

How to Handle a Birth Parent :

From Local Practice to International Policy in Early Intercountry Adoption, 1948-1960

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My paper today considers the early, formative years of intercountry adoption following World War II – a period that has eluded close treatment by historians. The dozen years between 1948 and 1960 are particularly important, since during this time the social and legal innovation of intercountry adoption emerged along with an internationally endorsed set of ethical standards and “proper practices” which survive until today (in modified form) in the 1993 Hague Convention on Intercountry Adoption.

Here, I trace one aspect of intercountry adoption’s early historical formation: namely, the articulation and evolution of the “problem of the birthparent.” After providing some historical background on intercountry adoption, I will turn to three of the era’s top sending countries -- postwar Germany, Greece, and Japan – in order to explore how birthparents figured in early intercountry adoption, how and why they came to be viewed as a “problem,” and what policy solutions were proposed to address those perceived problems. An important focus will be to consider how experiences on the ground and international social workers’ assessments of the peculiarities and patchwork of local practices led, by the turn of the 1960s, to the globalization of

1) the legal definition of adoption, 2) of ethical standards, and 3) of professional practices. A significant part of the story, then, is the shift from “local” to “global” through the attempts of international social workers to smooth the legal procedure of transferring children from their original families, nations, and citizenships to their adoptive ones. My aim is to suggest a historically grounded analysis of why a commitment to “confidentiality,” in the parlance of the time, emerged in international policy and practice.¹

Historical studies of intercountry adoption tend to begin their narratives in the late 1950s -- when adoptions from Korea took off -- and to focus on the United States as the largest “receiver” nation of foreign children.² Yet for the first two decades following World War II – the period of intercountry adoption’s formalized emergence — adoptions from Korea and indeed Asia more generally were in the minority and were dwarfed by those originating in Europe.³

¹ U.N. Technical Assistance Office, Special European Social Welfare Programme, “European Seminar on Inter-Country Adoption,” 92. For a historical discussion of the development of secrecy in adoption, see E. Wayne Carp, “How Tight was the Seal? A Reappraisal of Adoption Records in the United States, England, and New Zealand, 1851-1955” in Neil Elsbeth and Gretchen Wrobel, eds., *International Advances in Adoption Research for Practice* (Chichester: Wiley-Blackwell, 2009), 17-39.

² In absolute numbers, rather than percentage of intercountry adoptions per population.

³ A total of 10,288 “orphans” of foreign birth entered the U.S. between 1946-1958 on special non-quota visas. Of these, 68% were of European birth, 16% of Japanese birth, and 17% of Korean birth. These numbers do not include orphans who entered the U.S. under the quota system, which would inflate the number of European children and do little to increase the number of Asian children, since quotas were set at 100 individuals per Asian country annually after the 1952 McCarran-Walters Act. (Non-quota special legislation for immigrant orphans began with the Displaced Persons Act of 1948 and continued through the Act of July 29, 1953, which allowed the entry of Japanese orphans for the first time, the Refugee Relief Act of 1953, the Emergency Parole Protocol of October 30, 1956, and the Act of September 11, 1957. In an essay on Asian immigration, Linda W. Gordon notes that 3,800 Koreans entered the United States under the 1957 Refugee-Escapee Act and that “almost all” of these “were orphans.” However, she does not footnote her information or provide any indication of the precise numbers or ages of these immigrants at the time of their entry to the United States. It is unlikely that they were

Without denying the utility of international adoptions as propaganda, motivation, or metaphor for Cold-War American foreign policy in Asia and elsewhere,⁴ this essay suggests an alternate genealogy. It locates the origins and practice of intercountry adoption in the growth of international social work and internationally negotiated social and legal practices that took shape in the cauldron of world war, massive population displacements, and a globalizing U.S. military presence.

Intercountry adoption traces its roots to cooperative international social work reaching back to the 1920s. Its structural and legal foundations were laid through the efforts of organizations like the International Social Service [ISS], an early NGO that was founded after the First World War and devoted to providing humanitarian aid and legal advice to refugee and migrant mothers and children separated from husbands and families by national boundaries. The ISS established its headquarters in Geneva, the seat of interwar internationalism, as well as branch offices staffed with native workers in Britain, Czechoslovakia, France, Germany, Greece, Poland, Switzerland, and the U.S.; by the mid-1950s its network expanded to East Asia and parts of Latin America. Since the early 1920s, its aim was to create a new type of social work grounded in intense “international collaboration” to address serious family-related problems

international adoptees since those numbers do not appear in data concerning intercountry adoption. Linda W. Gordon, “Asian Immigration since World War II” in Robert W. Tucker, Charles B. Keeley, and Linda Wrigley, eds., *Immigration and U.S. Foreign Policy* (Boulder: Westview, 1990), 169-91, here 175. Non-quota numbers come from Gertrude D. Krichesky, “Immigrant Orphans,” *J&M Reporter* (October 1958): 19-21, filed in SW109, Box 13, folder 2. Not until 1965-76 did Korean adoptions constitute a majority (estimated at 65% for the entire period). Simon and Altstein, *Adoption Across Borders*, 6.

⁴ See the work of Christina Klein, Sara Dorow, Laura Briggs, Rita Simon and Howard Altstein, Jane Jeong Tranka, et al., for example.

arising among growing numbers of refugees, stateless persons, and labor migrants who required help in negotiating conflicting laws of two or more countries to locate loved ones, reunite families, or transport dependents across national boundaries, resolve ambiguities in citizenship, or send or claim child support at a time when protective international law was lacking. The ISS authored research reports on such problems in interwar Europe and consulted with both national governments and international bodies (such as the ILO and League of Nations) to make the family and its “inviolability” a central consideration when framing migration policy.⁵

After World War II, the International Social Service staff worked with all of the leading international relief and refugee organizations (such as the U.N. Relief and Rehabilitation Administration [UNRRA], the International Refugee Organization [IRO], and the U.N. Office of the High Commission for Refugees, among others) and consulted on national and international refugee migration policy (including the 1953 U.S. Refugee Relief Act).

As a result, the ISS acquired unique international knowledge of, and experience in, civil and family law, legal procedures, and kinship practices in the U.S., Europe, Latin America, and East Asia (as it expanded to Japan, Hong Kong, and South Korea in the mid-1950s). In addition, it developed unsurpassed international expertise in intercountry family and child welfare issues and a rapidly globalizing network of trained social workers. It became the primary non-sectarian organization for handling intercountry adoptions involving the U.S. western Europe, East Asia, and parts of Latin America and for resolving post-placement problems that arose from

⁵Ruth Larned, “International Social Service: A History, 1924-1955,” typescript prepared for the International Social Service, 1956, 17. ISS-SW109.

intercountry adoptions made through less regulated and non-professionalized channels (such as religious organizations or proxy procedures).⁶

From Local Cultures and Legal Ambiguity to Global Norm-Making

At the conclusion of World War II, ISS officials articulated their primary goals as “rekindling” kinship ties, “preserving” and “reuniting families,” or, if this proved impossible, reconstituting them among surviving refugees and displaced persons.⁷ Reestablishing and reconstituting families was part of the international humanitarian project after 1945. It emerged as one of the most uniformly endorsed answers to the central problem of postwar reconstruction:

⁶ In the 1950s United States, the U.S. government recognized only two major national agencies for international adoption: the Catholic Committee for Refugees of the National Catholic Welfare Conference and the ISS. Due to an agreement with the Protestant agency, Church World Service, the ISS handled Protestant intercountry adoptions. In addition, the United HIAS provided service to Jewish children, but according to ISS leaders, “the almost complete unavailability of Jewish children for adoption makes the need for this service practically non-existent.” Susan Pettiss, “Effect of Adoption of Foreign Children,” offprint, p. 2; Ruth Larned, “International Social Service: A History,” 84-100, and separate “country files” in the Papers of the International Social Service – American Branch (SW 109) deposited at the University of Minnesota Libraries - Social Welfare History Archives. On Catholic international social welfare work, see Martha Rose Norris, “Adoption of Children from Overseas: A Study of the Process involved in Intercountry Adoption Placement of 145 Children Conducted under the Auspices of the Catholic Committee for Refugees, National Catholic Welfare Conference, 1961-1964 (doctoral dissertation in Social Work, Catholic University of America, 1967).

⁷ See Heide Fehrenbach, “War Orphans and Postfascist Families: Kinship and Belonging after 1945” in *Histories of the Aftermath: The Legacies of the Second World War in Europe*, ed. Frank Biess and Robert G. Moeller, 175-95 (New York: Berghahn Books, 2010); Tara Zahra, “Lost Children,” *Journal of Modern History* (March 2009); SW109, Box 15, file 21: “War Emergency Project” dated 30 August 1945. ISS expertise was also sought by the United Nations on the enforcement of maintenance support for dependents in foreign countries which became a prickly and persistent international issue, given the number of illegitimate “soldiers’ children” left both by German troops in wartime Europe and, with ongoing postwar military occupation and military bases abroad, by Allied and especially American soldiers after war’s end.

namely, how to build stability: not just politically and economically, but also socially, psychologically and emotionally.

Intercountry adoption was born of the war and its postwar practice was marked by this traumatic birth. It is hard to exaggerate how shocked and overwhelmed international humanitarian workers (including many on loan from the ISS) felt when they confronted the massive destruction, human misery, displaced and debilitated millions they were mobilized to address.⁸ In the immediate postwar period, intercountry adoption first took the form of the legal adoption of “known” war orphans from Europe to the United States by related family members and privileged the principle of blood ties. ISS workers considered intercountry adoption a temporary response – a kind of social triage – to address the wartime destruction of families and expected it to fade away as normalization ensued.⁹

Instead, intercountry adoption persisted and spread beyond the professionalized circles of the ISS as the humanitarian crisis expanded beyond surviving “war orphans,” narrowly defined, to include an unexpectedly large and growing population of abandoned or unwanted children in Europe and East Asia fathered by Allied soldiers of the postwar military occupations. By the early 1950s (particularly following the 1953 U.S. Refugee Relief Act) intercountry adoption was

⁸ Susan T. Pettiss, with Lynne Taylor, *After the Shooting Stopped: The Story of an UNRRA Welfare Worker in Germany, 1945-1947* (Victoria, B.C.: Trafford Publishing, 2004).

⁹ Larned, “International Social Service”; Eugenie Hochfeld, “Across National Boundaries: Problems in the Handling of International Adoptions, Dependency, and Custody Cases” in *Juvenile Court Judges Journal*, Vol. 4, no. 3 (October 1963): 3-7.

embraced by numerous groups and individuals – for reasons of religious belief, political or social ideology, racial liberalism, or a transnational ethnic identification and activism.¹⁰

In immediate post-1945 period, then, child adoption was one response to national problems of war orphans, illegitimacy, and fatherlessness. As the British adoption expert Margaret Kornitzer observed at the time, “adoption as we know it is something new ...it is the product of a new kind of consciousness.”¹¹ In much of Europe and Asia, moreover, “child adoption” and “intercountry adoption” appeared simultaneously. As legal and social practice, they developed and were defined in dialogue with international humanitarian social work.

I am interested in this early period of contact as a time of mutual instruction. For it was in reference to ISS experiences at the local level across Europe and later East Asia that ISS policy-makers – along with a diverse group of Europeans in the U.N., legal practice, and social work -- came to articulate and endorse principles to govern ethical practice and proper professional procedure. So I will very briefly turn to ISS experiences in Greece, (West) Germany, and Japan to suggest what problems birth parents, local conditions, and local cultures were perceived to present, and what lessons the ISS and their cohorts learned from them.

GREECE: Two cases typify some of the issues to emerge from intercountry adoption in Greece. The first, from 1953, concerned a Greek mother who released her two daughters for

¹⁰ Fehrenbach, “War Orphans and Postfascist Families.”

¹¹ Margaret Kornitzer, *Child Adoption in the Modern World* (New York: Philosophical Library, 1952), 345.

adoption to the United States under the assumption that she would retain a connection to them.¹² By the time she realized that was not the case – that her children would not be able to write or visit and would retain no legal link or social duties toward the mother in the future, she attempted to reclaim them. By then it was too late since her daughters had been legally adopted by adoptive parents in the U.S. The problem was national differences in civil law and socio-cultural understandings of adoption.¹³ While Greek family courts were involved, in effect they merely released the child for adoption.¹⁴ The adoption also had to be recognized as legal from the perspective of the receiving state (in the case the U.S. and the specific state in which the adoptive parents lived). Its laws overrode – and often nullified -- the legal definition of the sending state and the desires of the birthmother. A related problem was the question of what constituted “informed consent” by the birth parent – since in this case grossly insufficient attention appeared to be given to advising the birth mother on differences in legal definitions and local cultures of adoption.

¹² ISS-SW109, Box 31, folders 1, 2, 7 &9, letter to William Kirk from Alline McCullough, dated 19 October 1953.

¹³ ISS social workers noted cultural differences between Greek and American understanding of adoption and in particular the lack of recognition of “permanent severance of natural family ties as a part of adoption. “ In Greece, the adopted child “would be expected to recognize the real emotional claims of his natural mother if she should contact him in time of need.” Greek families have boarded children out or placed them in foster care and did not “carefully” distinguish between these situations and legal adoption. In general it seemed that in the early 1950s, at least some Greeks viewed intercountry adoption as expanding (rather than restricting) the kinship network and perhaps as something that could facilitate chain migration. See ISS-SW109, Box 31, folders 1, 2, 7 &9. “Report of Visit to Greek Branch of ISS,” 17 July – 4 August 1956.

¹⁴ On the state’s “producing” children as adoptable, see Barbara Yngvesson, “Placing the ‘Gift Child’ in Transnational Adoption” in *Law and Society Review* 36, no. 2, Special Issue on Nonbiological Parenting (2002): 227-56, especially 236.

A second case, from 1958, raised the questions regarding what were appropriate circumstances to merit intercountry adoption and how should social workers treat and weigh the expressed desires of the birth parent? This involved a widowed Greek man with five children who remarried shortly after his first wife's death. The second wife had very little patience for the youngest of her new stepdaughters, aged 8 and 12, who were the only children still living at home, and refused to take a maternal interest in them. The 64-year old father was quite poor and feared that should he die there would be no one available to care for and protect the girls. He decided that given the situation the girls would be better provided for and nurtured by adoptive parents in the U.S and approached the Greek Branch of the ISS for assistance. The Greek ISS director and social workers were sympathetic to his plight and advocated on his behalf multiple times with the ISS in NYC in favor of pursuing adoption for the girls. In interviews, he stated explicitly that he understood such adoption would permanently sever his relationship with his daughters, but he was convinced it would be in their best interests since they lived in fear of their stepmother and if he died, they would likely be separated and sent to strange households to do heavy work as maids. The Greek ISS director concurred and added a comment that many such maids become unwed mothers. She suggested that without recourse to adoption, the girls' situation would be "hopeless." In the end, ISS in New York City refused to take the case, declaring that poverty alone was insufficient reason for removing the children from the family, especially since they had close relationships with their brothers (young, unestablished men who worked in distant Greek cities and could not care for the girls). They cited the negative psychological effects separation and migration could have on the girls and suggested that

material assistance be sought through “Save the Children” or “CARE” with the goal of mitigating economic pressure and strengthening the family’s ties.¹⁵

GERMANY: Intercountry adoptions from Germany to the U.S. began in 1948, but expanded as a result of the Refugee Relief Act of 1953, which broadened the definition of “eligible orphans” allowed to immigrate. By the early 1950s, the ISS office in NYC was increasingly called to assist with problems that had arisen from “proxy” and other unregulated adoptions conducted via lawyers or intercountry adoption advocates in Germany. A substantial number of intercountry adoptions in Germany in the late 1940s and early 1950s were done “on the ground” by American military families stationed there or by intermediaries intent on finding institutionalized children in Germany a home in the U.S.

One such facilitator was Mabel Grammar, wife of an African American warrant officer stationed in Mannheim and sometime correspondent for the Baltimore Afro-American newspaper. Grammar became incensed when she visited a local orphanage and saw the abject condition of black German children living there. These children were the illegitimate offspring of African American GIs and were placed in the orphanages by their German mothers who could not or would not raise them due to the prejudicial reception they received from their compatriots when they sought housing, employment, or marriage. In an explicit campaign for race rescue and civil rights, Grammar publicized the plight of the children to African Americans in Germany and the U.S. She worked informally with local German orphanages and youth offices which

¹⁵ ISS-SW 109, Box 48 “ISS Staff Meeting”: Case Discussion Groups (1-4 June 1959), pp. 1-6. The case dated from 1958.

proved receptive, even eager, to locate and release black German children for adoption. As her reputation spread, she was increasingly approached by birthmothers who had serious medical, mental, financial or personal problems and desperately sought an adoptive placement and better prospects for their children outside of racist Germany. She liaised with African American connections in the military, churches, and media to locate black families for them. Once in the U.S., a series of problems arose with some of the adoptions (typically the result of divorce, financial problems, or mental or physical illness on the part of an adoptive parent, for example) and the ISS was asked to get involved to help provide counseling, resolve the situation, or even establish who held legal guardianship. In more than a few cases, in fact, the birth mother's signed consent wasn't received or adoption hadn't actually been pursued or completed. By the mid-1950s, the ISS had a number of fat file folders on both "the problem of Mrs. Grammar" and by extension, the problem of proxy adoptions.¹⁶

JAPAN: In Japan, illegitimate and "mixed-race occupation children" of American paternity also dominated intercountry adoptions and shaped ISS assessments. Unlike Germany, Japan did not have a highly developed child welfare system; rather it was nascent, having been created in 1947, and centered in urban areas.¹⁷ Like Greece (but unlike Germany), "modern adoption" emerged as legal practice only after World War II. It was introduced via the humanitarian relief work of international social workers and initially took the form of intercountry adoption

¹⁶ For a detailed discussion, see Fehrenbach *Race after Hitler*, chapter 5.

¹⁷ Roger Goodman, *Children of the Japanese State: The Changing Role of Child Protection Institutions in Contemporary Japan* (New York: Oxford UP, 2000).

exclusively. In-country adoption of unrelated minor children was virtually unknown until the 1970s.¹⁸

Japanese women who were raped by Allied soldiers, in casual sexual relationships with them, or in longer term relationships and abandoned by them dominated the documented birth mothers of children adopted internationally.¹⁹ Like their German counterparts, Japanese mothers of mixed-race children (whether of white, black, or Latino paternity) faced severe prejudice. Moreover, in Japan, all births were recorded in semi-public family registries called koseki, which were used for all sorts of bureaucratic purposes and were consulted by the groom's family in the case of a proposed marriage. An illegitimate birth entered on the koseki was perceived as a permanent mark of shame against the woman and her family. As a result, many birth mothers of illegitimate or occupation children abandoned their children rather than record the birth; in a couple of cases, Japanese orphanage directors assisted mothers to keep their identities secret and their children off of the family registers.²⁰

¹⁸ Ibid., 144-52. Prior to this, however, "traditional adoptions" had been practiced and "were a defining feature of the Japanese kinship system," especially among upper class families since the 19th century. Typically kin male relatives (often adults) would be adopted to guarantee succession of the household or ie. It was important to find the best leadership of the household to ensure its survival over generations (144-46).

¹⁹ Abortions were available to Japanese women beginning in 1948 (when the "Eugenics Law" passed); over a quarter million were performed in 1949 with numbers rising well above a half-million in 1951. See the sociological data and survey information on intercountry adoption provided by Lloyd Graham, *The Adoption of Children from Japan by American Families, 1952-1955*. (Doctoral dissertation, School of Social Work, University of Toronto, 1958). Graham was a social worker in Japan, was with intercountry adoption, and worked closely with Japanese counterparts in orphanages and social welfare offices. He became a liaison with the ISS once it established an office there. Abortion numbers provided in Graham, p. 68, note 2.

²⁰ Graham, *The Adoption of Children from Japan*.

While this meant that many adopted children had their mothers listed as unknown, this was not the case for all. In Japan, as in Germany, U.S. military families interested in adopting sometimes went directly to the mother or her family to make arrangements. In some cases, plans for adoptions were arranged before the child was born; in others, they were made following birth on the basis of the recommendations of orphanage directors, of American friends who knew of an available child, and the like. Most of these adoptions were “non-proxy”: that is, the adoptive parents were present and available for questioning by Japanese family court judges, although interviews appear to have been neither thorough nor common. As in Germany, Japanese officials were quite happy to get illegitimate and occupation children off of the state purse and out of the country. In both countries the children were generally viewed as an affront to national mores and (male) honor, an irksome expense, and a growing social problem.

In Japan, unlike in Germany, however, birth mothers and even maternal grandmothers sometimes continued contact with the child, visiting her and easing her transition into the American adoptive home in Japan. In a very small number of cases, the Japanese birth mother was invited to move in with the adoptive family to help the child get acclimated to the new parents and living situation. Some adoptive parents apparently did this to accommodate what they understood to be the Japanese tradition of “family to family” adoption; some did it in the attempt to mitigate the child’s anticipated emotional shock at the new situation; others did so because they were interested in permitting the child continued contact with Japanese relatives,

language, and culture. However, it appears that very few adoptive parents expected contact to extend beyond their stay in Japan.²¹

Well into the 1950s, then, a range of practices characterized intercountry adoption. In Germany and Japan it was not uncommon for adoptive parents and birth mothers to know each other's names and backgrounds, be acquainted, and even mutually agree to the adoption. These birth mothers clearly had limited choices, but strove to make the best arrangements for themselves and their children and exercise what little influence they had within those constraints.

So many questions emerged from the early practice of intercountry adoption because they were conducted on a case-by-case basis. In these formative years of intercountry adoption, professionalizing international social workers in Europe and the United States were acutely aware of the myriad problems involved and began systematically collecting and weighing experiences in order to articulate “proper” procedures, practice, and theory. The questions – moral, legal, social, psychological—were legion: Under what circumstances should intercountry adoption be considered? At whose behest? How should different national standards of parental rights and release be reconciled? What about differences between sending and receiving states regarding legal definitions of adoption, or when and how an adoption takes place? What is “informed consent” and must a birthparent give it? When can a child be declared “abandoned” and released without parental consent? Assuming the child is released, how should adoptive parents be chosen for her? Who would do the choosing? On what basis? What would make a

²¹ Ibid. Also ISS, SW109, Box 34, files 4 and 17 on Japan.

set of prospective parents qualified to adopt a child? On what grounds would a particular child be matched with particular parents? What happens to the child if the adoption doesn't work out? To whom, what authority, does guardianship revert? And what are the nationality and citizenship implications?

In general, the ISS was pragmatic: they had to find ways to reconcile the diverse laws of sending and receiving states, all the while ensuring that the adoptive child was protected, was continuously under an adequate form of legal guardianship, that the adoption would be formally recognized by the receiving state, and that the child would receive a secure home, legal name, and nationality when the process was complete. Initially, then, ISS workers were struck by the highly complex **legal** negotiations necessary to move a child successfully from one national context to another.

But because the ISS members, from the 1920s, were proponents of the “modern casework approach” (and developed international seminars in Paris in the 1930s to train social workers from Europe and Latin America in casework method), they were acutely aware of the psychological and emotional dimensions of intercountry adoption as well. Their method emphasized the need to investigate fully the individual child and familial context of each case: in addition to weighing material and physical circumstances, they paid close attention to psychological and emotional dynamics. As a result, their understanding and practice of intercountry adoption – and ultimately their prescriptions for it -- were heavily psychologized. Case files contained richly detailed narratives of the emotional and psychological reactions of the children to their current living situation, to the possibility of adoption, and (in follow-up

interviews) to their “adjustment” to their adoptive home and parents. In cases in which birthparents were available to be interviewed, their material circumstances and physical, psychological, and emotional disposition were described. Similar information on adoptive parents – including thorough home studies – were recorded in yet more detail. One extensively documented case from 1946-47 involved French Jewish war orphans --two young sisters whose father died of disease and whose mother was murdered at Auschwitz. The case study was judged ideal in terms of its scope, comprehensiveness, and successful outcome, and was later used as training material in courses on “international social casework methods” Columbia University’s School of Social Work.²²

This early case study was rich in narrative detail and pathos. It was suffused, in fact, by the tragedy and trauma of the young girls’ loss – so much so, that the French and American ISS staff working on it themselves appeared emotionally invested in finding a happy outcome. While not all subsequent cases were as dramatic or richly narrated, they do display sensitivity to the children’s often fragile emotional state and closely observe the children’s verbalizations and behavior. Such child-focused casework was at the heart of claims to be working in the “best interest of the child.”

Ultimately, as an outgrowth of both legal practicalities and its experience with individual casework, the ISS agreed that a “clean break” between birth parent and child was most effective for each to “move on.” Without this, as one report put it, the birthparent couldn’t feel “free of

²² SW109, ISS, Box 11, file 20, “Casework Record Restricted, #5-51-1.

the child,” the adoptive parents couldn’t fully feel the child to be their own, and the children would be unable to integrate affectively into the new family.²³ Emotional and legal clarity were understood as going hand-in-hand.²⁴

Nonetheless, by the mid-1950s, the ISS was also working through the U.N. to reduce the number of intercountry adoptions and allow birth parents to preserve their rights and retain their children. In two international summits, the ISS led a concerted effort to tamp down on renegade, unregulated, and proxy adoptions.²⁵ They condemned the “hasty placements” and “unwarranted adoptions” that resulted “especially ... in periods of great stress and times of emergency, when the importance of individuals is apt to be lost sight of.” Poverty and social considerations, they asserted, were not valid grounds for intercountry adoption.²⁶ What emerged were U.N-

²³ U.N. Department of Social Affairs, *Study on the Adoption of Children* (Geneva, 1954), 86. Also Graham.

²⁴ The 1960 U.N.-sponsored statement on intercountry adoption declared that a number of “legal impediments” to intercountry adoption needed to be resolved, including the “continuation of the legal right of the natural parent to maintain a relationship to the child subsequent to adoption,” the “continuation of mutual legal responsibility for support between natural parents and child” after adoption, and the “requirement that natural parents know the identity of adoptive parents.” *European Seminar on Intercountry Adoption*, pp. 10-18. This was based upon the norm of nuclear, rather than extended families and narrowed definitions of the membership, mutuality, and temporal trajectories of “kinship.” This new globalizing definition was developed in conscious contradiction to more expansive notions of kinship underlying Greek definition of adoption: rather than conceptualize adoption as creating an expansive network of kin that tied birth family to adoptive family through the linking child, the globalizing definition was based upon the quest for legal and affective clarity, and sought to sever the child’s legal and affective ties with the birth family to promote a definitive integration into adoptive family and nation.

²⁵ The U.N. statement endorsed permanent membership in a family as desired goal for parentless children: “Adoption is the best substitute for the natural family ... Although [it] does not replace the biological relation which exists between the child and its natural parents, it does reconstitute a stable family through the enduring ties it creates.” “*European Seminar on Inter-Country Adoption*,” 65, 1.

²⁶ “*European Seminar on Intercountry Adoption*,” 18, 19-20.

sponsored agreements (1956, 1960) that laid down an internationally endorsed set of “fundamental principles” and standardized procedures to govern intercountry adoption.²⁷

Beginning with the assertion that the “welfare of the child must be paramount,” the international summit advocated that intercountry adoption be a last resort: to be pursued, and then very carefully with much counseling and oversight, only if an adequate situation could not be made to exist for the child first with her own parent(s); second, in her extended family; or, third, in a family situation in her own country.²⁸ Efforts should focus on developing and strengthening child welfare services in sending countries, as well as propagating a “better understanding of adoption” in the hopes of encouraging in-country adoption of parentless children.²⁹

²⁷ The agreement sought to standardize procedures and safeguards in carrying out intercountry adoptions (such as home studies, medical and psychological tests, matching of adoptive child and parents, trial periods for living together, social welfare guardianship of the child, establishing legal status of child in both sending and receiving countries, and the like). European Seminar on Inter-Country Adoption,” 65, 1. Of course, such an international agreement on intercountry adoption was (and remains) necessary precisely because such principles were only spottily followed in practice. The ISS led the way, both in the U.S. and in Western European countries, to get local, state, and federal governments – and youth welfare officials – to amend their practices. These efforts had limited success, mostly because of the prolonged time and resources it took to abide by the preferred rules. In short, local and state authorities in Europe (whether Greece, Italy, Germany, or Austria) preferred to place adoptive children directly with American couples – or as second choice, through proxy adoptions to the U.S.-- well into the late 1950s to unburden the public purse of the children’s costs sooner rather than later. This situation exasperated ISS officials in the U.S. and Europe, and led to the penning, in this country and in Europe, of both serious empirical studies and alarmist exposé media reports on the phenomenon of proxy adoptions. For example, Hyde and Hyde, “A Study of Proxy Adoptions.” There is a large correspondence on this issue in the ISS papers, SW109.

²⁸ The principles also established that the child’s birth parent(s) “regardless of social and legal status, should have the opportunity for full consideration of what is involved, including legal and psychological consequences, before a decision is made that adoption is the best plan for the child; that concepts of modern child and family welfare should prevail over economic and social factors.” “European Seminar on Inter-Country Adoption,” 77-94 (here 78).

²⁹ *Ibid.*, 34-35.

These global principles and prescriptions were directed against unregulated and proxy intercountry adoptions and sought to banish them. Reciprocally, those who adopted outside of professionalized channels did so because they abhorred the “bureaucratic red tape” and “over-psychologized” approach that they felt characterized the professional practice advocated by the ISS. This professionalization, they argued, slowed adoptions – even those that were authorized – to a glacial pace. Adoptive parents who opted for proxy adoption or went through adoption mediators like Mabel Grammar felt a sense of urgency to “rescue” a child and were often responding to heart-rending appeals by religious and missionary groups (such as Harry Holt’s), or mass-mediated coverage of the need for “race rescue” (Mabel Grammar), of race-blindness (Pearl Buck), or appeals to reverse restrictive, racist U.S. immigration law. The first decade of intercountry adoption after 1945 produced two distinctive cultures – a religious /sectarian /and media-saturated one, on the one hand, and a self-consciously professionalized one, on the other, which tried, but never could quite manage, to attract sustained media coverage.³⁰ The former claimed to be “rescuing” children; the latter claimed to be “protecting” them and forged global norms in the attempt to do so. Today, as in 1960, those aspirations still persist in the 1993 Hague Convention – along with the dichotomous approach to intercountry adoption that emerged in its formative years.

³⁰ ISS, SW109 contains numerous files bemoaning the skewed or misleading media coverage on intercountry adoption and fuming over the inordinate positive media coverage accorded Holt, Grammar, and Buck – along with the dangers this posed to adoptive children.