abruptly. In 1989, with the fall of Nicolae Ceaușescu in Romania, the international press detailed the deplorable conditions in Romanian orphanages, where tens of thousands of children were virtually abandoned, victims of Ceaușescu’s plans to increase birth rates by outlawing abortion and birth control to build the nation’s strength—especially its military—but without the resources to care for the children.¹⁴ In 1990, thousands of Europeans and U.S. Americans adopted babies and children from Romania (Selman, this volume). The following year the Romanian government all but halted transnational adoption, saying that the flood of would-be adopters had produced a babies-for-cash market that was resulting in children with no connection with orphanages being “sold” (U.S. Congress 1991).¹⁵ Children from stigmatized ethnic minority groups such as the Rom (Gypsies) were particularly vulnerable. Variations of this story continued to be played out in Eastern Europe: the “opening” of a country to adoption, followed by allegations of commercialization and abuse, sometimes with a period

of sharp restriction on transnational adoptions—including the closing of Russia for many adoptions from 2006 to 2008 (see Khabibullina, this volume).

In the wake of the Cold War, China started a transnational adoption program that quickly became one of the largest in the world. That vast and populous country's one-child policy provided significant penalties for those who had a second child, or those whose first child was a girl but longed for a boy. China had no systems that allowed for legal relinquishment, so its transnational adoption program placed abandoned children—those whom some analysts prefer to say were “left where they would be found.” Despite a long history of adoption, the country had few mechanisms for adoption by families within China, although this has recently become easier (Volkman 2005a, Evans 2000, Johnson and Klatzin 2004, A. Wolf and Huang 1980, M. Wolf 1985). In 2006, China announced new restrictions on transnational adopters, including their age, educational attainment, and even weight, perhaps in an effort to minimize the number of children adopted overseas and ramp up its domestic adoptions. In the United States and Spain, the two countries with the highest rates of adoption from that nation, adoptive families of children from China are among the most networked and interconnected of all overseas adopting families, producing significant and influential organizations (see Marre and Bestard 2004, Marre 2007, and Volkman, this volume).

The explosion of the Internet provided new opportunities for transnational adoption and transnational adopters, enabling would-be adopters to find agencies, facilitators, and legal intermediaries. In the United States, private adoption came to account for more than half of all adoptions in the 1990s; in Spain, by the late 1990s around 70 percent of transnational adoptions were done independently, with assistance from nongovernmental agents or associations of adoptive parents (Marre 2004, Marre and Gaggiotti forthcoming). Communicating through the Internet, adopters compared experiences, shared tips, and talked with one another about their children's home countries and the challenges of raising them. The ease with which would-be parents met those who might offer them children was a mixed blessing, because it allowed less-than-reputable adoption facilitators, or brokers, to reach potential clients readily.

A series of international treaties, beginning with the Convention on the Rights of the Child of 1989, tried to protect children and families in “sending” countries from exploitation and codified preferences for internal adoption over intercountry adoption. The differences between U.S.

systems—private and for-profit—and the dominant European systems—bureaucratic and state-based—for organizing transnational adoptions became an issue during the negotiations for the most prominent of these treaties, the Hague Convention on Intercountry Adoption of 1993. Ultimately, U.S. negotiators persuaded the group to continue to allow independent adoptions, but under a central authority in each country (Lovelock 2000). For more than a decade, the United States, one of the countries with largest transnational adoption programs (at least in raw numbers, although many European nations, such as Spain and Norway, exceeded it in per capita adoptions), did not come into compliance with the treaty, as it continued to engage extensively in transnational adoptions from Guatemala, which refused to create a central authority, failed to establish workable systems for in-country adoption, and did not develop a system that brought all adoptions before a judge. Although many have seen the Hague and related conventions as providing crucial human rights protections, others have noted that they bring informal adoption practices that have been common for centuries (and historically not always separated by a bright line from legal adoption, in terms of the ways people understand their family relations) particularly among poor people, into conflict with international law (see Fonseca, Schachter, this volume).

The first decade of the new millennium is seeing an unprecedented combination of xenophobia and transnational adoption that may make raising transnationally adopted children more difficult (Yngvesson, this volume). During the World War II period, countries either restricted immigration or took in transnationally displaced children. Now, in contrast, the United States and Western Europe have both increasingly virulent anti-immigrant campaigns (Marre, this volume) and large numbers of transnationally adopted children. Moreover, since both migration and adoption are often viewed as similar in many senses (Legrand, this volume) and are likely to be from former colonies or countries where the receiving country had significant political involvement (Guatemala with the United States, Ethiopia with Italy, Morocco and Latin America with Spain), sometimes the targets of anti-immigrant racism and the adorable babies of transnational adoption come from the same places on different kinds of visas.¹⁶ The issue is interestingly different for Muslims, the religious group that is most often targeted by anti-immigrant movements, because Islamic law does not permit adoption, in the sense of a full legal estrangement from the child's birth parents, but authorizes only a form of guardianship called *Kafala*, and that privilege is generally reserved

for other Muslims (Bargach 2002).¹⁷ Some Islamic children are adopted transnationally, as native-born and immigrant Muslims live in many nations and immigrants, too, adopt (see Ouellette, Marre, this volume).

*Transnational Adoption as a Stratified
Form of Assisted Reproduction*

Beginning in the 1980s, new strategies for making families emerged, including donor insemination (DI), in vitro fertilization (IVF), and gestational surrogacy, in which a woman carries a pregnancy with the intention of relinquishing the newborn to another individual or couple, who generally have some of their gametes involved in the conception of the embryo. Where surrogacy contracts were unlawful, some lesbians and gay men also began openly to use what might be called an “old” reproductive technology: relying on informal relationships, such as a heterosexual friend who became pregnant but felt they could not raise another child, to give them a child (see Cadoret 2002, Cadoret, this volume). Through contractual arrangements, clinics, and sperm banks, or informally, the number of people using these reproductive technologies has exploded, running parallel to and sometimes directly affecting the dynamics of international adoption. During the 1990s, many Western European countries modified their assisted reproduction laws to include all treatments “with donated material, surrogacy or otherwise socially reconstructed forms of parenthood” (Akker 2001: 148). Consequently, in European countries such as Norway, both new reproductive technologies (NRTs) and transnational adoption are considered forms of assisted reproduction. To some extent this is correct; in this period transnational adoption became another way to have a child for parents who were unable or unwilling to do so through “normal” conception. Indeed, in 1990, confronting the changes wrought to parenthood by NRTs, Sandelowski suggested that the meaning of “normal” conception had become unclear (Sandelowski et al. 1990 quoted in Akker 2001: 148). Some studies showed that infertile couples tended to be less favorable in their attitudes toward adoption than fertile couples, perhaps as a result of their experience with and investment in NRTs (Aghanwa et al. 1999, Halman et al. 1992, both quoted in Akker 2001: 149). But NRTs also contributed to the acceptance of adoption by normalizing the idea that reproduction can include more than two people and adding some fuzziness to the binary opposition between “natural” biological reproduction

and “unnatural” adoption (compare with Čepaitienė, this volume). As anthropologists Faye Ginsburg and Rayna Rapp point out, “the creation and birth of a baby [through assisted reproduction] may involve as many as five adults contributing everything from genetic material to gestational nurturance to the social life of a family not to mention a cast of thousands in medical laboratories, legal offices, and insurance agencies” (1995: xi). Analogous to the ways in which contraception separated sex from reproduction during the 1950s, in the 1980s NRTs showed that reproduction was possible without sex. It would seem that the locus of “where babies come from” shifted from heterosexual sex to the simple desire to become a parent or to have a child. But the ability to access NRTs was, and is, highly stratified. As happened before with the contraceptive pill, legal and vacuum-aspiration abortion, surgical sterilization, amniocentesis and fetal screening, these technologies are much more difficult for women who are not wealthy to obtain and use. A Spanish adoptive mother with a girl from China told Diana Marre, “adoption is cheaper—and the results are more certain.” For middle-class, working-class, and poor women, adoption is often the first choice, for reasons of economy and access.

The categories of people using NRTs and turning to international adoption have changed, too: singles, gay men, and lesbians are far more likely than a generation ago to use reproductive technology, although access to it has been uneven. In the last two decades, most restrictions for lesbian, gay, and bisexual persons in the United States and Canada have fallen away, as reproductive technology has increasingly become available to anyone who can afford it. In Western Europe, however, the picture has been more mixed, and some lesbian couples travel to other countries to find donor sperm—Norwegians going to Denmark, for example, or Italians to Spain (Howell and Melhus 2007). Although reproductive technology is in some ways the opposite of transnational adoption (Čepaitienė, this volume), in other ways it is not: as suggested above, gametes travel across national lines. Even for heterosexuals, one or both partners may need to get a legal adoption in the case of gestational surrogacy, and in the case of donor gametes with IVF, where there is no legal cause for an adoption, there is a sense in which the “parents” are raising another’s child. All of this may take place within or across national boundaries (see Gross, this volume).

Falling birth rates in the United States, Canada, and Europe is one factor propelling the rise in transnational adoptions. While the widespread rumors of increasing rates of infertility turned out to be incorrect—there

is no evidence that that is the case—it is nevertheless true that large numbers of individuals and couples who want to have children cannot conceive. The major cause is that more women seeking to conceive are older and therefore have impaired fertility. The same social changes that allowed unwed mothers to keep their babies—increasing opportunities for women to earn wages—also resulted in delayed childbearing, as middle-class women sought to become established in a career before having a child. Declining real wages after the 1970s also drove women into the labor force, as more families needed two or more wage-earners (Chandra et al. 2005, Hochschild 1989). Some turned to transnational adoption to remedy this “structural” (i.e., labor force-induced) infertility.

International adoption processes today are not just the result of a war or other kinds of direct violence between or within nations. They are also the product of what anthropologist Shellee Colen has called “stratified reproduction,” a transnational system of power relations that enables privileged women to bear and nurture children while disempowering those who are subordinated by reason of class, race, and national origin (1986). Modifying the question posed by Faye Ginsburg and Rayna Rapp (1995: 3) about “who is normatively entitled to refuse childbearing, to be a parent, to be a caretaker, to have other caretakers for their children, to give nurture or to give culture (or both),” after more than a decade of massive levels of transnational adoption, we might ask, who is normatively entitled to expect of others that they will engage in biological reproductive functions for them, while they retain the “right” to be the providers of the child’s nurture and culture? The possibility of family formation beyond a certain age, or despite other fertility problems, was enlarged during the 1980s not only because of the development of NRTs but also as a byproduct of wars and economic inequalities that provided children for adoption. These factors allowed the “outsourcing” of such reproductive functions as pregnancy, childbirth, and sometimes the first years of babies’ lives to less expensive places and/or mothers—literally, laborers.

From this vantage point, we might ask whether the ways some women are denied access to the means to limit their fertility are a form of “euphemized violence,” following anthropologist Ann Anagnost (1995: 34) and Ginsburg and Rapp (1995: 4, 15, n. 2). The Catholic Church’s opposition to contraception and Evangelical Protestant pressure to outlaw any form of abortion have been murderous at worst, or at best compelled women to have unwanted children. For example, Argentina legalized voluntary surgical sterilization for women just last year. Nicaragua and El Salvador

effectively outlawed even medically necessary procedures after a miscarriage or in the event of an ectopic pregnancy if there were any chance the fetus was still living, as a result of a ban on abortion without an exception to save the life of the mother. But even in Latin America, where access to contraception and abortion has been severely restricted, not all women are affected; it is, rather, working-class, impoverished, and marginalized women who have been condemned to unwanted reproduction by a “seemingly beneficent discourse on morality and the family” (Kertzer 1993, quoted by Ginsburg and Rapp 1995: 4) that results in the “production” of children for the local and international upper and middle class. The Catholic Church encourages women to think about “the best interest of the child” by giving him or her “a better life” in a “good” family through adoption. Thinking in terms of euphemized violence would also help us frame China’s one-child policy and its consequences for impoverished rural couples who cannot imagine how they will survive in their old age without a son’s income to provide support—and the relative silence surrounding it compared to the international protests of the explicit violence in Tibet. We might similarly note that the demand for childless, unmarried women workers by employers in globalized manufacturing sectors called “Special Economic Zones,” *maquiladoras*, or “Export Processing Zones,” where labor laws do not apply and where young women frequently live in company-owned barracks, is another way of supplying infants to wealthy women and families, locally and internationally (Johnson and Klatzin 2004, Evans 2000, Hübinette 2005).

Euphemized violence also occurs in wealthy countries and classes. The increasing insecurity of work life until late into adulthood; the salary differentials between women and men—women earn between 17 and 30 percent less than what men do in the EU, and 33 percent less than average male wage in the United States; the lack of policies designed to balance family and work; the failure of heterosexual men to assume half the burden of familial and domestic labor—all conspire to make delaying or “outsourcing” childbearing seem rational or even forced choices. Shellee Colen demonstrates how these “First World” and “Third World” forms of gendered violence work together, following West Indian women who left their own children with kin in the Islands to go to New York looking for well-paid jobs and end up caring for white middle-class children whose working mothers hired them because of their lack of public childcare options, insufficient support to enable them to stay home,

and an entrenched sexual division of labor (Colen 1995, 1990, 1989, 1986). Now, the pressure on domestic and child-rearing labor seems to have gone beyond even the point where a nanny can solve it. Many employed women in wealthy countries cannot afford to engage even in pregnancy or childbirth. For example, sociologist Jens Qvortrup stated that 40 percent of German women in academia expect to remain childless (2005: 1), and the last seven permanent positions in a Social Sciences department in a well-known Spanish university were occupied by single men or childless women in their forties, some of whom subsequently decided to adopt internationally. Women who offer children for adoption from Third World countries differ from the West Indian nannies that Colen writes about in that they are not doing it as a job. The only benefit to these women is the avoidance of some other horror. They are doing it because they lack the economic, familial, and/or personal resources to raise a child, they did not have access to contraception, economic hardship forced a male partner to migrate internally or internationally, and a temporary liaison with another man, for economic survival or simple companionship, left them with a child they could not keep. Many are victims of sexual violence; most have other children to support. Whatever the case, adoption does not particularly benefit the mother or her other children, or provide a means to improve her situation. On the contrary, the benefits redound to a long chain of wealthy intermediaries, including governments.

Most recently, some of the partners in transnational adoption have been oddly if unevenly matched in their insecure relationships to their children, as gay and lesbian adopters in the United States, Europe, and elsewhere, with uncertain legal parental rights, acquire children from impoverished communities in the Third World. The question of gay and lesbian adoption has become highly controversial in recent years, with adoption authorities in sending countries such as China withdrawing their qualified willingness to look the other way with gay and lesbian adopters. The ability of gay men and lesbians to adopt seems to be expanding within some countries—a third of the EU countries and South Africa now allow this practice—at the same time that it is contracting elsewhere, as conservative religious groups in the United States struggle to outlaw it. Related questions of gay marriage are similarly in flux, as increasing numbers of places allow it, while others make it more difficult.

The forces impinging on transnational adoption are increasingly contradictory. While demand in the United States, Western Europe, and

Canada continues to grow, including new forms of demand (Collard, this volume), major “sending” countries such as China and Guatemala are scaling back or temporarily halting their international adoption programs. More than ever, we need to recognize the diverse national and transnational forces driving support for and opposition to transnational adoption. Surprisingly, there have been few previous efforts to bring together an international group of scholars or adoption activists together to describe and reflect upon these multiple and diverse strands from their divergent perspectives. This volume initiates a common conversation about adoption.

NOTES

1. This notion of adoption—as a way of organizing children’s labor and training—shaped some of the earliest transnational migration of children, which might by some accounts be adoption. The United Kingdom sent about 16,000 child migrants to its largest settler colonies, the United States, Australia, Canada, and New Zealand, between 1618 and 1967; see Bean and Melville 1989, Selman 2008. It also shaped the practice of running “orphan trains” from the East Coast to the Western United States; see Fitzgerald 1992, Gordon 1999. On heirs, see Goody 1969; for adoption of an heir in non-Western cultural contexts, see Waltner 1990.

2. See *A Short History of the Save the Children Foundation*, available online at <http://www.oneworld.org/scf/functions/aboutus/history2.html> (accessed 28 March 2002); also see United States Congress 1939.

3. The standard source for this post–World War II chronology is Altstein and Simon 1991; see also Weil 1984, Selman 2008, 2002, 1998, Lovelock 2000. The periodization of transnational adoption is a matter of perspective; as long as there have been nation-states, children have been crossing international borders and taking up residence with people who were not their birth parents. The historiographical question is, when did the numbers become large enough, or the conditions sufficiently interesting, to warrant marking it as a phase of transnational adoption that preceded the era of formal, bureaucratic systems? As Volkman (2003) put it, adoption became “visible and vocal” after previously being a taboo topic. This change of attitude followed from the fact that children who physically resembled the adoptive parents were no longer available in some places, and more difficult or costly to locate in others. Also new is the interest shown in this subject by social and cultural anthropologists. The circulation of children was previously seen as a feature of “other” cultures and related to “fictive” kinship, but now it involved legal adoption in these scholars’ own societies. As Terrell and Modell have suggested, “apparently what anthropologists find interesting elsewhere may be less interesting, or deeply private, at home” (1994: 157).

4. Some of them remained in Britain after the end of the Civil War and have formed an association: see <http://www.basquechildren.org/> (accessed 4 May 2008).
5. "Hoover Backs Bill to Waive Quota Act for Reich Children," *New York Times*, 23 April 1939, 1.
6. Harry S. Truman, "President Truman's Statement and Directive on Displaced Persons," *New York Times*, 23 December 1945.
7. Carroll Bogert and Betsy McKay, "Bringing Baby Back," *Newsweek*, 21 November 1994.
8. Dirck Halstead, "A Surprise from Long Ago and Far Away," *The Digital Journalist*, June 2005; available online at <http://convergent.communication.utexas.edu/issue0506/longago.html> (accessed 4 May 2008).
9. Anonymous, "Devil's Lake Sioux Resistance," *Indian Family Defense*, Winter 1974; Bertram Hirsch, keynote address at "The Indian Child Welfare Act—The Next Ten Years: Indian Homes for Indian Children," University of California at Los Angeles, 22–24 August 1990.
10. Hari Sreenivasan, "Foreigners Vie to Adopt Black U.S. Babies," *World News Tonight* [broadcast], 5 March 2005; Dawn Davenport, "Born in America, Adopted Abroad," *Christian Science Monitor*, 27 October 2004.
11. "Pedro Pan," interview on *All Things Considered*, National Public Radio, 3 May 2000.
12. María Eugenia Sampallo, the thirty-two-year-old daughter of a couple who was "disappeared" during the Argentine Dirty War, has denounced her adoptive parents—whom she calls "appropriators"—and the member of the army who mediated her adoption in court. For the first time in the Argentinean process of recovering the identity of children who were "appropriated" during the dictatorship, the court ruled in the victim's favor. Indeed, her appropriators and the intermediary were sentenced to eight and ten years in prison respectively. When María Eugenia was asked the reasons for her decision to sue, she answered that "society must not accept that children can be stolen." *La Vanguardia*, 5 April 2008.
13. Spain is an exceptional case. The former colonizer of Latin America continues to be seen favorably by many Latin American child welfare groups. Transnational adoption to Spain began in Latin America, and from the early 1990s until the early 2000s most children adopted internationally in Spain came from Colombia, Peru, Mexico, the Dominican Republic, Brazil, and Bolivia. At present, although the number of transnational adoptions from Latin America to Spain is decreasing, the practice continues from Colombia and Peru and is increasing from Bolivia. In the aftermath of the change of transnational adoption laws in China and the interruption of transnational adoption in Russia, many families in Spain decided to go to Latin America. In a recent meeting with forty of them, Diana Marre asked about the reasons for this decision. Most spoke of a "sweet adoption," meaning that they know the language and spend two months in the

country developing—and allowing the child to develop—an attachment step by step.

14. Jane Perlez, “Romanian ‘Orphans’: Prisoners of their Cribs,” *New York Times*, 25 March 1996; Kate McGeown, “What Happened to Romania’s Orphans?” *BBC News*, 8 July 2005.

15. Kathleen Hunt, “The Romanian Baby Bazaar,” *New York Times*, 24 March 1991; Carol Lawson, “Doctor Acts to Heal Romania’s Wounds of Baby Trafficking,” *New York Times*, 3 October 1991; Jane Perlez, “Romania Gives Britons Prison in Baby Case,” *New York Times*, 10 October 1994.

16. International immigration and international adoption have also different kinds of benefits and beneficiaries. Estimates suggest that only 10 to 15 percent of the usual cost of an international adoption (US\$20,000–30,000) goes to the child’s country of origin.

17. In Spain and France (Barraud forthcoming), a certain number of families adopting from Morocco and Algeria have used Kafala as a legal way of harboring children since the late 1980s through early 1990s. Although in France many of these adoptive families have North African origins, some Spanish and/or Catalan families with no previous cultural or religious ties with Muslim countries such as Morocco decided to convert to Islam and to “kafalar” a child—that is, to shelter and raise a child under a Kafala contract. Given the fact that adoption is forbidden by Islamic law, Kafala is used as a substitute for adoption despite the fact that it does not provide for inheritance or locate the child in the new family’s lineage.

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