

other
people's
children

Adoption in Australia

edited by Ceridwen Spark & Denise Cuthbert



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contributors

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acknowledgements

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We are grateful for the continued support, enthusiasm and cheerful preparedness to revise of all our contributors, several of whom are also contending with the final stages of their own doctoral research on adoption. We hope that their participation in the symposium and writing for this volume has provided them with opportunities for valuable exchange from which future collaborations and other projects might emerge.

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Denise Cuthbert and Ceridwen Spark

introduction

other people's children: informing debate on adoption in Australia

Denise Cuthbert and Ceridwen Spark

Other people's children

Legal scholar Kerry O'Halloran contends it is impossible to find a definition of adoption which encapsulates all of its dimensions and the shifts in these over time and across cultures. However, he suggests, adoption in all its complexity is most effectively understood as *an action on the part of adoptive parents* (which may be enshrined in law, culture, or custom) whereby the *child or children of others* are taken into the adoptive family and raised *as if* they were the blood offspring of that family (O'Halloran 2006). Adoption is thus an action taken by the adoptive parents which transforms other people's children into their own.

It is this idea of adoption as an action which centres on and transforms *other people's children* which we have taken as the title

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for this collection of essays. Through this title, we hope to reflect the views of all contributors to this volume, namely that the needs and interests of children must be paramount in our considerations of adoption, both past and present. In stating this, we recognise that what may be considered to be the 'best interests of the child' has shifted over time and is currently an issue of some contest and debate. Nonetheless, we hope that the essays in this collection serve as an important reminder of the need to critically reflect on the needs and interests of children in adoption, and to ensure that these needs are given consideration above those of adoptive parents, other parties to the adoption including birth parents and, in the Australian context, the government authorities which regulate and oversee adoption.

O'Halloran's definition also neatly captures the transformation which is at the heart of legal adoption—the transformation of children from one parentage to another. It is this aspect of adoption that distinguishes it from other forms of out-of-family care, such as foster care and permanent care in which children may maintain legal and other connections with their family of origin. The transformative capacity of adoption is the feature which its advocates frequently point to as being crucial to its success. In the view of many adoption proponents, only the complete transformation of other people's children into the children of the adoptive family offers the necessary protection for the adoptive parents and the child which will ensure the stability of the family into the future. Conversely, those critical of adoption just as frequently point to its transformation of the identities of adopted children, by means of the legal fiction of adoption and practices such as the issuing of new birth certificates, as its most objectionable feature. Such critics argue that the legal severance of an adoptee's connections with their family of origin and the loss of identity—and, in the case of intercountry adoption (ICA), culture and language—is too high a price to pay for permanent care in a loving family. Debate around the transformation of the identity of the child has influenced understandings of adoption

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in Australia over the last century and continues to be at the heart of contemporary discussions on adoption.

Notably, O'Halloran's definition of adoption accurately identifies that it is the adoptive parents who must exercise agency if the adoption is to take place. History tells us that other parties to adoption may be more or less active depending on the type of adoption being undertaken. For many years in Australia, adoptions were conducted in such a way that the agency or control of some parties to adoption, including birth mothers and the children themselves, was virtually non-existent. The phrase 'other people's children' serves as a reminder that adopted children started out as the children of *other people* and notwithstanding the legal effects of adoption in disconnecting the child from these people, these connections remain important and identity-defining even in circumstances where the parties never have the opportunity to reconnect. In the past in Australia, as in other comparable countries, every effort was made to erase all connections between the adopted child and the birth parents and wider family; including practices which removed the existence of these 'other people' entirely from the record. This is no longer the case, in local adoptions at least. Reforms in Australian states and territories since the early 1980s have led to the introduction of varying degrees of 'openness' in adoption. For instance, in some jurisdictions 'mailboxes' which enable communication of important information between the birth family and adoptive family have been established, and former adoptees can access the birth and adoption records once debarred them.

The situation is, however, different for many intercountry adoptees who have varying degrees of access to information depending on both their country of origin and the circumstances of their adoption. For some commentators on the rise of ICA in Australia—perhaps especially those with direct experience of adoption such as relinquishing mothers—the circumstances of many ICAs are ominously reminiscent of the kinds of adoption practices which prevailed in Australia in the past. These practices,

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they argue, have brought great pain to both adoptees and their birth families. The feature of ICA which these commentators point to as risking the repetition of the worst aspects of past practices include; children being given up for adoption by impoverished women or unmarried girls who have little choice in the matter, uncertain access for the adopted child to information about the family of birth, the child's disconnection from the culture and language of birth, and persistent cases of child-stealing and trafficking which many argue is an inevitable consequence of high and unmet demand for overseas babies in countries such as Australia.

By contrast, supporters of ICA argue that for the individual children concerned, life in an Australian family is preferable to a life of poverty or life in an institution. As such, they argue that every effort must be made to increase the number of children made available to Australian families. In the view of these supporters, as long as intercountry adoptive families display requisite sensitivity to the cultural and other needs of their adopted children, they can compensate for the loss of culture and identity. At the same time, they are able to provide access to opportunities unthinkable in their family and country of origin. The 2005 inquiry into overseas adoption in Australia conducted by the House of Representatives Standing Committee on Family and Human Services (HRSCFHS), which received 274 written submissions (Government of Australia 2005a) and conducted public hearing in all capital cities (Government of Australia 2005b) provided a highly politicised context for the airing of these different evaluations of ICA.

Obviously, the debate is complex. This was recognised by the former Prime Minister of England, Tony Blair, who wrote in 2000 that adoption is 'an emotional issue' and one which frequently polarises opinion (Secretary of State for Health 2000, p. 3). Similarly a witness to the parliamentary inquiry into overseas adoption in Australia in 2005 states:

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[Adoption] is often a controversial topic. There are people in the community who are very anti-adoption [...] I know there are anti-adoption people in the community who think that adoption should never occur under any circumstances and that the transracial placement of children should never occur, and that there are people at the other end of the spectrum who think that all children in disadvantaged circumstances in Australia and in the world should be removed from those circumstances and placed into adoptive families. So I think the adoption arena is challenged by finding a balance of those often irreconcilable views, and that is often a difficult place to be (Commonwealth of Australia 2005, p. 54).

Adoption frequently generates emotion and controversy because it goes to the heart of things which we as communities and individuals hold dear; family, identity and belonging. Adoption has and does generate antipathy between pro- and anti-adoption groups. At times, this is so intense it has been described by one commentator writing from the 'trenches' as a 'war' (Rosenwald 2004).

Adoption and the debates about it change over time and, as the work of scholars such as Julie Berebitsky (2000) demonstrates, in each generation the mode of adoption reflects the then prevalent view on what constitutes a legitimate or 'optimal' family. Thus, during the mid-twentieth century, when there was no notion that a single mother and her child *could* constitute a valid family unit, babies were routinely removed from single mothers and placed through adoption with 'respectable' married couples. Such couples, it was believed, could provide a child with the stable family life that her single mother was not able to provide (Marshall and McDonald 2001). At that time, the prevailing view on the best kind of adoption held that those responsible for the transfer of a child from one family to another should work to 'match' the adopted child with its new family as closely as possible. A 'successful' adoption was thus one where the adopted child blended seamlessly with his or her new family.

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With time and social change, these views have evolved. Changing attitudes on sex outside of the married union and the introduction of a Commonwealth benefit for single mothers have seen single mothers increasingly elect to keep their children. Indeed, single mothers now constitute a significant demographic in the Australian population. The rise of ICA—in part a response to the decreasing availability of suitable Australian children for adoption which has been marked in Australia since the mid-1970s—has occasioned a rethinking of earlier 'matching' philosophies. Children from another country cannot be seamlessly inserted into new families as they can rarely be 'matched' to the physical characteristics of adoptive parents. Thus, ICAs announce themselves in ways which were unthinkable in Australia in the 1950s and 1960s. This has almost certainly resulted in the higher visibility of adoption in the present than was the case in earlier periods.

In the face of social change, debates about adoption reflect a range of current concerns and anxieties concerning the constitution of the family unit. For example, as distinct from the earlier concerns about unwed mothers, current concerns focus on the eligibility of new 'others' to form families—primarily whether same-sex couples might be considered to constitute a valid family unit for the purposes of raising children. At the time of preparing this volume for publication, the New South Wales Legislative Council's Standing Committee on Law and Justice is completing its report on the eligibility of same-sex couples to adopt (see Parliament of New South Wales 2008). The commission has received submissions and taken evidence from groups and individuals occupying diverse positions on the question of whether same-sex couples ought to be considered fit to parent and eligible to adopt children. These submissions include strong representations from both gay and lesbian-rights organisations in favour of same-sex couples enjoying the same rights as other couples. Submissions from other organisations, including religious bodies, advocate equally strongly that the best interests of the child are to be served

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by a family unit understood as a (heterosexual) male father and a (heterosexual) female mother. This debate will continue to generate community interest and challenges for Australian legislatures in the near future.

In the next section, we discuss the deep community ambivalence at work between ideas of family as only truly existing in relation to blood, and views of family based on ideas of nurturance and belonging. We do so through reference to recent representations on the internet and in the media; namely Deborra-Lee Furness' *Orphan Angels* (Furness 2008) campaign and the Channel 7 television show, *Find my Family*.

Blood and belonging

Because adoption represents one opportunity for the state to intervene in and 'engineer' families, it is inevitable that community debates which centre on the family—its constitution and its role—invariably come to be reflected in debates on adoption. Frequently however, these debates reveal how difficult we, as a community, find it to reflect objectively on issues to do with family. The views of many of us are shaped by cultural and religious values, and by deeply held biases such as the belief that no matter what other bonds may exist, 'blood is thicker than water' (Schneider 1980). So deeply entrenched is the bias toward blood connection that some individuals subscribe to this view even in the face of unhappy family experiences of their own; others in the face of evidence that for some children, life with their families entails neglect and abuse.

A number of those advocating for adoption, and for increasing access to children for adoption in Australia, argue that this so-called 'blood bias' works against adoption in several ways (see for example the reports by the HRSCFHS 2005 and 2007). In these reports, the committee argues, for example, that the belief that 'blood is thicker than water', allegedly pre-disposes government officers in the child welfare area *against* adoption as a placement option for Australian children. In the view of this committee,

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adoption in Australia has become the 'poor relation' of child protection and child welfare policy. The 'blood bias' also works against adoptive families by influencing the view that adoptive families are not as 'authentic' as families whose connection is genetic. Many adoptive families feel that they are treated by the government and in the community as 'second-best' families, and that consequently, they enjoy fewer rights and less recognition and support than families related by blood.

In 2008, the Australian actor and wife of Hugh Jackman, Deborra-Lee Furness launched her *Orphan Angels* website as part of a campaign to reduce what pro-adoption campaigners refer to as the 'red-tape' surrounding adoption. Furness' chief aim is to increase the rate at which 'orphans' from overseas might be placed into loving Australian families. Furness' status as an adoptive mother and the *Orphan Angels* (Furness 2008) campaign have generated significant public interest as evinced by numerous media features on Furness, Jackman and their adopted family (Murray 2008; Sunrise 2008).

The terms of Furness' pro-adoption advocacy and the *Orphan Angels* campaign highlight one view of adoption in which its transformative potential for the lives of children—notionally, but in reality not always, orphans—is emphasised. In this view, adoption is able to bestow on children, who may otherwise not experience either, the gifts of family and belonging. These gifts are generated through the love and generosity of the adoptive parents who open their hearts and homes to other people's children; and through love and nurturance raise them *as* their own. This view of adoption highlights, and in many instances, sentimentalises, adoption's *constructivist* capacities. That is, the capacity of adoption to forge and build family bonds where none previously existed, and to construct for the adopted child, as for the adoptive family, experiences and opportunities which would not otherwise exist. In this view of adoption, true belonging is not dependent on blood connections but is forged through love and nurturance which can transcend the actual circumstances

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of blood, birth, race and colour. In short, adoption transforms strangers into kin.

Within this wholly positive view of adoption, any obstacle to expeditious adoption or critique of it is viewed in negative terms. For Furness, for example, Australian legislative requirements for the screening of adoptive parents and the delays on processing adoption applications of ICA in particular are seen as callous bureaucracy merely for the sake of it. Thus, anything which stands in the way of an 'orphaned angel' being placed in a loving Australian home is contrary to the best interests of that child. Furness and others engaged in pro-adoption advocacy therefore frequently seek to minimise or overlook the negative outcomes of adoption in some cases; or the fact that the delays experienced by many prospective adoptive parents are, in part, an unavoidable function of the Australian government's compliance with the Hague Convention on Intercountry Adoption.

By distinction, *Find my Family*, hosted by Australian actor and prominent adoptee, Jack Thompson, highlights the persistence in Australian culture—as in many other cultures—of a contradictory structure of feeling and thought around adoption. In this program, first aired in 2008 on Channel 7, families fragmented primarily by adoption are re-united. In the narratives of family search and re-union which unfold in each weekly episode of *Find my Family*, the viewer is left in no doubt as to where 'real' family connections lie and how they are constituted. Week after week, no matter what the circumstances of upbringing and nurture might have been for the men and women raised in adoptive families, the moment of discovery of their blood kin is the moment of true familial connection, belonging and fulfilment in the quest for personal identity. In episode after episode, the moment of seeing the face of the 'lost' other is marked as a moment of recognition and self-knowledge: the seeker finds herself in finding family, blood ties prevail over complicated histories of separation and involvement in other families, and the 'truth' of blood

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connections are written boldly in shared facial and physical features which are highlighted in close-up images of faces. Thus, years of loss, longing, separation and, it seems, those other 'families' to which each has been attached, fall away as the irrefutable 'truth' of kinship as biology is revealed.

In this view of adoption and family formation, blood is family. Biology prevails even where none of the ties of belonging that are forged through nurture and shared experience exist. Notably, however, *Find my Family* never deals with the issue of how these reunited 'families' function over time. As such, it presents an equally sentimental view of adoption and kinship as Furness' *Orphan Angels* campaign.

The public interest in Furness' *Orphan Angels* campaign and *Find My Family* highlight some of the persistent contradictions at the heart of adoption which have driven and continue to drive changing conceptions of adoption in Australia, and competing and ambivalent responses to it within Australian culture and policy. Clearly, however, neither the narrative of family as 'blood' nor that of family as 'belonging' is sufficient to account for the interrelations between belonging, family, identity and blood connections which constitute our dynamic and constantly shifting families and relationships—adoptive and other. Yet, in the highly emotional and increasingly politicised debates about adoption in Australia, pro and anti-adoption positions are frequently articulated in these terms. The tensions between views of adoption which privilege either blood or belonging are highly indicative of other tensions, contradictions and ambivalences which mark the history and development of adoption in Australia; and which continue to characterise contemporary community and political debate on adoption in this country. One of these is the tension between adoption viewed primarily as a way to provide families for children in need, as distinct from a view of adoption as a mechanism for adults to secure children to form families of their own.

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Families for children, or children for families?

Throughout its history, adoption has always been ambiguously situated between being understood primarily as a mechanism by which children in need of family may be placed with caring parents, and one by which the interests of adults in need of children to form a family may be served. This history of legislated adoption, which in Australia commences with the first adoption legislation in Western Australia in 1896 (with the remaining states moving to legislate on adoption in the 1920s), sees the state taking an active role in attempting to balance the interests of children in adoption with those of adoptive parents. Theoretically, at least, adoption has the capacity to meet both sets of needs within the context of any individual nation-state. 'Successful' adoption certainly removes a burden from the state which would otherwise be charged with the responsibility and expense of caring for children whose own families are, for many reasons, unable to care for them. However, this theoretical capacity of adoption to meet the needs of *both* parents and children has frequently faltered in practice. There is mounting evidence in the Australian context that the adoption practices of the past were geared primarily to the needs and interests of adoptive parents, and gave scant regard to the rights and interests of birth mothers and the longer term interests of children themselves (Parliament of New South Wales 2000). At present, the capacity of adoption to meet the needs of both children and parents within a national context is complicated, some would argue compromised, in the case of ICA which sees Australian parents seeking children for adoption from other countries. In this context, prospective parents either bypass or ignore children that may be available for adoption in their own jurisdictions in preference to the children sourced from elsewhere. This is the situation which has emerged in Australia in the last 30 years, where ICA now constitutes over 70% of all adoptions (AIHW 2008).

Proponents of ICA extol its capacities to reach out to children in need, irrespective of national borders and differences in culture and language. They point to research showing very good outcomes

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for many intercountry adoptees in Australia and elsewhere as evidence that this mode of adoption brings benefits to children. Critics of ICA note that, with the exception of the United States which is both a major receiving country for ICA and also sending increasing numbers of African-American children to other countries, this form of adoption is largely characterised by a flow of children from the poor and underdeveloped world to the affluent west. As such, they argue, ICA is vulnerable to charges of the exploitation of poverty to suit the needs of couples from relatively affluent western countries such as Australia. As David Smolin writes, parents engaging in ICA for the formation of their own families (which may be achieved at the cost of other people's families) need to grapple with some tough ethical issues now and in the future:

[I]magine, as an adoptive parent, explaining to one's adult adopted child why it was ethical to spend [US] \$30,000 on their adoption, while being unwilling to provide [US] \$300 to enable the child to remain with their original parents and family. Would there be some discomfort in the discussion? What would it feel like to say, 'I wanted you as my child, so I was willing to pay a lot for that, but I wasn't going to adopt your parents, and so I wouldn't do anything to help them keep you.'? (2007, p. 431).

Smolin's hard-headed approach forces us to consider the question of whose interests are being served in ICA, and perhaps, in adoption more generally. Does adoption serve the primary purpose of finding families for children, where the interests of the children are paramount? Or are there grounds to conclude that adoption, including ICA in contemporary Australia, is driven by the desires of childless couples to form families? How do we balance the needs of the child, the needs of his impoverished family and the desires of relatively more affluent couples and individuals from countries such as Australia who desperately seek children to raise and nurture as their own? How do we as

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a community balance these sometimes competing interests in developing a form of adoption which may produce the greatest good, or, the least harm? Is adoption the best way for permanent family-based care to be provided for children in need, or should we, as a community, be thinking of alternatives?

About the chapters in this book

The chapters in this collection have been written by researchers from a range of different backgrounds—including history, anthropology, social work, sociology and applied ethics—and cover aspects of the Australian experience of adoption from the early days of legislated adoption in South Australia (Forkert) through to contemporary experiences of ICA (Gray, Walton, Rosenwald *et al.*). While one chapter takes up the issue of media representations of adoption and their impact on adoptive families (Williams Willing), others look at the broader political and social factors framing the development of adoption in Australia (Fronek, Cuthbert and Spark). The unique and emotionally charged issue of the adoption of indigenous children is also considered, albeit very differently, by two commentators, Kirsten McKillop and Christine Cheater. While not comprehensive in its coverage, the collection provides a significant window onto Australian adoption, past and present.

From our perspective as editors, one of the most exciting features of the volume is that many of the contributors speak out of their direct experience of adoption. Thus, while all contributors are actively engaged in research on adoption in Australia—some as established scholars in their fields and others as emerging scholars—they embody and represent perspectives from various points in the often referred to ‘adoption triangle’ (Marshall and McDonald 2001). For instance, Indigo Williams Willing and Jessica Walton are both intercountry adoptees; Helen Riley is a ‘late discovery’ adoptee, learning of her adoptive status in her twenties, Trudy Rosenwald and Kim Gray are adoptive mothers; Damien Riggs is a foster parent and Christine Cole is a mother

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whose daughter was taken from her when she was 16 years old. Representing what is sometimes referred to as the fourth point in the 'many-sided [adoption] triangle' (Marshall and McDonald 2001) or even the 'adoption rectangle' (McRoy 2008), Christine Vickers writes reflectively, and with the benefit of hindsight on her own early practice as a social worker in the adoption field in Victoria in the early 1980s, while Susan Gair reports on research with social workers practising in the adoption field in Queensland from the 1960s to 1990. Both essays reflect the changes in social work practice in line with changing societal attitudes towards single mothers and adoption: both contribute the voice of social workers to the historical record on adoption in Australia.

The book is divided into four sections with chapters grouped according to the theme of each section, although, inevitably, some chapters touch on issues raised in other sections. Framing key issues in Australian adoption, the first section of the book contains three chapters. In his contribution '*Lacerated feelings and heart burnings: An historical background to adoption in Australia*', Joshua Forkert addresses what he identifies as an oversight by Australian historians who rarely broach the history of adoption policy and practice. Examining the development of what he calls 'sentimental' adoption, Forkert argues that changing attitudes towards adoptive parents who came increasingly to be seen as 'good people with good motivations' were instrumental in facilitating the passage of adoption legislation in the 1920s. In chapter 2, '*Intercountry adoption in Australia: A natural evolution or purposeful actions*', Patricia Fronck takes us into a more recent era in Australian adoption. Focusing on the rise and development of ICA in Australia, she discusses the development of adoption from Korea into Queensland during the 1970s. Her chapter provides valuable insight into the interactions between various proponent and opponent groups and their influence on government and popular opinion in the growth of intercountry adoption. In our contribution to the collection in chapter 3 which we have called, "*Society moves to make its own solutions*

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...': *Re-thinking the relationship between intercountry and domestic adoption in Australia*, we examine the divergent histories of domestic adoption and ICA in Australia since the 1970s, and suggest ways in which returning to this history might help us reframe adoption in the present with a focus on the needs of children, as distinct from the desires of adults.

In the second section of the book, entitled '*Talking through the pain*', the focus shifts to a much more personal and experiential realm. In chapter 4 'Hearing the voices of social workers in past adoption practice with mothers and their babies for adoption: *What can we learn?*', Susan Gair asks challenging questions about the role of the profession of social work and social workers in the adoption process through a series of interviews with social workers practising in Queensland over a 30-year period. Adding the voices of social workers to the record, her findings reveal an evolving social work practice reflective of emerging social change. Providing another perspective on the role of social work in the adoption process, former social worker Christine Vickers uses her vantage point in 2009, and her subsequent training as an historian to reflect on a troubling case she dealt with as a young social worker in Victoria in the early 1980s. In '*(Re)membering adoption: Reflecting on adoption and social work practice in Victoria*', Vickers 're-members' the poignant case of 'Michael', who was engaged in the search for his mother in the months before Victorian legislation changed to give former adoptees access to their records.

The final chapter in this section is Christine Cole's '*The hidden tragedy of the white stolen generation and its consequences: Perspectives on Australian adoption from a mother of the white stolen generation*'. In this chapter, the contemporary politics of adoption are examined through the critical lens on adoption and its outcomes provided by Australian birth-mothers' activism and testimonies. Parallels between the conditions of contemporary ICA and domestic adoption in Australia and elsewhere are highlighted. Cole argues that where the adoption of children is

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driven by market forces and seen as a 'service' to adoptive parents, it risks producing great harm to both children and families. Cole calls for full accountability by the Australian community for wrongs committed in past adoption practices to avoid the continuation of these into the future.

In the third section of the book, the authors take up issues of rights, accountability, cultural and sexual difference in relation to adoption policy and practice in Australia from a variety of viewpoints. In chapter 7, '*Torres Strait Islander customary adoption: Providing legal recognition for alternative paradigms of family in Australia*', Kirsten McKillop examines the practice of indigenous customary adoption amongst Torres Strait Islanders. McKillop compares and contrasts the legislative approach taken towards customary adoption in the state of Queensland with that taken by the Northwest Territories and Nunavut of Canada. Arguing that the current Queensland approach of ignoring customary adoptions is inadequate and that the explicit legislative recognition of the Northwest Territories and Nunavut represents a preferable approach, her chapter also serves as a reminder that adoption has different meanings across cultures and traditions. Among at least some of the societies associated with these other traditions, adoption is a common and unremarkable response both to the needs of parents for children and vice versa.

This situation contrasts with the shame and secrecy that continues to characterise the experience of donor offspring in Australia, a group Helen Riley considers in her chapter, '*Listening to late discovery adoption and donor offspring stories: Adoption, ethics and implications for contemporary donor insemination practices*'. Riley explores stories told by people who have discovered their adoptive and donor insemination offspring status late in life. Despite the different practices involved, these stories reveal common experiences in which the 'late discoverers' have to deal not only with the news of their birth status but with the long years of secrecy and deception surrounding this status. As an applied ethicist, Riley concludes that the findings from her

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research have implications for the practice of assisted reproductive technologies. Damien Riggs' chapter also considers the matter of accountability in adoption. In '*Race privilege and its role in the 'disappearance' of birth families and adoptive children in debates over non-heterosexual adoption in Australia*', Riggs explores issues of race privilege germane to the rights claims of white Australian lesbians and gay men seeking access to international adoption. The question of indigenous adoption forms the subject of chapter 10, '*My brown skin baby they take him away: A reassessment of the role of adoption in the forced removal of Aboriginal children from their families*'. Here, Christine Cheater shows how changing social attitudes have shaped policies on Aboriginal child removals and led to the demonisation of the adoption of indigenous children by white parents. While we cannot be certain how many indigenous children were adopted by non-indigenous families during the decades of the 1950s and 1960s—which saw the heyday in domestic adoption in Australia—Cheater argues that the adoption of these children represented a highly invidious form of assimilation. Many of them lost all connection with indigenous people and culture. Indeed, some may never have become aware of their indigeneity.

Fittingly, perhaps, given that the overwhelming majority of adoptions in Australia are now ICAs, the final section of the book provides a series of contemporary perspectives on ICA from researchers who, as indicated above, are all directly connected to adoption as either adoptees or adoptive mothers. This section of the book opens with chapter 11 in which Trudy Rosenwald provides a brief demographic survey of 30 years of ICA in Australia. In '*Ten thousand journeys*', Rosenwald reports on her original demographic research, and fills some gaps in the data on the numbers of ICAs in Australia, the countries of origin of these children and their destinations. The next two chapters, by Jessica Walton and Kim Gray respectively provide valuable insight into the experiences of intercountry adoptees. Jessica Walton's chapter '*More than a 'Korean adoptee': Making sense of identity and*

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adoption in South Korea and adoptive countries' explores how adult Korean adoptees experience their identities in situated contexts of belonging and 'otherness' in South Korea and their adoptive countries respectively. Gray also considers the diverse experiences of intercountry adoptees who journey to the place of their birth. Looking at adoptees who made these trips at different times in their lives, she argues that adoptees' 'return' experiences need to be placed historically and socio-culturally if we are to understand their complexity.

Reflecting on the relationship between celebrity and ordinary adoptions, Indigo Williams Willing explores how 'ordinary' adoptive parents respond to the intense media attention directed towards celebrity adopters, Angelina Jolie and Madonna. Moving beyond celebrity adoption, the final chapter, '*Well-being and identity of adolescent and adult intercountry adoptees and non-adopted migrants in Western Australia*' by Trudy Rosenwald, Alison Garton and Moira O'Connor provides a grounded and useful discussion of the well-being and identity of adolescent and adult intercountry adoptees as compared with their non-adopted migrant peers in Western Australia. Both the research methods and findings of the research undertaken by Rosenwald break new ground in the understanding of ICA in relation to adoptees' well-being and identity. Along with other chapters, the work of Rosenwald *et al.* highlight the large gaps in local Australian knowledge about adoption and its outcomes, as well as the pressing need for further research.

As the above outline makes clear, the contributors to this volume speak from a variety of positions, reflecting the multiplicity of views on adoption in Australia. We hope that the readership of this book will be similarly diverse and particularly that it will include other researchers, students, members of adoption communities across Australia (including prospective adoptive parents), policy makers and service providers in the adoption field and members of the wider community. We further hope that the essays in this collection provide insights into what

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is distinctively Australian about the history and experience of adoption in Australia, while at the same time pointing to the links between Australian adoption and adoption in other places. Having highlighted just some of the intellectual, emotional and political complexities at stake in contemporary debates about adoption in Australia in this chapter, we would like the book to open up and inform discussion around the subject of adoption in Australia. We will consider the volume a success if it assists the wider community to engage in informed and reflective discussion of adoption, and of the need for all of us to give due regard to the interests and rights of all children—those of other people and our own.

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Adoption in
Australia:
Historical
perspectives,
critical
frameworks



‘lacerated feelings and heart-burnings’: a background to adoption in Australia

Joshua Forkert

South Australia’s *Adoption of Children Act 1925* was heralded as a great advance for the welfare of the state’s children. As Chief Secretary James Jelley explained, the Act intended ‘to do something for the children’, offering the neglected and unwanted an opportunity to start life anew. In contrast to previous legislation relating to child welfare, this Act sought to safeguard not only the economic, but also the emotional well-being of the child; strengthening and protecting the relationship between adoptive parents and children by severing the legal ties between child and birth parent (*South Australian Parliamentary Debates* [SAPD] 1925, Vol. 2, p. 1819). This Act, together with similar legislation passed in other states throughout the 1920s, signified a new way

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of thinking about adoption in Australia, marking the acceptance of the concept of 'sentimental' adoption, whereby children were adopted for love rather than gain.

With the exception of Western Australia in 1896, all Australian states passed adoption legislation in the same short period, beginning with Tasmania in 1920, New South Wales in 1923, South Australia in 1925, leaving Victoria and Queensland the last states to comply in 1928 and 1935 respectively. Yet, it is difficult to speak of a national history of adoption as each of these pieces of State legislation stipulated differing adoption practices and policies. These laws were not made uniform across the nation until the mid-1960s, when adoption came to be widely considered as the best solution for children without parents (Boss and Edwards 1992, p. 2). Considering the case of South Australia, this chapter looks at how the concept of sentimental adoption developed through the late nineteenth century to be finally accepted and legislated for by government in the early twentieth century. Through an examination of the key child welfare authorities in South Australia it analyses how adoption policy shifted from earlier, economic-based theories to safeguard this new form of emotionally-rooted, sentimental adoption that recognised and protected the love between adoptive parent and child (Swain and Howe 1995; Marshall and McDonald 2001).

Throughout the nineteenth century, the institutionalisation of neglected, abandoned and destitute children was accepted as the best and most practical solution across Australia, as it was in Britain. However, by the 1860s, the plight of these children—specifically the dangers and evils they faced living in institutions amongst the insane and the criminal—raised the ire of social reformers across the world. It was this concern that led to the development of the boarding-out system in South Australia, whereby children were placed with foster families to be fed, clothed and educated, in return for compensation from the government (Spence 1907; Ramsland 1974; Ritter 1978;

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Dickey 1986). In 1866, a letter from social reformer Caroline Emily Clark was published in the *South Australian Register* (p. 3) calling for the removal of children from the destitute asylum and urging the government to adopt a system of boarding-out as practised in Dublin and Edinburgh. On 19 April 1866, the Chief Secretary Arthur Blyth granted her approval to place eight-year-old John McClaren, and another young boy, with close personal friends with the expense paid by the state (Dickey 1986, p. 56). Largely through Clark's personal campaigning, a provision for 'boarding out of children upon certain terms' was incorporated into the *Destitute Persons Relief Act 1872*, to be supervised and managed by Clark with the assistance of her friend Catherine Helen Spence and their newly formed Boarding-Out Society (SAPD 1872, Vol. 1, p. 608). This was the first such system to be introduced in Australia, and was quickly taken up by New South Wales and Victoria (Barbalet 1973, p. 11).

Within this system of boarding-out developed two parallel systems of what Clark described as 'adoption'. On the one hand, as she reported in 1882, 'so great is the demand for labour that many people will gladly take the older children without any payment whatever for the sake of their small services'. These young labourers, she explained, were called 'adopted children'—adopted for the service they could provide. On the other hand, she reported a few cases of another form of adoption that she called 'real' adoption, whereby 'the children are evidently kept for love rather than use' (Clark 1882, pp. 2–3).

This notion of 'real' or sentimental adoption did not fit into the nineteenth-century paradigm of boarding-out. Boarding-out, as a child welfare technique, was intended to train children in the ways of industry and 'usefulness'. Through boarding-out Clark hoped to scatter the poor and neglected children of South Australia 'among the better chaps of our labouring population' where they could 'acquire habits of industry and self-reliance', enjoy the 'advantages of family life' and 'lose the taint of pauperism' (Clark 1882, p. 2).

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The goal of the boarding-out system was thus to serve economic and pragmatic, not emotional, ends. The boarding-out subsidy was granted to foster parents by the South Australian Destitute Board on the provision that the child would be educated and well cared for, and would be supervised through regular visits from members of Clark's volunteer-based Boarding-Out Society. However, as Clark soon found, the board was more inclined to place children for 'adoption for service' as it was far cheaper and achieved the same well-publicised aim of getting neglected and destitute children into the care of respectable families (Dickey 1986, p. 69). By 1875, of the 208 children under the care of the Boarding-Out Society, only 16 were actually boarded-out with subsidy and 129 were placed out under the system of adoption for service (Boarding-Out Society 1875, p. 6). When the boarding-out subsidy was removed by the Destitute Board, so too was the obligation of the adoptive parents to care for the child, potentially leaving the system open to abuse and exploitation (Spence 1907, p. 21).

This practice of adoption for service was harshly condemned by a Royal Commission into the welfare practices of South Australia's Destitute Board in 1886. Sentimental adoption, by contrast, for love not gain, was viewed with much greater sympathy. The commission concluded that 'the sooner the practice ... of placing children of the school-going age out at service to save the cost of their maintenance is abandoned the better' and when replaced with a fuller system of boarding-out, 'cases of adoption will become more numerous'. By preventing the exploitation of children through adoption for service, they hoped to create an environment where parents would be more inclined to board young children, form a familial relationship and then 'adopt' the child as their own (Commission Appointed to Report on the Destitute Act 1881).

This support of sentimental adoption was not shared by Clark, Spence and the Boarding-Out Society. While Spence acknowledged that in South Australia there was 'a much larger

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percentage of true adoption' than other colonies, 'for the bulk of the children the boarded out home is the better'. As she explained, adoption 'is done by childless people, and the little one is often spoiled and overdressed and expected to be happy without childish companionship' (Commission Appointed to Report on Destitute Act 1881, p. 236). Clark was similarly sceptical about the motives of adoptive parents, arguing 'that boarding out is better than adoption', as it provided better safeguards for the child to ensure children were 'adopted for love rather than gain' (Commission Appointed to Report on Destitute Act 1881, p. 247). As early as 1875, the Boarding-Out Society acknowledged that adopted children 'are sometimes taken from motives of self-interest', but concluded that 'if the effect is to make their lives much happier, and to render them more useful members of society, it must be regarded as a most fortunate thing that the interests of both should be identical' (Boarding-Out Society 1875, p. 4). Thus, while sentimental adoption was not actively discouraged, it was viewed with great uncertainty and boarding-out was much preferred.

One of the key recommendations of the 1886 Royal Commission was to enact adoption legislation based on the New Zealand model that strengthened and protected the rights of foster parents. New Zealand became the first nation in the British Empire to introduce adoption legislation in 1881. This model formed the basis of the Western Australian *Adoption of Children Act 1896*, supported in the Legislative Council by the Minister for Mines, Edward Wittenoom (*West Australian Parliamentary Debates* 1896, Vol. IX p. 334). In the 1890s, while the rest of the Australian colonies were struggling with economic depression, Western Australia was booming with the discovery of gold at Coolgardie and Kalgoorlie. The growing demand for workers increased the value of child labour, thus adoption legislation was intended to protect foster parents from having children reclaimed by their natural parents 'as they became a potential source of family income' (Marshall and McDonald 2001, p. 19).

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The emphasis in Western Australia was on providing a legal safeguard to the relationship between foster parent and child for practical, economic reasons. In South Australia, this conception of adoption was actively discouraged in the wake of the 1886 Commission. The condemnation of adoption for service and the doubts expressed by Clark and Spence about sentimental adoption were to remain highly influential in the future formation of South Australian government policies. Following the Commission, both women were appointed to prominent roles on the State Children's Council—a volunteer-run, state-sanctioned body that administered the colony's child welfare policies, including boarding-out and adoption—from 1886 until 1927 (Dickey 1986, p. 150).

The most significant attitudinal changes towards sentimental adoption occurred during the reign of the State Children's Council. In 1887 the proclaimed object of the council was 'to receive and undertake the control of the "children of the street" and to train them to become virtuous, honest and useful citizens'. To achieve this, it was permitted to facilitate both the boarding-out of children to approved homes at a weekly subsidy and the adoption of young children 'by respectable persons having no children of their own' (State Children's Council 1887, p. 1). It is important to note the inherent contradiction in this *de facto* definition of adoption—the council allowed parents to adopt a child and raise it 'as their own', but they could not enter any agreement that would 'affect the right of the council to demand the return of, and, if necessary, to remove any adopted child at any time' (State Children's Council 1887a, pp. 3–4). It was this contradiction and the conflict arising from it that would eventually lead the way to adoption legislation.

As the nineteenth century drew to a close, legislative changes to the council's role and responsibilities saw it exposed to more and more infant and young child adoptions. In its first year of operation, the council undertook the care of 46 children licensed for adoption and 45 *bona fide* or sentimental adoptions (State

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Children's Council 1887 p. 3). In 1895, it assumed responsibility for all registered 'lying in homes' and foster mothers—programs intended to prevent infanticide and baby-farming, previously controlled by the Destitute Board—and in 1909, assumed the care and responsibility of all illegitimate children less than seven years of age in the state. The number of young child adoptions that the Council had to supervise grew dramatically during this time. By 1913, of the 1,637 children under council supervision, 30 had been adopted by their licensed foster mothers, and a further 210 adopted in unlicensed homes, indicating they had been adopted by a friend or relative (State Children's Council 1896, p. 7; 1910, p. 13; 1913, p. 11).

This increased exposure to infant adoption saw a significant shift in the way the concept of sentimental adoption was perceived by the council. In 1909 the Council's President, Thomas Rhodes, announced to a congress of interstate child welfare workers, that sentimental adoption should be the ultimate goal of the boarding-out system. Despite the success of the boarding-out system in South Australia, he cautioned that some of their foster homes 'are not free from suspicion that children are taken simply to enable the foster parents to eke out a living'. He called on the conference to follow the 'simply marvellous' example set by Canada in securing homes of 'pure adoption', and to launch a 'children's crusade that will have the effect of opening closed doors for the free admission and adoption of little ones' (Interstate Congress of Workers 1909, pp. 7–8). Significant in this speech was the revelation of a changing attitude towards adoptive parents. The scepticism previously associated with these parents shifted to boarding-out parents and adoption, rather than an alternative, was embraced as the preferred solution to children without families.

This shift can also be seen in the attitudes of the council's inspectors. In a 1905 report, Evelyn Penny, newly appointed 'inspectress' of state children relayed the story of a family who had boarded a young girl with subsidy but 'had grown so fond of

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the girl they decided to adopt her'. The family delayed pursuing this course until they received a letter informing them that one of the child's relatives intended to apply for her.

Although this had taken place some months before, the foster-mother's voice trembled as she told me of the anxiety they went through and of the fear lest they had left it too late, and how, until it was finally decided that they might adopt the child, she and her husband scarcely slept or ate, they felt the strain so much. (State Children's Council 1907, p. 14)

Penny's sympathetic portrayal of the plight of this foster family indicates a significant change from those of Clark and Spence, as outlined above, only a few years earlier. This may in part be attributed to their waning influence on the activities of the council, with Clark's retirement in 1905 and Spence's death in 1910, but perhaps more so to external pressures from outside the council.

These pressures culminated in the first piece of legislation to attempt to consolidate the bonds of adoption in South Australia, introduced into parliament by the Attorney-General William Denny, in July 1911. To the dismay of the council, the Bill had been introduced at the request of a private source, and as Denny explained, the purpose of the Bill was to solve a problem on behalf of parents who adopted children under the *de facto* system of adoption practised by the State Children's Council.

The absence of any legal claim on the part of adopting parents to retain the custody of the children has given rise to great hardship in many cases where children have been adopted; it has also prevented adoption in many cases where it would have been highly beneficial to the children. (SAPD 1911, Vol. 57, p. 158)

The hardship here referred to is not economic, but emotional. As further elaborated by Friedrich 'Fritz' Pflaum, the legislation was needed.

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Childless couples who desired to adopt children with the purest possible motives had been haunted by the fear that after years of expenditure of affection, time, and money, the child might be claimed by its parent at the expense of lacerated feelings and heart-burnings. (SAPD 1911, Vol. 57, pp. 67, 99)

Pflaum emphasised the importance of love in the adoption equation: 'Children should not be adopted unless the foster parents intended to love them and to try to do their best for them and the community as a whole.' (SAPD 1911, Vol. 57, p. 99)

These debates reveal a new approach to the expectations demanded of adoptive parents. Rather than teaching children to be 'useful', the emphasis had shifted to ensuring the child was loved and emotionally cared for. This sentiment was supported by *The Advertiser* in Adelaide, agreeing with Pflaum that the passage of this legislation was long overdue. However, it was weary of the Bill's apparent parent-orientated focus and cautioned that 'any arrangement which takes the young out of the care and guardianship of parents must be made in the interests of the child chiefly, if not solely' (*The Advertiser*, 15 August 1911, p. 6). This was similarly the main objection that the State Children's Council raised when the Bill was referred to them. The council chided the Bill for its lack of a provision for investigating the suitability of the parents or home—prior to the transfer of a child—and the lack of any authority to prevent taking charge of a child for a 'premium'. Thanks largely to the recommendations of the council, the Bill was eventually shelved—although they did express a hope it would 'become law at an early date' (State Children's Council 1912, p. 4).

Not only had the expectations of adoptive parents changed, but also the way they were perceived by government authorities and the press. Where nineteenth-century policy makers had questioned the motives of parents who adopted children for service, 'no reasonable exception' could be taken to those who adopted for love as reported in *The Advertiser* on 15 August 1911

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(p. 6). As we have seen, similar shifts were occurring within the State Children's Council, and as a result, it took up the cause for adoption over the next decade. The State Children's Council urged the Chief Secretary and Government to consolidate several Acts relating to child welfare, particularly those intended to:

... provide for the adoption of children upon a basis that will protect the child and both the parties to the adoption from the evils of a vacillation that leads to a return of the child, after a longer or shorter period, to his original home, a course against which the injured party has at present no remedy. (State Children's Council 1914, p. 4)

This highly evocative language portrays the adoptive parent, rather than the birth parent or even the child, as the 'injured party' in need of protection and support.

In 1913 the council again brought the issue of adoption to the attention of parliament, highlighting the lack of restriction on premiums for 'so called adoptions', to which the Adelaide press responded that adoption legislation should not be 'needlessly delayed'. Yet, it was not until 1924 when the Liberal Women's Education Association resolved to ask Ernest Anthoney, Member for Sturt and member of the council since 1922, to introduce an adoption Bill that another serious step was taken towards legislation (Davey 1956, p. 101). Anthoney was an obvious choice for this role: he was MP for Sturt in the South Australian Legislative Assembly and a member of the State Children's Council from 1922–27. Prior to entering parliament in 1921, he was a school teacher and, while in politics, an active social reformer.

The acceptance of sentimental adoption by the South Australian parliament in 1925 was due largely to a consolidation of this shift in attitude towards adoptive parents. Inherent in this perception was an almost total disregard for the rights or concerns of the child's birth mother. Although initial moves towards legislation by the Attorney-General in 1924 were

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ultimately delayed due to objections that adoption legislation would be 'depriving of a natural mother the control of children', this protestation was hardly voiced in previous discussions of adoption (SAPD 1924, Vol. 1, p. 454). In the 1925 debates on the Adoption of Children Bill, Anthony insisted that the rights of the child must supersede the rights of the birth parents, arguing that in most cases children were 'considerably better off away from many of the parents with whom they are associated'. The Bill was 'not so much concerned about the feelings of parents from whom the children may have been taken', with greater importance given to protecting the familial love that formed between adopter and adoptee than of the rights of the birth mother (SAPD 1925, Vol. 2, pp. 1464, 1819).

Similar debates over the place of sentimental adoption were taking place around the world, and particularly in Britain. Although the British adoption legislation was not passed until 1926, after the South Australian legislation, as early as 1919 the publicity given to children orphaned by the war, and unwanted war babies saw the establishment of private and charitable adoption societies and prompted a surge of concern about the dangers and pitfalls of unregulated *de facto* adoptions. These concerns were voiced at the first Conference of Associated Societies for the Care and Maintenance of Infants in 1920, leading to the appointment of two committees to consider the desirability of legalising adoption—the first in 1921 chaired by Sir Alfred Hopkinson and another in 1924 chaired by Justice Thomas Tomlin—the latter drafting a Bill that became the *Adoption Act 1926* (Cretney 2003, p. 599; Pinchbeck and Hewitt 1973, p. 605). In justifying his support for adoption in South Australia, Anthony called attention to the report of the British Tomlin Committee, recognising that even though no British legislation existed yet, 'it will not be long before it is so' and that South Australia 'would be in keeping with most modern countries in instituting legal adoption' (SAPD 1925, Vol. 2, p. 1464).

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These debates over the place of sentimental adoption were echoed around Australia throughout the 1920s. In New South Wales the general feeling in the parliament was that the boarding-out system had 'outlived its usefulness' and a new system was required. Discussions no longer revolved around the necessity of making the children 'useful' members of society, but focused on the welfare and well-being of the child. Adoption, it was argued, would 'operate for the welfare of the children'. By giving parental rights to adoptive families, it would eliminate the 'farcical' situation whereby at any time, 'the natural parent of an adopted child can come along and claim it and drag it away from foster parents who were doing their best to equip it for the struggle of life' (*New South Wales Parliamentary Debate* [NSWPD] 1923, Vol. 91, pp. 1439, 1441). As in South Australia, adoption was seen to prevent the 'heartbreaks' inflicted upon children and adoptive parents by the natural parents who had 'no right to come along and claim the child after it [had] been reared by somebody else' (NSWPD 1923, Vol. 93, p. 1956).

In Victoria, the debates over the Adoption of Children Bill in 1928 followed along similar lines, focusing on the rights of adoptive parents and the Bill was praised for its potential to 'bring a lot of sunshine into childless homes' (*Victorian Parliamentary Debates* [VPD] 1928, Vol. 176, p. 676). Interestingly, the Victorian debates also showed much greater concern for the necessity of secrecy in adoption procedures in order to protect children from the 'slur of illegitimacy' (Jaggs 1986, pp. 117–32). It was argued that adoption would apply to 90% of all illegitimate children and thus lighten the financial burden that boarding-out and institutionalisation of destitute children put on the state (VPD 1928, Vol. 176, p. 674).

With the passage of the *Adoption of Children Act* in South Australia, *The Register* in Adelaide attempted to quell suggestions that parents, particularly among the poor, may be 'compelled by straitened circumstances to give up children, whom they would, but for poverty, be willing to keep', by assuring the public that

'lacerated feelings and heart-burnings'

parents who could not support their own children were amply provided for by the state and need not take the 'extreme step' of adoption as reported in *The Register* on 19 August 1925 (p. 9). As adoption practice evolved and developed in Australia throughout the twentieth century, the 'lacerated feelings and heart-burnings' that this legislation was intended to prevent were in fact terribly magnified, and the fears that it would compel the unwanted removal and relinquishment of children sadly realised. While this next period of adoption history demands further study, this chapter shows how the concept of sentimental adoption first acquired such a prominent place among child welfare policies in the early twentieth century. It highlights that the changing perception of adoptive parents by child welfare authorities provided the impetus to pass legislation to support and protect the relationship between adoptive parent and child, shedding new light on our understanding of the modern conception of sentimental adoption.

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intercountry adoption in Australia: a natural evolution or purposeful actions

Patricia Fronek

Introduction

Intercountry adoption (ICA) emerged in Australia as an institutional practice in the 1970s and since that time has been the focus of controversy with diverse and sometimes opposing viewpoints that seek dominance in the public arena. Yet, there is little Australian research that helps understand these controversial power struggles in ICA or how to resolve them. This chapter presents some findings from a larger work that addresses gaps in knowledge regarding the broader political, social and economic contexts in which ICA occurs (Fronek 2009). The approach taken explores South Korean ICA to Australia, specifically Queensland, using an Actor Network Theory framework (Callon 1986; Latour 1987) to guide analysis. I propose

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that ICA is not a passive or naturally occurring event, rather one that exists as the result of the purposeful actions of particular actor networks connected across the globe.

ICA is a complex, multilayered and multifocal phenomenon that is not well understood. There are gaps in knowledge relating to the multifaceted and controversial nature of the phenomenon and limited theorising around current policy and practice. Some voices in the contemporary national adoption debate in Australia appear to have more influence than others. These voices dominated the report *Overseas Adoption in Australia* conducted by the House of Representatives Standing Committee on Family and Human Services (HRSCFHS) in 2005. A bias towards perspectives that view ICA as a wholly positive solution to the needs of prospective parents and those of children living in orphanages emerged in the public hearing proceedings of the inquiry. Partial understandings, that represent only one perspective, risk politically-driven, rather than evidence-based, approaches to policy formation.

The research literature on ICA provides selected understandings from a number of perspectives. These can be broadly categorised into three bodies of work: a focus on psychological and psychosocial adjustment of parents and children, socio-cultural works concerned with society and culture; and the literature concerned with the political, legal and demographic aspects of ICA (Altstein and Simon 1991; Freundlich and Lieberthal 1999; Hollingsworth and Ruffin 2002; Hübinette 2005; Joe 1978; Kim, Shin and Carey 1999; Sarri, Baik and Bombyk 1998; Selman 2000, 2006; Triseliotis, Shireman and Hundleby 1997; Volkman 2005). Though providing particular insights, ICA research does not provide an overarching multilayered understanding of the phenomenon, which takes account of local and global influences that enable various actors to pursue their particular interests. For example, few studies provide insights into how particular countries open and close as sending countries of children for adoption. Many that rely on one dimensional explanations of ICA such as supply and demand fail

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to include the actions of actors operating in particular contexts that enable the practice between particular countries. One study conducted by Choy (2007) identified a complex network of social service and independent organisations in Korea and the United States that enabled the phenomenon between the two countries. Likewise, Masson (2001) identified a flow of ideas concerning the practice of adoption between Europe, the United States, the United Kingdom, New Zealand and Australia. These suggest that particular actions and the global flow of information are important to contemporary adoption practice.

A framework for understanding

In order to provide a framework for understanding ICA as a multi-layered phenomenon, I employ some key concepts and terminology from Actor Network Theory (Callon 1986; Latour 1987, 1988) to guide my discussion. It is proposed that Korean ICA did not just evolve; rather, it is the result of the purposeful actions of an influential network. This network is called *proponent* to reflect its goals and functions. It acts to weaken alternative networks and its discourse dominates contemporary debate in Australia. The *proponent* network is a complex structure of connected actors operating within and outside Australia. It emerged in the 1970s with the common goal of enabling ICA, first from Vietnam then Korea. Such networks tend to multiply along no compulsory path and often emerge in unexpected places despite perceived barriers (Deleuze and Guattari 1981). Networks engaged in ICA are understood by exploring what is happening underneath, in and around traditional structures using ideas of power-as-performance rather than drawing on established definitions of institutions, states and nations. Controversy surrounding ICA in Australia tends to be described as that which exists between prospective and adoptive parents and Australian and state governments which hold traditional positions of power. My analysis shifts conceptualisations from those that position groups in the debate according to their roles as 'adoptive

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parent', 'government', 'adoptee' and 'birth parent' to networks that are defined by their discourse, the goals they hope to meet, and the actions taken to achieve them. The *proponent* network, as one example, stretches across and through these commonly accepted groups. *Proponent* actors can be found in the ranks of adoptive and prospective parents, governments, adoptees and birth parents. This does not imply, however, that all individual actors in the *proponent* network share the same views in entirety, rather individual perspectives are subsumed during *translation*, an important concept in Actor Network Theory. Network spokespersons spread particular discourse on behalf of the network regardless of individual variance of some opinions.

A network must grow, become durable, and have the capacity to attract new and influential actors if it is to meet particular goals. Actors achieve this by seeking to enrol new actors into the network. As actors weave together and strengthen as individual threads do through the weaving process, so too does their influence and capacity to meet their goals. Actors align their interests, cement their connections and weave together in a process called translation. 'Translations are the methods by which an actor enrolls others' (Callon, Law and Rip 1986, p. xvii). It is the process of translation where power struggles are enacted and truths are constructed. A new actor adopts the discourse in its entirety or the discourse is slightly altered in the process of translation. As a result of these power struggles actors, for a while, travel the same path to achieve particular goals and a particular idea, discourse or practice is adopted and spread. When attempts at translation are rejected by actors, controversy is highlighted and perspectives are polarised.

The phenomenon of ICA, understood in an Actor Network context (Brey 1997), has no aims or predetermined properties. Aims are imposed on it depending on the interpretation of those engaged in some aspect of it (Brey 1997). In this way opposing viewpoints and arenas of controversy, each appearing equally valid can emerge. For example, ICA can be perceived

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as a phenomenon that serves the interests of children, one that weakens the social and family structures of a particular country, or one that serves the interests of childless couples in the west. These discourses in seeming contradiction do not originate from properties inherent within the phenomenon; rather, they are constructed from particular positions. The most powerful networks are those whose discourse dominates over others. Understanding how actors build strong and durable networks by attracting new and influential actors has the potential to develop more comprehensive understandings of more than 30 years of Korean ICA into Australia.

ICA has flourished in a global context utilising advancement in technologies to the fullest extent. Non human actors are as necessary as human actors in networks that influenced the emergence and longevity of Korean ICA to Australia. The presence of the internet and the media in networks allows discourse to be spread more rapidly to others whom networks hope to attract. These non human actors ensure the replication of tactics used in translation and are essential to the longevity and influence of networks. ICA is not a stagnant entity. Actor Network Theory allows for the study of such change and complexity. It provides a theoretical framework that captures the changing nature of influences over time and at particular points in time, and permits the exploration of alternative solutions not embedded within the controversy itself.

The diffusion of Korean ICA to Queensland

The first Korean child was adopted into Australia in 1969 (Hübinette 2005), while Korean adoption as an institutional practice diffused to Australia in the 1970s and to Queensland in 1983. Korean children represented 206 of the 297 children adopted into Australia between July 1975 and January 1986, with 32 in Queensland. It diffused at a time when Korea was espousing plans to cease its ICA program by 1981 in response to international criticism (Hübinette 2005). Despite international

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and Korean opposition to the practice of ICA and the promotion of Korean domestic adoption as an alternative, Korean ICA continued to increase, reaching a peak in the 1980s. In the same period, Australia abolished the White Australia Policy, embraced multiculturalism at a policy level, saw medical innovations such as the contraceptive pill, introduced welfare reforms such as income support for single mothers, and saw the subsequent decline in the number of Australian children available for adoption (ABS 2001; De Vaus 2002; Jupp 1995; Lopez 2000). These local Australian conditions created a climate not simply characterised by passive acceptance of the adoption of children from overseas but rather one that created opportunities for *proponent* actors to demand it.

My research reveals that networks began forming in these early days. The *proponent* network, a network that promotes ICA as wholly positive, emerged and continued as one efficient in spreading its discourse. Intensive activity that sought to meet the goal of international child adoption ran parallel to the dramatic decline in the availability of local children. During the diffusion period, *proponent* discourse through the transforming process of translation aligned actor interests and merged three originally distinct *proponent* views—economic, self-interested and humanitarian—evident in the data into one altruistic view, altered through the translation process. It is the resultant altruistic view promoted by network spokespersons which has dominated *proponent* network discourse and media representations since the 1970s (Larkin 1999; West 1991). Tensions existed between the *proponent* network, those who opposed it (*opponent* network) and those with less polarised views (*nonpartisan* network) evident in newspaper articles, minutes of meetings between the state governments and representatives of parent support groups, memorandums and other Queensland Department of Children's Services records.

Contemporary controversies are grounded in these early struggles where the dominant discourse of the altruistic rescue of children held popular appeal. Tactics were used to exclude

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alternate discourse that presented a more complex picture of ICA. One such tactic that began in the diffusion period sought to discredit alternate discourse as 'anti-adoption' and is documented in early *proponent* statements and, more recently, is evident in public hearings and submissions to the *Overseas Adoption in Australia* inquiry (HRSCFHS 2005). These tactics continue to be used strategically at present, and may even be directed against those adults adopted internationally as children who have, in some cases, raised concerns about ICA.

The focus of *proponents* shifted from Vietnamese children—the first large group of children to arrive in Australia—to Korea in the mid- to late 1970s when Vietnam ceased adoption of its children to Australia in 1975. Adoption of Vietnamese children was characterised by westerners adopting from orphanages where many children were placed only temporarily and culminated in the well publicised Operation Babylift in 1975 when children were airlifted out of Saigon as the city fell (Cook 1988/89). Operation Babylift has been criticised as an ill-considered and knee-jerk response fuelled by heart rendering media images with little attempt at determining orphan status or facilitating family reunion (Zigler 1976). It is not the removal of children from danger that is problematic, rather the subsequent adoption of children without attempts at confirming orphan status or family reunions prior to the instigation of adoption processes. Harvey (1983) reported a dramatic increase in inquiries regarding the adoption of Vietnamese children once the evacuation became known, counting 4,000 telephone applications in New South Wales alone. When adoptions from Vietnam to Australia ceased in 1975, the discourse of child rescue from war altered. Discourse shifted the focus on rescue from war to the rescue from cultural rejection and institutionalisation which would otherwise await children born to unmarried mothers.

At its onset, Australia had no legislative or policy framework regarding ICA that could safeguard the interests of all parties involved. The first people to adopt children from overseas were

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parents who negotiated adoptions without the involvement of government authorities (Calder 1979). The first parent support groups were formed in the 1970s as a tactic of *proponents* with the purpose of enabling and promoting ICA as a practice in Australia (Calder 1979). Those that formed them were *proponent* actors so, in fact, they began as *proponent* organisations with specific goals and beliefs relating to the diffusion of the phenomenon. This explains the predominance of many parent groups found in the *proponent* network. Other groups involved in ICA, in contrast, did not begin with specific goals to promote or inhibit ICA. In contrast, adult adoptee groups in Australia, for example, were formed primarily to provide emotional and cultural support for adoptees. It is therefore more difficult for these groups to be identified as actors aligned with a particular network as the group goal is not linked to a specific network goal. Individual group members, however, are found to be aligned across networks.

The actions of *proponents* that assisted prospective parents to negotiate adoptions outside legislative and policy frameworks created pressure on governments to respond. The Department of Foreign Affairs expressed concerns about the potential and actual abuse inherent in removing children from other countries for adoption (Bowers 1983; Calder 1979; Joint Committee on ICA 1986, September). This polarisation between *proponents* and governments, despite claims that each were acting in the best interest of the child was intense, immediate and highly emotive as documented in the Queensland Department of Child Safety records. In order to meet its goals, the *proponent* network enrolled new and powerful actors such as government officials, the media and politicians to promote the humanitarian rescue of children. Many actors in government departments became enrolled *proponents*, at least for a period of time, in the diffusion period, consistent with the actions of Masson's (2001) *pragmatists*.

Opponent discourse, however, was evident as early as 1970s and did not support ICA under any circumstances. These voices were weak and unsuccessful in attracting new and powerful

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actors to support their goals and failed to develop into networks of influence. Two *opponent* discourses are identified in media representations and government records. The first—evident in the 1970s—were racist, violent and unpalatable, such as those expressed by the Australian Nazi Party directly to Australian politicians and the Korean government, contributing to strained diplomatic relations in the media (Sunday Sun 1977). This network bears no relationship with other *opponent* views identified and is very different from the *opponent* network that operates currently. The second, emerging later, represented the views of some Australian mothers whose children were removed from their care due to social stigma and lack of income support. These mothers expressed concern that practices in ICA would mirror these past practices in Australia and disempowered mothers overseas. Their voices, however, emerged retrospectively when they too began to form support groups. As with adult adoptees, these groups, however, were not formed with goals relating to inhibiting ICA and therefore cannot be called *opponents*, rather some individuals within them held *opponent* views. Their voices continue to exert little influence.

Proponent voices inclusive of many parent groups, some politicians and the media, however, dominated and their actions enabled the establishment of adoption programs between Korea and Australian states. This network was made up of connected actors, individuals such as politicians and organisations in Korea and Australia, taking systematic and purposeful action to meet the common goal of child adoption. *Proponent* spokespersons took it upon themselves to speak on behalf of those who could not speak for themselves, that is, birth mothers and families and the children to be adopted. The needs of children to be adopted and adoptive parents became indistinguishable in this discourse.

The first children arrived under a formal program in New South Wales in 1977, the result of purposeful *proponent* actions and a range of enabling conditions. Other states followed with Queensland commencing a program in 1983, 30 years after the

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commencement of the international adoption of Korean children during the Korean War. A formal bilateral agreement between the Australian and Korean governments has never been signed, rather ICA from Korea is facilitated through formal working arrangements between the Eastern Child Welfare Society, the sole Korean adoption agency that deals with Australia and Australian states. The Korean government, from the outset, has insisted that the program would cease if adverse publicity were to eventuate, and distances itself from the phenomenon through the establishment of a private adoption agency which is the obligatory path of all communications.

The contemporary climate

Currently, there are particular groups engaged in Korean ICA. These include adoptive parents, Korean adoption agencies, Australian and Korean governments, and those adopted as children from Korea who are now adults. Members from each of these groups can be found in three contemporary networks—named *proponent*, *nonpartisan* and *opponent*. Each network is made up of connected actors across the globe enabled and strengthened by non-human actors such as the internet. Networks are connected to other networks within and external to Australia while some actors are networks themselves. Actors are engaged in a constant process of attracting and attempting to enrol new actors.

An understanding of contemporary public debate can be gained by examining the dominant discourse—that of *proponents*. The *proponent* network has continued to expand from the 1970s. The network maintains close liaison with government departments concerned with adoption and attempts to enrol others such as politicians who can influence the direction of the practice in Australia. The network is assured of new actors as prospective parents are continually introduced for pre and post-adoption support and are initiated into *proponent* discourse. Though individual variance of opinion is identifiable in the *proponent* network, enrolled actors are represented by spokespersons who promote wholly positive

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discourse such as the need for the altruistic rescue of children. This representation is accepted as it helps many meet their own goals such as lobbying for the baby bonus, achieving a speedier adoption, or establishing post adoption services.

It is notable that *proponents* concerned with ICA from Korea merge at key junctures with *proponents* concerned with adoption from other countries and adoption generally, embracing one overarching discourse concerning ICA. Two key junctures in ICA in Australia are the diffusion of the practice into Australia in the 1970s and the report *Overseas Adoption in Australia* (HRSCFHS 2005). These two events are the nexus of the diverse range of viewpoints concerning ICA in Australia and provide opportunities to understand how networks expand and interact with each other.

Two major findings emerge from my analysis of data relating to the second of these key junctures—*Overseas Adoption in Australia* (HRSCFHS 2005). Firstly, *proponent* actors seek new ways of reaching their goals if the path to their goal is blocked. These detours concern finding new sources of children to adopt, a goal subsumed in the discourse that claims there are potentially millions of children in the world who should be adopted into Australian families. These claims are perpetuated in parallel to counter-claims that many children in orphanages are not adoptable, in that they have families or represent children not attractive to many *proponents*, that is, children who are disabled or older. This detour translates to pressure on governments to take the lead with new overseas countries to make their children available for adoption. Some *proponents* also support the pursuit of countries who are not signatories to the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (Hague Conference on Private International Law 1993) as they too have children in need, as also identified by Selman (2006). Local Australian actors cannot enable the opening of adoption from other countries alone. It requires the presence of *proponent* actors in sending countries and the presence of other conditions such as poverty or war. Particular conditions, likewise, cannot enable ICA without the actions of *proponents* in

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both sending and receiving countries. It is evident in this research that the *proponent* network is a global one with increasing influence, yet other networks such as *opponents*—using the Korean example—are also extending their influence through the enrolment of many actors from all groups engaged in ICA, including adoptive parents.

Secondly, *proponent* discourse was altered with the enrolment of politician actors such as senior a parliamentarian in the Liberal Coalition government led by John Howard, namely Bronwyn Bishop, who chaired the inquiry *Overseas Adoption in Australia* (HRSCFHS) in 2005. Members of the inquiry committee may be identified as *proponent* actors who adopted *proponent* discourse and used a range of tactics to silence other views. *Proponent* discourse, however, was altered in translation in the inquiry to include the detour into Australian domestic adoption shifting debate back to outmoded notions of 'deserving' and 'undeserving' parents rather than on appropriate services for disadvantaged families, social and health issues. The debate changes from the goal of expediting easier, faster and more ICAs to expediting faster, cheaper and more adoptions through local sources in Australia—a goal not originally intended by *proponents*.

The application of Actor Network Theory suggests *proponent*, *opponent* and *nonpartisan* networks do not increase or decrease in power and influence by accident. The development or demise of particular networks depends on the network's ability to survive the trials of strength inherent in successful translations. The *proponent* network is proficient in attracting new actors. The dominant discourse of child rescue by adoption promoted by this network is one dimensional—wholly positive—and not amenable to the consideration of complexities of social circumstances, politics, welfare conditions and the impact of their own actions on the practice of ICA in Australia and sending countries. Current power struggles are identified in the analysis where *proponents* seek significant and increasing input into ICA in Australia, transforming the adoption of children into a *political* phenomenon to ensure

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proponents meet their goals, and in many ways cementing already polarised perspectives.

Tactics represent overlapping strategies that work together to ensure enrolment of others through the spread of discourse and the continuation of controversy. A number of tactics identified in this research is used by *proponents*. These include *emotional connectivity*, *simplification*, *enemy creation* and *importunate action*. Two of these tactics, *simplification* and *importunate action* are described in this chapter to highlight the politicised nature of ICA in Australia.

Simplification used by *proponents* is defined as the purposeful simplification of the discourse to be embraced. A ‘simple’, or one dimensional message such as child rescue by adoption as a win–win–win situation, can be more easily accepted or rejected as it leaves little room for blurring of messages or alternate discourse to be generated in the translation process. Discourse, for example, that includes understandings of relinquishing conditions such as poverty risks and, the development of alternatives to adoption such as addressing the needs of birth families. Parents relinquishing children for adoption as a result of poverty is clearly not as simple as some proponents of adoption would suggest (see for example Deborra-Lee Furness’ *Orphan Angels* (2008) campaign). A new actor is either for or against—*pro-adoption* or *anti-adoption*. *Simplification*, as a tactic, has developed during the historical course of ICA in Australia. It is now a common power-play for *proponents* to label *nonpartisans* as *anti-adoption*—a form of controlling alternate and more complex discourse. This is a powerful strategy in network building.

Importunate action is defined as repeated and persistent efforts to gain the attention of those they seek to enrol. The *proponent* network evident in Australia has engaged for many years in locating and targeting particular sympathetic or connected actors such as celebrities and politicians best placed to exert influence and who are amenable to enrolment in the network. The tactic of *importunate action* includes intense lobbying of politicians and

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media and ensures the engagement of new actors with enrolment providing personal benefit. One example of *proponent* proficiency is the enrolment of 'celebrity'. The *proponent* network has been successful at recruiting potentially important new actors such as Deborra-Lee Furness, wife of Hugh Jackman to promote particular beliefs through tactics designed to meet the goals of faster, cheaper and less regulated adoption practices (Connelly 2005, 2007). The recruitment of celebrities is a purposeful course of action by *proponents*, where lists of potential celebrities and other influential people with some personal connection to adoption were circulated via computer-mediated communications seeking *proponents* with whom they can make contact. Furness was the first 'celebrity' in the Australian context to be successfully enrolled by Australian *proponents*.

Implications

The actions of the *proponent* network—some of which are highlighted in this chapter—have influenced the diffusion into Australia of ICA from Korean and its continuance for over 30 years. The predominance of Korean adoption—overtaken by adoptions from China since 2003–04 (AIHW 2004)—has influenced the expectations of Australian *proponent* actors of a reliable flow of adoptable children. *Proponents* currently wield significant influence on the directions and scope of Australian adoption practice. The *proponent* network seeks a speedier, more direct, less regulated and cheaper route to the goal of child adoption. The dominant discourse, however, fails to include the complexities inherent in ICA practice. *Simplification* carries risks that not all issues will be considered, and standards of practice will be affected. All voices are important in this phenomenon, not simply dominant discourse that serves the interests and goals of one network.

The practice of contemporary ICA in Australia is a political one. To protect all concerned, particularly those that cannot speak for themselves, adoption policy must place emphasis on best practice and evidence. This requires governments to invest

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in research and long-term planning rather than short-term, politically driven, expedient solutions as a way of dealing with the constant pressure of *importunate actions* and other tactics. Transparency and a recognition of the interplay between actors networks is essential for practices which are not diverted from their true purpose, that is, a service for children as supported by the subsidiarity principle of the 1986 United Nations Declaration (The Declaration on Social and Legal Principles Relating to the Protection and Welfare of Children with Special Reference to Foster Placement and Adoption Nationally and Internationally) (cited in Masson 2001).

The theoretical framework used in this analysis highlights how discourse is constructed and reflects the perspectives of those engaged in a phenomenon such as ICA. Too much attention in the Australian context has been placed on where actors are situated in the adoption debate, that is, for or against adoption, and on adoption as the preferred welfare solution. Adoption is an appropriate and positive option for many children. Australian governments, however, should be cautious of approaches and services that are *adoption* driven. This shifts attention away from appropriately-funded approaches that seek to understand and address the range of issues that make children available for adoption in the first instance, whether these children are born in Australia or overseas. This approach will require significantly more investment in research than we have yet seen in Australia.

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‘society moves to make its own solutions ...’: re-thinking the relationship between intercountry and domestic adoption in Australia

Denise Cuthbert and Ceridwen Spark

Regrettably, society moves to make its own solutions in these very complex and emotional matters. We hear of facilities being made available to adopt children in other countries to *avoid this open adoption, which people do not find attractive*. We must think about that and consider the implications. (Emphasis added)

The Hon D F Moppett, Parliament of New South Wales, 2000
How can adoption be *so bad* for Australian children, and *so good* for children born overseas?

Senior child-placement officer, Australian state government, 2008

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Introduction

In 2005, the report *Overseas Adoption in Australia* of the inquiry conducted by the House of Representatives Standing Committee on Family and Human Services (HRSCFHS) into intercountry adoption (ICA) stated that adoption in Australia had become the 'poor relation' of child placement policy (p. 4). A year earlier, Rosemary Pringle announced that in Australia adoption had lost credibility as a social policy option (p. 225). These views appear to be confirmed by the annual data compiled by the Australian Institute of Health and Welfare (AIHW 2008) which show the dwindling numbers of domestic adoptions in Australia since the peak years of the early 1970s. The data also shows precisely that it is adoption *as a social policy option* within Australia and not adoption *per se* which is suffering from credibility problems. The distinction is an important one. The data which documents the decline of domestic adoption in Australia from the mid-1970s also documents the rise of ICA over the same period.

The statistics underlie the divergent histories of domestic adoption and ICA in Australia since the 1970s. In this chapter we examine elements of these divergent histories. In particular, we interrogate the idea that ICA has risen solely in response to a drop in the number of babies available for adoption locally. We suggest that the relationship between rising ICA and declining local adoption is more complex than is commonly held to be the case. This story, we argue, needs to be re-told with reference to the changes to domestic adoption in the period since the late 1970s—and the impact of these changes on the demand for domestic adoption. We then ask—how might we re-imagine adoption in Australia such that Australian families looking for children are better aligned with the many Australian children in need of family-based permanent care? Noting that in its earliest days, ICA was considered an extraordinary form of adoption involving children with special needs, we propose that there is some merit in re-framing ICA as special needs adoption. This view has been obscured in recent years as ICA has become

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normalised as a route to family formation for many childless couples and individuals. We argue that re-framing ICA as special needs adoption might form the basis for socially responsible policy and serve as a reminder that adoption—whether of domestic or international children—is a unique way of making families which frequently entails complexities and challenges.

The divergent histories and dynamics of domestic adoption and ICA
The accepted account of the divergent histories of domestic adoption and ICA in Australia is that from the 1970s prospective parents increasingly turned to ICA because of the limited availability of babies for domestic adoption. This account creates the impression that, on the basis of supply alone, ICA in Australia escalated because domestic adoption could no longer meet ‘market’ demand. While there is truth in this narrative, it obscures the cultural politics surrounding adoption which resulted in the transformation of domestic adoption, through both law reform and marked shifts in adoption practice. Obscuring this history of the transformation of local adoption has contributed to a situation in which ICA is no longer understood primarily as an extraordinary response to geo-political and other disasters, but rather as a normalised route to family formation, which meets the needs of childless couples and individuals.

The significant coincidence between the declining numbers of domestic adoptions (marked from 1973 [AIHW 2008]) and the rising numbers of ICAs (steadily increasing since 1975 [AIHW 2008]) is often noted. Less commonly noted however, is that these two developments are confluent with political agitation on the issue of past domestic adoption practices and reform of adoption law affecting both past adoptions and the terms on which future domestic adoptions could be pursued. This political agitation erupted into prominence with the first national adoption conference in 1976 (Marshall and McDonald 2001; Picton 1976), which was the culmination of much concerted activism. The adoption reform movement resulted

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in the transformation of domestic adoption in Australia in the period from 1983 to 1994. During this time, most state and territory legislatures progressively reformed adoption legislation, removed provisions for secret and sealed adoptions, and put in place avenues for adoptees and birth parents to access previously sealed documents relating to birth and adoption (Marshall and McDonald 2001, pp. 42–5).

This political agitation on the part of birth parents and others, including social workers, was accompanied by, and compounded, a profound cultural, social and political shift from the unequivocal endorsement of adoption as an unproblematic social good (Marshall and McDonald 2001) to a more critical assessment. Numerous scholars (Marshall and McDonald 2001; Pringle 2004; Cuthbert 2000, 2001; Murphy *et al.* 2009) have documented the shifting social evaluation of adoption in Australia since the 1970s. As one adoptive mother observed in the late 1990s, 'adoption is now a dirty word but it was different [in the 1960s]' (Cuthbert 2000, p. 35). The decline in the reputation of local adoption in Australia perhaps reached its lowest point with the tabling of the New South Wales Legislative Council's 2000 report into past adoption practices. This report both documented and confirmed the claims of many mothers whose children had been taken from them and adopted in the decades from the 1950s to the mid-1970s, that past practices were inhumane, and at times, unlawful (New South Wales Legislative Council 2000).

As New South Wales parliamentarian, D F Moppett argued in 2000, the emergence of intercountry and the decline of domestic adoption have implications for governments and the community. One implication is that state and territory governments face the ongoing challenges and expense of providing various forms of out-of-home care to increasing numbers of children for whom permanent placements are rare (HRSCFHS 2005, p. 93). Adoption in this context exists as one social policy option for the care and placement of children. To this end, the state seeks to

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recruit families willing and suitable to take on the care of children whose own families are unable to care for them.

At the same time, these same state and territory governments face demands from increasing numbers of prospective parents seeking to adopt internationally and who look to government to provide this ‘service’ (Nader 2008). Domestic adoption in Australia appears to have lost appeal for parents in search of children partly because the children available for adoption tend to be older or have other special needs. Australians have, on the whole, been less willing to adopt children with special needs, including older children, than their counterparts in the United States and Britain. Further, as Pringle (2004) and others argue, domestic adoption labours under a shroud of guilt and apology due to past practices. Additionally, as we argue here, another factor needs to be added to the story of the decline in Australian domestic adoption relative to the rise in ICA: namely that for many adoptive families, ICA represents a more attractive mode of adoption than does reformed, domestic adoption.

The contradictory dynamics and differing appeal of the two kinds of adoption highlight the divergent interests within Australia of prospective adoptive parents, local children in need of permanent care, ‘parentless’ children overseas, and the often neglected interests of overseas birth families. Below, we consider these overseas families—frequently off-shore, out of sight and thus, potentially, out of mind.

Out of sight, out of mind

Insight into how ‘out of sight and out of mind’ overseas families inform the decision of some parents to favour ICA is provided in Jill Smolowe’s adoption memoir, *An Empty Lap: One Couple’s Journey to Parenthood* (1997):

We also agree that neither of us feels up to the emotional rigours of an open adoption [...] Our mutual preference is to keep the

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birth parents as distant as possible. We acknowledge that we want our love and our claim to be exclusive, unrivalled, unchallenged.

Given that need, we agree, an international adoption might be the most comfortable. It's an option that makes sense for us.
(pp. 141–2)

Because of their 'need' to make an 'exclusive, unrivalled, unchallenged' claim over a child, Smolowe and her husband opt for ICA as their preferred mode of adoption expressly because it keeps 'the birth parents as distant as possible.' Smolowe's words confirm the view of David Smolin that many adoptive parents are 'ambivalent about open adoption' and are 'lured into the international system by the comparative powerlessness and distance of foreign birth parents' (2004, p. 316). Smolowe writes that she and her husband were aware that their checklist of preferences represented a 'grab bag of choices [that] will incur certain risks' (p. 143), including the pay-off between their strong preference for the 'distant as possible' birth parents and lack of access to medical histories and other information. They were prepared to wear these risks to secure a child over whom they would have an 'exclusive' claim. Smolowe's narrative suggests that in the US context at least, the demand for ICA should not be understood simply as a response to the decline in suitable local children for adoption, but rather represents the *active* preference of some adopting families for a closed adoption.

Evidence presented by numbers of adoptive parents during the 2005 inquiry into ICA in Australia (HRSCFHS 2005) supports the view that for many Australian adoptive families, ICA is more attractive than local adoption for the same reasons. The views of many Australian adoptive parents who presented evidence to the committee echo Smolowe's sentiments on the subject:

The beauty of intercountry adoption is that, in most cases, while the records are there, as far as the child is concerned it really has only one set of parents to deal with. You have a much more

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natural situation. As a couple, you can bring them up in the way you believe is appropriate. You can deal with problems in the way you believe is appropriate. So, yes, if that is what you mean by finality, I think it is a very positive thing about intercountry adoption. (Commonwealth of Australia 2005a, p. 64)

There is a thing now called open adoption for local adoptions, so you have to take into consideration whether your family is able to cope with the intrusiveness that may or may not occur. (Commonwealth of Australia 2005a, p. 61)

A mode of more open adoption which may entail ‘bringing not only your child but your child’s family into your family’ (Commonwealth of Australia 2005a, p. 61) is rejected by many and the long wait for a child born overseas, with some ‘paper pregnancies’ lasting upwards of five years, commences.

Notably D F Moppett’s comment on the decline in domestic adoption, quoted at the outset of this chapter, does not touch the ‘supply’ side of the local adoption market, that is the numbers of children available for adoption. Rather, he addresses the ‘demand’ for ICA. Reformed open adoption involving Australian children is, in his view, the issue—‘people do not find [it] attractive’. ICA arises, he contends, ‘as society moves to make its own solutions’ by seeking not only a source of children for adoption, but also a mode of adoption which suits its need to ‘avoid this open [domestic] adoption’. Moppett’s assessment and evidence given to the 2005 inquiry (HRSCHFS 2005) tend to support the view that to ‘the extent that a tendency toward open adoption has empowered birth parents to a limited degree, this trend has very little impact on intercountry adoption. Indeed, some choose to adopt internationally to avoid any contact with birth parents’ (Smolin 2007, p. 424).

Orphans in need of adoption or adoption in need of ‘orphans’?

The discussion above shows how ICA has emerged as the most ‘comfortable’ form of adoption for parents who are unwilling

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to enter into more open forms of adoption and permanent care available locally. In this logic, the *most* abandoned child is frequently the most desirable child. In this way, the overseas child, whether an actual orphan or an *imagined orphan* represents the kind of child over whom adoptive parents may make the 'unrivalled' claim desired by Smolowe. In this mode of adoption, the adopted child and her adoptive family only deal with 'one set of parents'—the adoption is closed and final, and in this respect shares many features with pre-reform domestic adoption in Australia. That is, the kind of adoption that was once available in this country, but which Australian families must now look overseas to secure is seemingly becoming the 'solution' to prospective parents' difficulties with domestic adoption reform.

Many of the arguments in favour of smoothing the way for adoptive parents to access children with minimal delays are premised on assumption of many 'orphans' in other parts of the world in need of rescue by Australian families. This logic recurs throughout the *Overseas Adoption in Australia* report (HRSCFHS 2005) and is in evidence in many of the submissions received by pro-adoption groups and individuals to that inquiry. Seemingly outdated adoption narratives of the 'salvation' of children in need by worthy and deserving adoptive parents can be rehearsed, largely unchallenged by the counter-claims of birth families who are rendered inaudible either by virtue of their 'abandonment' of their children, or by geographical distance, poverty or relative powerlessness.

In this respect, some ICA discourses parallel and repeat what Ann Fessler (2006) describes as the central premise of 'unwanted babies' on which pro-adoption narratives in the US in the period immediately following the World War II were predicated:

Social acceptance [of adoption] was predicated on the idea that these babies were unwanted. This belief eliminated a potential moral dilemma, especially for adoptive families: most couples, no matter how much they wanted a child, would not want to be

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involved in taking a child away from a mother against her will. But given the secrecy and the social stigma of the time, adoptive parents were never exposed to the story of the pain and grief felt by so many of the mothers. (p. 183)

As Fessler notes, no matter how badly they might want a child, few people wish to be involved in taking a child away from a mother unwilling to relinquish this child. The emphasis on orphans and abandoned children in many of the discourses supporting ICA, including the *Overseas Adoption in Australia* report (HRSCFHS 2005), participates in this narrative by removing birth parents from the picture. Certainly, children here or overseas, who are genuinely orphaned or abandoned need some form of alternative permanent family-based care. Adoption-driven child placement discourses also *need* ‘orphans’ to drive their vision of a mode of family formation which is unequivocally ‘good’ for the child and adoptive parents. The success of these discourses relies on them being uncomplicated by thoughts of living members of a birth family, free of the vexed politics of past Australian domestic adoption and on the by-passing of more open forms of adoption currently available in Australia—designed in part to avoid the damage done by past practices. In the shaping of these discourses, suggestions such as those made by Australian mothers to the 2005 inquiry (HRSCFHS 2005) that present ICA as repeating the ‘crimes’ of domestic adoption in Australia’s past, are dismissed summarily, as is evidenced by the treatment of witnesses putting this view to the committee in its public hearings. For example, on 17 October 2005, Meg Lewis, chairperson of the Association Representing Mothers Separated from their Children by Adoption (ARMS, South Australia), and colleagues attempted to put these points to the committee. Lewis is aware of the unpopularity of the ARMS position:

We are saying that the same thing is happening today and calling it intercountry adoption and thinking that it is no

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different is not true [...] We know that people do not like to hear what we have to say. They want us to go away, exactly as they wanted us to go away years ago. But we have every right to speak for ourselves and we have every right to speak for mothers from other countries. We intend to do that. (Commonwealth of Australia 2005c, pp. 86, 88)

Lewis received a hearing, of sorts, but was interrupted and contradicted several times by the chair and other members of the committee. Similar treatment was accorded Lily Arthur, who presented evidence to the committee in Sydney. Arthur pressed home the parallels between the treatment of birth mothers in Australia in past decades and several intercountry sending countries in the present (Commonwealth of Australia 2005d, pp. 42–3). Arthur endured several interruptions from the chair, each of these indicating the committee's desire to quarantine bad adoption practices in a regrettable past from which we must move on:

CHAIR—I think we all acknowledge that the practices that went on in that period were pretty horrendous and are fortunately gone. (Commonwealth of Australia 2005d, p. 42)

CHAIR—I think we have moved on since 1970, fortunately. (Commonwealth of Australia 2005d, p. 43)

The voices of Australian birth mothers at these hearings—raising concerns about the human rights of birth mothers in other countries—represented an unwelcome complication to the view of ICA as an 'unequivocal' good, a view which the committee appeared to have formulated.

As noted, narratives of child 'rescue' through adoption exist alongside continued ambivalence to the adoption of domestic children. The contradictory evaluation of the two forms of adoption is expressed in the riddle posed by a state government child placement officer (quoted at the beginning of this

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chapter), which asks how adoption can be good for one group of children—those born overseas—while being bad for Australian children? One answer to this riddle may be that what is being spoken of is not whether or what kind of adoption is good or bad for children, but rather what kind of adoption best suits prospective parents. It is possible that ICA is viewed as being good for children (as distinct from local adoption which is apparently bad for children) because it is *good* for parents. And, this is in part because ICA offers a form of adoption uncomplicated by the sorts of considerations which have re-shaped domestic adoption in Australia since the late 1970s.

Are there politically progressive ways of re-envisioning adoption? We have outlined the ways in which popular understandings of the rise of ICA and the decline in domestic adoption obscure and distort elements of their complex history in Australia. This has several implications that we as a community need to consider. One implication which we take up here is the impact of the rise of ICA on Australian children in need of permanent care. Just as popular accounts of the rise of ICA tend to obscure the impact of reforms in domestic adoption in the same period, we argue that the rise of ICA in Australia has seen it progressively normalised as the preferred form of adoption for many couples and individuals in search of children to form a family. In this normalisation process, key features of the history of this form of adoption have also been obscured.

In this section, we would like to take up one of these—the understanding of ICA as special needs adoption—and use this as a way of considering some of the challenges we face in addressing the needs of children, both those born in Australia and those born overseas in need of permanent family-based care. We suggest that earlier understandings of ICA as, by definition, special needs adoption is a useful way for us as a community to re-think the relationship between ICA and domestic adoption. In particular, we highlight the ways in which reconceptualising ICA as ‘special needs’

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adoption usefully challenges the false binary between 'damaged' domestic children and their purportedly 'undamaged' counterparts overseas. Arguably, conceptualising all ICA as 'special needs' adoption would help to re-position adoption as being primarily about the needs of children as distinct from the desires of adults.

Indications are that into the future, the children that will be made available through a number of ICA sending countries will increasingly be older children, children in sibling groups, and children with a range of special needs (Selman 2006; Tan *et al.* 2007; Spark *et al.* 2008; Nader 2008). This has re-activated research attention on the special needs of children in ICA. In the early days of ICA in Australia, it was acknowledged that all ICAs needed to be treated as special needs adoptions (Institute of Social Welfare 1975). Over time and with the growing demand for ICA as a 'service' for couples and individuals, this understanding of ICA has slipped from view. The term 'special needs' has only recently been re-applied in relation to ICA generally in the international research literature and is rarely used in this context in Australia (Tan *et al.* 2007).

There are grounds for the view that ICA as a whole is best understood and managed as a form of special needs adoption (Steltzner 2003; Tan *et al.* 2007; Socialstyrelsen and MIA 2007). The characteristics of the overwhelming majority of children adopted into Australia from overseas align with key criteria, used in both the United States and the United Kingdom, for special needs classification in the context of domestic adoption. These characteristics are shown in the research literature to be risk factors for a range of health, developmental and educational challenges. The majority of intercountry adoptees entering Australia possess at least one of these characteristics, and frequently children adopted from overseas will possess more than one:

- age at adoption—commonly older than one year, and increasingly between two and four years (see AIHW 2008)

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- racial/cultural background and language spoken/ understood being different from those of their adoptive parents
- the likelihood that they have spent most if not all of their lives prior to adoption in some ‘out of home care’ situation, either fostering or an institution (Families with Children from China–Australia 2005, p. 30)
- the likelihood that they experienced some degree of deprivation, whether material or emotional, prior to adoption

In the United States and the United Kingdom domestic adoption contexts, the presence of one or more of these special needs characteristics would qualify the child concerned to be considered and managed as a special needs placement (Rosenthal and Groze 1992, 1994; McRoy 1999). This classification would then determine the screening for suitability of adoptive parents and the mobilisation of adoption support and other services to address the special needs of the child and the adoptive family.

This is not to deny that many ICAs are successful, bringing great benefit to individual adopted children, and significant satisfaction and fulfilment to their adoptive families. It does, however, constitute recognition that better screening and education of adoptive parents and enhanced post-adoptive supports and services for intercountry adopted children and their families is contingent on full acknowledgement of their special needs status (Steltzner 2003). Within this reconceptualisation of ICA as *special needs adoption by definition*, we propose that scope be made for the identification of particular children who are by reason of their backgrounds, health or developmental needs, considered as being at ‘greater risk’ or with ‘more profound special needs’ than other intercountry children.

The evidence from the research literature as to the actual backgrounds and needs of the majority of intercountry adopted children supports the view that the definition, understanding

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and management of ICA as special needs adoption, will assist in the development of better policy and greater public awareness on the nature of ICA in Australia (Spark *et al.* 2008). This applies particularly to providing prospective adoptive parents with more realistic expectations of, and preparation for, the challenges and particular hardships for the child and the adoptive family that may entail on adoption. It may also assist a range of professionals better appreciate the challenges that some intercountry adoptees face in health, development and educational attainment (Meese 2005).

As discussed above, it appears that, for many prospective adoptive parents, ICA as presently framed presents a more attractive option than domestic adoption. A fuller appreciation of this form of adoption as special needs adoption, within which some children may possess greater needs than others, may shift perceptions and preferences for some prospective parents on this issue.

Conclusion—Looking to the future

Having considered elements of the divergent histories of adoption in Australia and their implications for the placement of children in need in Australia, we conclude with some observations based on our recent attendance at an information session run by the Victorian Intercountry Adoption Service (ICAS)—a division within the Victorian Department of Human Services. ICAS has recently changed the presentation it makes to prospective parents. This change is supported by the development of a revised Information Kit (ICAS 2008a). As adoption researchers, we were invited to attend the session in order to provide ICAS with feedback about the presentation's revised content and format.

Apart from the ICAS website (ICAS 2008), the information session is the earliest port of call for people interested in ICA. When we attended, the room was full of (presumably childless) couples, some of whom were moving toward the end of painful journeys of infertility. For many, ICA represents what they perceive as their last chance to make a family. There is palpable

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disappointment when ICAS officers outline the realities—that there are more people waiting than children available and there is a lengthy, rigorous process of application, with much waiting and uncertain outcomes. Staff also addressed the subsequent difficulties entailed in raising a child from another country who, at the very least, would need support to come to terms with complex identity issues and lack of information about their origins, and who may confront other challenges in addition to these. Despite the sensitivity the workers showed in communicating these realities, the message is harsh and, given the reactions we observed, one which many in the room found emotionally difficult.

However, given the concerns outlined in this chapter, we have two main reasons for viewing the directions ICAS is taking positively. Firstly, the terms in which the information session was delivered by ICAS staff actively sought to break down the binary of ‘undamaged’ babies from overseas versus ‘damaged’ domestic children, and of ‘complicated’ local child placement versus ‘uncomplicated’ ICA. ICAS staff did this by making the point that even the youngest babies from overseas will *on some level and in varying degrees* always struggle with not knowing where they have come from and with the related gap between their emerging identity as the member of an Australian family and their unknown past elsewhere. In contrast, they suggested, domestic children in need of families *know where they come from*, and this appeared to confer a clearer sense of identity (McRoy 2008) despite the challenges entailed. Secondly, the ICAS staff made gentle, but quietly determined efforts to expand the attendees’ sense of other possible ways to make family (ICAS 2008a, p. 42). They did this by highlighting that there were children with ‘special needs’ overseas who needed care, Australian children in need of permanent care, and by inviting staff from Connections and Anglicare—two agencies handling such placements—to inform the group about adoption, permanent care and foster care, respectively.

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To gauge the receptiveness of those attending this session to this more open and inclusive approach, it would be necessary to conduct follow up surveys and interviews. Nevertheless, such efforts at re-framing ICA constitute what we see as a timely and socially responsible effort to present prospective parents with the range of children in need of families—in Australia and elsewhere. In so doing, the ICAS initiatives point to the possibility that the divergence between intercountry and domestic adoption in Australia may be in the process of being addressed at a practical level. In this way, adoption *and* permanent care may be understood primarily as ways to meet the needs of various children in search of families, as distinct from adoption being seen as a way to meet the private and particular needs of adults in search of certain kinds of children. This, we suggest, might be a more ethical and balanced way for the Australian community to ‘move to make its own solutions’ to the problems faced by many children in need of family-based care, whether they are born in Australia or overseas.

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2

Talking and
listening
through the
pain: Social
workers and
relinquishing
mothers



hearing the voices of social
workers in past adoption practice
with mothers and their babies for
adoption: what can we learn?

Susan Gair

Introduction

No field of practice in social work is more before the public, more sensitive or more controversial than adoption. (Reid 1957, p. 22)

A groundbreaking Australian inquiry in 1998 into past closed adoption practices acknowledged allegations by birth mothers of improper and coercive practice by some doctors, nurses and social workers (NSW Standing Committee on Social Issues,

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1998). In subsequently reviewing the literature, a critical reflection on past adoption practice approaches from a social work perspective was not evident. D'Cruz *et al.* (2006, p. 5) write that 'social work should subject its own knowledge claims and practice to analysis' and 'scrutiny'. Similarly, in relation to adoption, McDonald and Marshall (1999, p. 88) argue that 'in a contemporary world unjust practices of the past are increasingly and properly scrutinised'.

The purpose of this study is to provide a space in which the voices of social workers may be heard and placed on the public record of past adoption in Australia, thereby making available a now closed chapter in professional practice that may inform current and future practice in adoption. The primary aim of the study is to document the stories of a group of Queensland social workers involved in past adoption practice. Australia has similar (but not identical) adoption legislation in each state. This study focuses on Queensland legislation and practices, however it has implications for a much wider audience. The chosen timeframe, 1960–90, encompasses the high point in the practice of closed adoptions in Queensland but excludes the era following the enactment of the *Adoption of Children (Qld) Amendments* (1990, 1991) allowing some information and contact in adoption.

A brief historical background

Western adoption evolved during the twentieth century to become a confidential, regulated, legal practice undertaken by professionals who authorised the rearing of children by persons other than their biological parents. Adoption within Australian Indigenous groups differed from this formal process with a more extended family arrangement (Ban 1989). By the middle of the twentieth century, religious and moral attitudes condemning extramarital conception contributed to a supply of babies for domestic adoption, although despite this stigma, significant numbers of single mothers kept their babies (Friedman 1975; Marshall and McDonald 2001;

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O'Halloran 2006, p. 14). A need for adopted babies and children was driven partially by emerging ideologies of marriage and motherhood that required (re)production of heirs within marriage (Inglis 1984, pp. x, xi; Matthews 1984), but also by a need for productive labor. With falling birthrates, infertile (and fertile) married women constructed families through adoption of babies predominantly born to women who were unmarried. Some babies for adoption were born within a marriage but were unable to be cared for within that union. Adoption legally relieved the state of any burden of care (Burns *et al.* 1979).

In Queensland, the early amended *Infant Life Protection Act 1921* paved the way for adoption of infants. The *Adoption of Children Act (Qld) 1935* authorised the Director General to make adoption orders (Healey 1999). With the passage of the *Adoption of Children Act (Qld) 1964*, adoption legislation in all Australian states was temporarily aligned, although the sole authorisation of the Director General as distinct from the order of a court, was retained. The child became 'as if ... born to the adoptive parents' (Boss and Edwards 1992, p. 26). Amendments to the *Adoption of Children Act* were made in 1967, 1987, 1990, and 1991. In Queensland, since 1921 there have been approximately 50,000 adoption orders, while between 1968–1994, almost 20,000 orders were made (Zabar and Angus 1995)—the majority of which were closed, domestic adoptions (relative adoptions are included in some available figures). Children under one year adopted by non-relatives represented the majority of all adoptions (Healey 1999). Between 1968 and 1994, Australia-wide, 97,167 adoption orders were made. By 1990 numbers were declining significantly. Zabar and Angus (1995) note that from 1968 up until 1994 there was a 92% reduction in babies available for domestic adoption.

Decreasing numbers of domestic adoptions have been attributed to many factors including financial support for single mothers from 1973, the de-stigmatising of illegitimacy, and recognition of the legal rights of single mothers, the child

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and single fathers (Asche 1981). Changing national legislation included the *Family Law Act 1975 (Cwth)*, the Levine Judgment (in *R v Ward*, 1971) permitting termination of pregnancy under certain conditions, the *Child Care Act 1972 (Cwth)*, the *Children Equality of Status Act 1976 (NSW)*, the *Status of Children Act 1974 (Vic)*, and Australia's ratification of the United Nations Convention on the Rights of the Child, 1989 (West 1991). Until the introduction of the *Children Equality of Status Act*, children of unmarried parents were illegitimate and, in law, 'fillius nullius, the child of no one' (Inglis 1984, p. 1). By the 1990s legislation acknowledged the rights of adults to know their heritage.

Single mothers and fathers in context

From the 1950s single mothers faced a socially constructed 'catch 22' situation. To be viewed as selfless and mature, young mothers appear to have been supported by professionals to sacrifice their own needs for the greater good—the needs of the baby and of society—by making adoption plans for the child. Yet a co-existing maternal code dictated that a caring mother would not abandon her baby (Howe *et al.* 1992). Research later revealed the ongoing torment and grief many birth mothers experienced (Inglis 1984; Shawyer 1979; Winkler and Van Keppel 1984). In her very personal account Murdock (1996, p. 57) speaks of adoption as 'dishonest', 'corrupt' and 'violent'.

The construction of the 'good woman' knowing her 'place' within patriarchal ideology, 'that all girls be virtuous, all women be mothers and all mothers be wives' (Inglis 1984, p. xi; Matthews 1984, pp. 10, 198), excluded childless married women and unmarried mothers for differing reasons. However, the 'illegitimate baby' label positioned unmarried women as immoral, 'unfit' mothers and unacceptable social problems. (Matthews 1984, p. 180; Swain and Howe 1995, pp. 12–14). Bernoth (1999) and Giese (2004) argue that pressure on Australian single mothers to place their babies for

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adoption resulted in a 'white' stolen generation. Conversely, Arndt (1999) argues that many people view adoption as a success story, and a sacrifice by birth mothers that has been devalued by revisionist thinking.

Regarding birth fathers, Gritter (2000) says society dismissed them for corrupting innocent girls and being unwilling to father. Yet Condon (1992) and others discredit the stereotype of a heartless, abandoning Don Juan, identifying some men as willing but excluded parents (Coles 2004).

Emerging social work services

In the late nineteenth and early twentieth centuries in Australia, charity workers, almoners, lawyers and state employees including police, managed alternative placements for children. However, social workers gradually claimed greater child welfare expertise in adoption, as compared with other workers. United Nations publications in 1953 and 1956 argued for an advancement toward social workers' involvement in adoption (as cited in O'Shaughnessy 1994, p. 114). A 'profession' of social work was emerging in Australia at this time (Kennedy 1985) and increasingly social workers were claiming ground as legitimate professionals in adopting processes.

Social work services appeared to evolve disproportionately across Australian states. For example, between 1936 and 1950, 21 organisations in South Australia had employed one or more trained social workers (Martin 1985), and in Sydney in 1931 the founding of Australia's second training centre for 'medical' social workers was progressing (Lawrence, cited in Marchant 1985, p. 35). Yet social work services in Queensland were minimal, with the first hospital social worker appointed in 1953 and only one hospital social worker serving the whole of Northern Queensland until 1962 (Innes Reid and Thorpe 1996, pp. 55, 97). Subsequently, numbers of social workers in Queensland grew and practice in adoption-related services expanded.

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The study method

Alston and Bowles (1998, p. 12) say that researchers traditionally have studied 'downwards'—meaning that research is more likely to be undertaken with disadvantaged groups than with professionals. My study reverses that tradition and researches professionals—social workers. The sample of 20 social workers (17 females and three males) all spoke extensively of their adoption-related practice. Participants' ages at the time of the interviews ranged from 42 to 80 years. Participants had worked in hospitals, and the Queensland government's Department of Families—this department had several changes of name in the period under examination and is hereafter referred to simply as the Department— and small charitable institutions in a range of Queensland cities, towns and smaller centres. Analysis of the data was completed in 2007. The names of participants have been changed to maintain confidentiality.

Findings

Overall, five broad practice approaches in adoption social work during the decades 1960–90 emerged, seemingly influenced by the discourse of the day. These are i) a forgone conclusion, ii) a fledgling profession, iii) facing competing forces, iv) facilitating choice, and v) forging a reflective practice. These themes are discussed in turn below.

A foregone conclusion (for white girls): 1960s–early 1970s

In answer to the broad question concerning what was influencing social work and adoption processes from the 1960s, the three participants who worked in this decade spoke of adoption as the only sanctioned solution to single motherhood, while it also was identified that Aboriginal women seemed to be exempt from pressure to surrender their babies because of illegitimacy:

It was a social expectation at the time that it was an accident. I think the fathers were 'fly by nights' they were not serious ... Or

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country girls would pick up a lift and they would get raped, or they would get caught up and find themselves in a 'bother'. It was an accident, why should the girls have to cop it? ... Often they were referred to me almost automatically ... If they were a minor there would be a parent. They [parents] were working on the social codes at the time ... they were coming to see what could be done. I didn't intervene ... gave them information to make the best plans they could. It wasn't socially acceptable ... they [society] applied a sort of leverage, which sent these girls to girls' homes. They technically let them decide ... but the assumption was they would place the child for adoption ... There was no expectation in the social life that the girl can keep the child. I [also] found myself dealing with girls who thought it was perfectly alright to take their babies back to Palm Island [Aboriginal community] ... illegitimacy was not an offence [to them]...(Jean)

Ken elaborates on the theme of a prescribed process:

Technically it was about weighing up the options ... what occurred fairly regularly [was] the person that referred them ... relatives, residential care workers, former foster parents ... was pretty much saying this will be the best way for you to go ... [T]he referral ... was already prescribing a context of thinking about adoption, there wouldn't have been any other line of thinking on the part of the referral person. It was realistic as I recall. The idea of getting resources around a parent to manage the additional tasks with them was not really a frequent kind of thought ... (Ken)

A fledgling profession in Queensland: 1960s–early 1980s

In answer to the broad question asking 'what was the role of social workers in past adoption practice', most participants spoke of the profession of social work as very new to Queensland in the 1960s, and barely evident in some regions into the 1970s. Participants said that many employees within the adoption

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sector, even those known as 'social workers', may have had backgrounds other than social work. Further, they identify that where social work existed, it may have reflected the discourse of the day but that social workers had minimal power, professional status or legitimacy to implement change:

[Social Work] was just starting to become a recognised qualification to do the work. In those days if a social worker wanted to find ways to go against the tide, they'd better make it work! Social work was in its fledgling days ... (Ken)

By the time I was working ... in 1964–65 [there was] a small working party to make recommendations on the [adoption] legislation to go before Queensland Parliament ... our advice was ignored. You need to be aware there were no professional social workers employed in the Department in those days ... (Esme)

When I was at Redcliffe [Hospital] taking consents, hospital staff were not allowing birth mothers to see their babies and that was against the law ... I'll tell you plainly, I never ever saw social workers influence [mothers] ... a lot of people who worked for the Department did not have a professional background ... [except] in terms of being a minister of religion, ex nuns ... (Daphne)

It was my first job, I worked here for four years 1978–1982, it was only two years before I started working here that they actually had a social worker allocated to maternity ... I just turned up and I had a social work degree and it was 'when can you start?' We didn't have full staff for a long time it wasn't too many years before that Joan Innes Reid [a pioneering social worker and a staunch advocate for social justice in Far north Queensland] was running the show virtually on her own ... so certainly in Townsville it was embryonic in terms of social work ... (Ruth)

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Many practices happened that were damaging ... but I wonder if social workers were the ones involved ... I imagine if they were they would have been captives of the dominant discourse ... if we were we can't run away from it ... (Jenny)

Facing competing forces

The key players, and the most significant forces to emerge were parental pressure, the organisational cultures of the hospitals and of the Department of Families (which went under several different names in the study period), and the 'good' adoptive parents.

Parental pressure: 1960s–1980s

They would come through the clinic ... or they would come via Family Services. I can remember a few parents put a lot of pressure on them to place the baby for adoption. It was definitely a 'shame thing' for the parents rather than the girl herself. I always found the parents difficult because I would [be] trying to help the girl to come to her own decision ... very often I felt you were fighting a losing battle because the kid knew she would displease her family. I would often pose the question 'In an ideal world ...?' (Cath)

Equally, Ruth and Nigel recognised parental (and hospital staff) influences:

There certainly were occasions when I felt there was pressure being applied to girls to adopt their babies. In those cases I would arrange to see them without their parents ... (Ruth)

I think there were [girls] who...resented signing the consent but felt the pressure from family was so great that they had to go along with it. I remember taking consents from two quite small hospitals in far North Queensland. I think the matron and the nurse were pretty much involved in putting some pressure ... because they knew the birth mothers' parents. (Nigel)

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The older guard: 1960s–1970s

This participant's narrative identifies practice in the Department in Brisbane in the 1960s including the tensions between public servants and the emerging university trained social workers. His comments reflect common threads in several narratives:

It wasn't a cynicism but a skepticism 'well, can they do it better than the way we've—meaning the older guard of children's services—have done it?' ... 'let's see you do it!' As you came down to senior management it got a bit more hard-nosed. 'Oh yes, we've had enough of university people telling us how to run the world'. When you got down to the troops it was 'oh you won't last long in the place'. The big one would have been if you support a single parent caring for their child and that child turns up as a 'complaint' ... you are going to have egg all over your face aren't you! (Ken)

Battling the hospital culture: 1960–1980s

These quotations reflect a number of similar stories of hospital practice:

We had a director of pediatrics with immensely rigid views ... She was an older single woman and she ran the neonatal nursery ... and those babies were hers ... 'these women should see it as their good deed ... give it to someone who is secure' ... (Leanne)

Everybody had their own ideas on how this woman *should* do things what she *should* be doing, whether she *should* be having contact with her baby what *was best* for her ... social workers would say you can have contact with your baby, but almost always there were doctors and nurses involved and the babies would go to the nursery and then there would be a battle between myself and the nursing staff who refused to allow her to see her baby. I was a [past] nurse too. I remember working in a small hospital in Western Queensland. A baby had a medical problem and she

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remained in hospital ... the whole time the mother never had any contact. It was the nursing staff who *owned that baby* ... the mother simply wasn't an issue. *We owned that baby; it was us who grieved* ... (Cath—her emphasis)

The happy work of the Department: 1970s–1980s

A significant majority of participants identified that adoption placements were the 'happy work' of the Department—although a reflective, critical analysis of this concept is evident in some comments:

When I was at Children's Services the babies were the pot of gold, Children Services for a long time worked on the 'other side' to the biological mother ... they had these nice families ... these lovely people that are assessed and these beautiful babies that were going to make these people happy ... they were told they were good and they were saving the baby ... but if you opened your eyes ... half your clients ... the ones 'acting out' with poor parental communication were the adopted kids ... (Leanne)

The taking of consents was always a very sad experience for me but that would be balanced out when you were placing a baby with people who were just so delightful ... an experience you don't really get unless you are a doctor ... you'd think 'I am just so glad the baby has gone home with them' ... very few [adoptive parents] were rejected ... (Colleen)

In the world of child protection it's so rare you get to do something nice, this baby's going to nice people, what I'm doing here is good, just, right and nice. It had some sort of feeling of ... I don't say power but ... We were doing something genuinely beneficial—and who wants that bubble pricked? (Mandy)

The same people were taking adoption consents and doing adoption assessments and even though they didn't place the child

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they took a consent from the couple they'd assessed, there was still reinforcement of these good families and what these good families could offer ... (Ralph)

Facilitating choices: early 1980s to late 1980s

When asked about their experiences of adoption practice in the 1980s, almost all participants spoke of a time of rapid change, with professional social work practice expanding. Some comments identify past values and restricted choices for birth mothers:

The sort of thing they'd say is they wanted to get on with their lives and they weren't ready for parenthood ... this baby deserves two parents ... I was involved in a regular counselling situation ... I didn't feel any pressure to push them in a particular direction ... young women would choose adoption, well, *sort of a free choice* ... I could hear them parroting views about 'I can't give my baby what it needs' ... Some had chosen a pregnancy and had no intention of adopting ... even very young women. I still felt there was a stigma ... there would be discussion amongst the nursing staff ... they would think it was selfish if they didn't opt for adoption. There was a shift in societal attitudes around the 80s that I was a part of as a new social worker ... (Jenny)

I had a referral to a private patient ... a young woman who was saying she was placing the baby for adoption ... she didn't go through with it and I was linked to her change of mind to such an extent that the doctor said that I was not to have anything to do with his patients ... (Jill)

I worked at the Mater Mothers' [in] 82, and the Department ... in 85. I had a little pamphlet ... points to consider if you were keeping the baby—points if you were going to place the baby for adoption. I did a lot of interviews with girls ... going through the options ... telling them what the social security benefits were ... termination wasn't an option at the Mater Mothers' ... (Audrey)

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It was certainly drummed into me when I started that it was a choice ... there was no way that you pressured anyone. Whether they chose to have contact with their babies. I can remember a woman who breast fed her baby and then gave it up ... They could keep their babies beside them, kept up in the nursery and visit ... We used to talk to a whole lot more women than [those who] actually gave [up] their babies ... It was rarely the 15, 16 year olds who actually did give their babies up for adoption ... [it was] the 19, 20, 21 year olds, almost a decision of maturity ... (Ruth)

Forging a reflective practice: 1980s–1990

A number of participants' comments identify an evolving, reflective and even activist social work practice emerging during the 1980s, informed by a growing body of knowledge:

We have done a lot of work with women considering adoption who go through to the consent stage and then change their mind ... I think a major change was acknowledgement that women who were placing children for adoption actually love and care for those children ... that women felt the loss of their babies. (Cath)

We put a lot of time and effort into our professional education in the area of adoption and increasing knowledge about the long-term impact. We had a video, it graphically illustrated the grieving of relinquishing mothers and we used it in our lectures ... we felt we were changing and we were trying to bring people along with us ... (Jill)

I felt that as time went on we humanised the process ... we had a regular slot with residents [doctors]...and some nursing staff ... about the role of the social worker and ... we did talk specifically about adoption ... (Leanne)

I think social work had a lot to do with attitude change ... the appointment of social workers into hospitals. I had a lot of support

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from AASW [Australian Association of Social Workers]. I had a lot of fire. I could be pretty demanding in relation to the welfare of a child ... I used to just 'take them [nursing staff] on!' (Maree)

In answer to a question concerning acknowledgement of past practices, a small minority of participants recommended a national apology to birth mothers. Other participants were ambivalent or unsupportive of an apology if it meant agreement with the claim of coercive practice. Several participants made unsolicited comments that perhaps 'the pendulum had swung too far away from adoption' as a valid and acceptable option for women.

Discussion

The stories above reveal a range of approaches in keeping with the ideologies of the era. In the 1960s it appears that social work may have accepted and facilitated the *solution* of adoption. De Maria (1992, p. 4) observes that early social work was salvationist—'the poor were being saved from pauperism and young women were saved from single motherhood'.

Narratives from the 1970s describe an embryonic social work practice in Queensland where workers may have felt some satisfaction from their practice, but they were still somewhat captive to the dominant moral discourse and were without any real power or authority to drive any change. Some medical and nursing staff were reportedly overriding young women's choices and such findings echo previous research (Farrar 1997; Gair and Croker 2007/08; Thorley 2001). Gair and Croker (2007/08) found a rigid hospital hierarchy existed, where staff followed 'old fashioned ways', 'whisked' babies away and 'named and claimed' the babies as their own. Gritter's belief (2000), that single mothers were viewed by some as irrelevant, is evident in several narratives above, as is a 'selfless duty' discourse that prescribed how single mothers *should* give up their child for adoption. Overall, it appears that such factors were influential as social work practice sought to establish its expertise in adoption. Other

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influences include parental pressure, organisational cultures, societal attitudes, and an 'idealised family ideology' (Clare 1991, p. 4) including the 'good adoptive family'.

By the early 1980s practice appears to reflect the dismantling of the powerful construction of 'fit' or 'unfit' mothers, the recognition of maternal grief and loss, and the promotion of rights and choices for all women (Healey 1999). Finally, findings support the notion that by the 1990s, a social justice agenda, empowerment approaches, critical thinking and the (re)claiming of a feminist, activist agenda were evident in professional social work evolved through a humanist, reflective practice (Marchant 1985; Weeks 2000).

Interestingly, no participant named his or her past practice as improper or coercive. Such findings could be evidence of a sample of Queensland social workers who are not representative of social workers across Queensland or Australia during the decades 1960–90. Equally, the participants may have been reluctant to speak with honesty about past practice for fear of condemnation, or they may be a group of practitioners with limited reflective capacity regarding their own profession. None of these positions seems evidenced elsewhere in the data.

These narratives from social workers align with stories told by birth mothers over the last two decades that an accepted discourse was applied routinely to their circumstances; that of an *unwanted baby* and an *unfit mother* who was not capable of, nor deserving of, motherhood. How much was evident to the participants at the time seems less clear. Kelly (2005) identifies that the silencing of girls, the denial of their motherhood status, and the placing of the baby for adoption was their sacrifice for the family and for society.

Considering aspects of the findings discussed above, and reviewing the words of Murdock (1996), noted earlier, that adoption was a disempowering and violent process for relinquishing mothers, it may be useful to consider Girard's (1977) theory of sacrificial violence. In Girardian theory, (discussed by Girard in relation to war) when seeking to render people of no consequence, several

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steps are required. First, an object of desire must exist. Second, this fosters an 'acquisitive mimesis' where a human seeks appropriation of that object. Third, a scapegoat or victim is identified; 'vulnerable and close at hand' such as 'those causing social disorder' (Girard 1977). An element of atonement is promised after the actual or symbolic destruction of the scapegoat. Applying Girardian theory to adoption ideology in the middle decades of the twentieth century, it could be suggested that once babies were in high demand, single mothers became scapegoats, and their babies became the sacrifice for atonement. Some redemption was promised to single mothers but only if they relinquished their babies without protest.

This study was not conceived to condemn past social workers thereby securing new scapegoats in the adoption story. Rather, it was to add the voices of social workers to the literature concerning past practice. Overall, social workers interviewed for this study saw themselves as being on the threshold of a developing new practice, arising from a harsh, judgmental era by current standards. The majority of participants implied they had recognised the need for change and they had been active in facilitating change. As revealed above, participants had identified their contribution to the affirmation of adoptive parents as legitimate, good people who were viewed differently to single mothers.

Whilst respecting all stories told, they seem worthy of additional consideration. In these findings, practice appears to mirror dominant discourses and evolving social change. Evident is social conservatism in the 1960s, with psychiatric, medical and psychodynamic influences focusing on individuals, through to social activism, as workers aligned themselves with social justice and human rights by the 1980s (Du Bois, Krogsrud Miley 2005; Martin 2003, p. 20). Yet, if social work prides itself on listening to and amplifying marginalised voices then this profession, and associated professions, may like to learn lessons from their past close alignment with dominant attitudes, as seems apparent in this study.

The master narrative, according to Stanley (2006, p. 14), is a 'script that specifies and controls how social processes are carried

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out' while stories running opposite to the presumed order and control are counter narratives. According to Stanley (2006, p. 23) when master narratives meet counter narratives there should be a deliberate intent to privilege counter narratives. It appears from the stories documented here that social work practice in adoption emerged within a larger, evolving philosophical, social and moral context that privileged, justified and legitimised some individuals' narratives while obscuring others, especially the experiences of many birth mothers. Social workers must remain open to the counter narratives in past, present and future adoption work, and this recommendation may even offer food for thought beyond adoption and beyond social work.

The words of McDonald and Marshall (2001, p. 256) offer another decisive comment:

What the recent examination of past adoption practice has taught us is that philosophical and value positions underlying practice should constantly be reviewed.

Conclusion

With allegations of past coercive adoption practices by a range of Australian professionals, undertaking research with a group of social workers is important in adding their voices to the record. Findings reveal a previously undocumented history of social work approaches in adoption work in Queensland across the decades 1960–90. These findings contribute to an informed, reflective social work practice in adoption by putting these narratives onto the public record. Further, these stories may illuminate the broader Australian adoption context regarding social workers and associated professionals embracing a socially acceptable master narrative of adoption to the exclusion of some counter narratives. Overall, findings reveal movement across the nominated decades from a prescribed practice through to a reflective practice, with this movement appearing to mirror the ideologies of the day.

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(Re)membering adoption:
Reflecting on adoption and social
work practice in Victoria

Christine Vickers

Setting the scene

I was allocated Michael's case several weeks after starting as an adoptions social worker with the Victorian Government in late 1984. I had just left my first social work job at Melbourne's Royal Women's Hospital after four years. Michael, a former ward of the state, was 30 years old, tertiary educated and about to marry. He sought information about the circumstances of his guardianship and subsequent adoption. He wanted to know the truth, however difficult this was. Since the mid-1970s former wards, Aboriginal and white, could trace family members lost in the labyrinthine state child welfare system. The *Adoption Act 1984* was about to replace the *Adoption of Children Act 1964*. Until then, wards

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who were formally adopted could only receive non-identifying information.

I do not have access to Michael's file now—only to the notes made in my mind at the time, overlaid by memory and reflection, with the additional overlays of changing social values and attitudes, both in the period between Michael's adoption and when I accessed his file in 1984, and between 1984 and now as I write this chapter. What startled me during the 1980s when I read the story of Michael and his mother Ann was unquestioned in the late 1950s at the time Michael's adoption took place. Writing this chapter over two decades later, I am conscious memory is unreliable, determined by a complex matrix of internal subjectivity and experience. For me, then a young social worker still working out a career path, the story I found in Michael's file held long since outmoded but nonetheless shocking ideas and expectations of parents, children and families, much of it sanctioned by the state. It was certainly not the practice in the 1950s, as it was in the 1980s to help families stay together. In 1958 there were just three social workers employed in the Children's Department of the Victorian State Government. Michael and Ann's story contrasted bleakly with the rethinking about adoption practice that was taking place in Victoria in the early 1980s, prompting my decision to work in this field. From my vantage point in 2009, I can see that the story of Michael's inquiry is a wayside stop in a larger story about adoption in Australia.

To be part of the revolution in adoption policy and practice was exciting. I had graduated as a social worker in 1980, four years after the first Australian Adoption Conference triggered nation wide re-appraisal of adoption legislation and practice (Picton 1976). The result, for Victoria, was the formation of the Victorian Adoption Legislation Review Committee (Picton, pp. 169–70). Formed in 1978—chaired by Department of Community Welfare Services Officer, William Davey, a committee of academic, legal and health professionals joined adoption 'consumers,' an adoptee, an adoptive and 'natural' parent (ALRC Report 1983). Even though conference

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organisers had published recommendations excising state governments from direct involvement with alternative care arrangements for Aboriginal children, they were unrepresented. Nevertheless, as activist Mollie Dyer noted later, Aboriginal people ensured they were heard (Picton 1976, pp. 159–68, 170–1; Dyer 2003, pp. 190–1).

Over the next four and a half years, members of the Adoption Legislation Review Committee (ALRC) accumulated evidence from professionals and others involved directly in adoption. This work and the agitation it generated in the wider community formed the basis of two further conferences in 1978 and 1982 (Picton 1978; Oxenberry 1982). Three major areas occupied their attention. First was the possible link between adoption breakdown and the legal requirement that only infertile couples could adopt. Noting that a disproportionately high number of adopted children were receiving psychiatric care (Coleman 1982), the possible relationship between ‘unresolved infertility’ and parental rejection of the adoptee was noted. Second, birth mothers began to claim and voice their grief. Silenced, shamed by illegitimate pregnancy, told to forget and get on with life, mothers spoke of endless wondering, of scanning faces in the crowd, searching (Mather, in Picton 1978, pp. 107–10; Picton and Bieske-Vos 1982, pp. 60–8). Notably, at this time, birth fathers remained sidelined and unrepresented. Only marriage legitimised their status (Nankervis 1991). Finally adoptees began to speak of their curiosity, longing and desire to fill gaps in their sense of themselves. They argued they were denied a basic human right to knowledge of birth and genetic information. One adoptee who had gone to court in an effort to obtain his original birth certificate was refused and admonished by the judge who believed this would disrupt the lives of the other families involved (Bender, in Picton 1978, pp. 94–101). A new narrative developed as members of ‘the adoption triangle’—birth and adoptive parents and children each struggled for recognition.

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A fourth, increasingly silenced entity also emerged—officials and professionals administering the adoption process. Social workers became objects of myth and were characterised by many, particularly birth mothers, as evil witch ‘anti-mothers’ whose work robbed women of their children. In turn, social workers tried to represent themselves, emphasising the emotionally taxing nature of adoption work (Aitken 1982) and that their practice accorded with prevailing views on the best interests of the child. If another view was now emerging as to the ‘best interests of the child’ in adoption, what did that mean for well-intentioned professionals who had followed other views and other practices in an earlier period? It began to become very clear that where exactly the best interests of children lay, and how precisely they were to be served was neither as self-evident nor as straightforward as earlier generations had believed.

Social workers were instrumental in the initial challenges to archaic legislation and practice. With the introduction of the Supporting Parents Benefit in 1973, fewer babies were available. Adoption receded into the background, an option chosen by fewer women, and only after long and considered thought. For some it was a path followed when the circumstances of conception, perhaps rape or sexual abuse, perhaps an unwanted or illicit relationship created too many emotional or financial difficulties. Others believed they were making the best of choices for their child. Meanwhile adoption waiting lists blew out from months to years.

As a result Kath Lancaster—long-time senior adoption worker at Melbourne’s Royal Women’s Hospital, along with Cliff Picton, a social work academic from Melbourne’s Monash University—became key organisers of the first National Conference on Adoption in May 1976 (Picton 1976). Overseas keynote speakers set the tone for the subsequent debate. Jane Rowe—Director of British Adoption and Fostering Agencies—highlighted increased societal tolerance for differences in sexual behaviour, of parenthood by choice and the destigmatisation of illegitimacy, to

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explain the reduction in available babies (Rowe, in Picton 1976, pp. 8–17). Kay Donley, director of a children's adoption agency in Michigan in the United States, spoke of special needs children as a pathway for potential adopters. Older or 'special needs' children, considered unadoptable, lingered in institutions. Some were intellectually or physically disabled. Others—emotionally disturbed by early life experiences—were hard to place (Donley, in Picton 1976, pp. 18–27). 'No child is unadoptable' became a catch-cry. Over the next decade adoption became more open and natural parents visible. The role of adoptive parents was recast. No longer could couples expect newborns to be raised away from the prying eyes of the state. They were to become its partners caring for children who needed parents. But the 1975 airlift of Vietnamese children during the fall of Saigon opened the way for another source of babies without the complicating presence of natural parents. Intercountry adoption (ICA) began moving from being a rare choice to becoming the norm.

This new thinking resonated throughout the Women's Hospital during the early 1980s. Nursing staff made space available for women choosing adoption, who needed time to farewell her baby. Once, nurseries were set aside for 'A Babes' with the 'A' standing for baby for adoption. Now they were empty most of the time. Sometimes, during morning tea, older nursing staff sadly recalled 'whipping away' a newborn before the mother could see it. Occasionally over lunch social workers reflected on the 'bad old days'. Past practices were frequently considered inferior practices. Modern 1980s workers described how, historically, 'nice babies' were found for 'lovely couples'. 'Back then' it was related, applicant assessments were little more than ensuring prospective parents were deserving people with a steady income, home and stable family. Of course, 'modern' psychologically-informed workers understood adoption was far more complex than that. In the past, it was recounted, professionals had little understanding of the meaning of infertility or that the 'imagined child' that infertile couples

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never conceive needed to be grieved before that couple was ready to adopt. Only then could there be freedom to think about the difference between parenting a biological child and an adopted child.

Then there was the matter of adoption records. Modern workers complained that old records were a mess—scarcely any birth information was recorded. It was rumoured that in another place some adoptions were never documented. Arrangements were kept in the mind of a senior social worker, long since passed away. It was said that doctors and nurses of bygone days had moved covertly to seal wounds wrought by diagnosis of irremediable infertility. Some even undertook to find a baby for traumatised couples. They might have arranged for a young girl's baby to be delivered to an unfortunate, newly diagnosed infertile woman in the same hospital. After birth registrations were completed new parents and child left together. The young girl was to return home to resume her life, somehow.

Perhaps tea room talk is a way in which professional culture and memory are transmitted through generations. Comparison between past and present practices might be little more than an assertion of superiority of present day culture over the past—an arrogance concomitant with ideas and discoveries by a new generation. But it also provides clues to the evolutionary nature of the social unconscious, those constraints and restraints that determine behaviour and attitudes beyond one's awareness, but which become apparent years or decades later (Hopper 2007). My social work colleagues were also confronted by the changing nature of family formation as increasingly sophisticated medical technology developed. Arguing that lessons learned from adoption could be applied to couples and families experiencing *in vitro* fertilisation or donor insemination, social workers collided head on with medical professionals. Doctors—stressing the right of couples to children—urged the sealing of donor records. Social workers with wisdom gained from the painful history of adoption, retorted that 'a child was not a cure for infertility', and

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underlined the future child's right to know the truth (Aitken 1982). Always though, some children needed an alternative to parental care. It was the government's job to sort this out, and this is the dimension of adoption history I tumbled into after leaving the Women's Hospital.

Michael and Ann's story

Michael's letter was one of a bundle on my desk from former wards of state seeking to learn about the circumstances of their guardianship. My task was to summarise the contents of their files into a letter to be given during a personal interview—a precaution enabling inquirers to assimilate this information. It needs to be understood that after decades in which secrecy was the norm, it was a new thing to disclose the contents of a personal file to the person concerned. At the time of an adoption it was believed that ward files would be sealed forever. Some former wards were extremely vulnerable people. Records disclosed experiences of extreme hardship, childhood abuse and trauma, much of which might have been buried deeply in an inquirer's memory. Workers worried about doing psychological harm.

In the mid-1950s Michael's mother Ann was a refugee—a woman apparently without a husband—alone in a new country with her baby son. Somehow she learned she could 'board out' Michael while she worked for their keep. It had become common practice—especially during the war years—for parents to apply to the government to take care of their children temporarily. The department's secretary explained some reasons this might be done—'temporary incapacity of the mother, broken homes, desertion of one or other parent, lack of housing, and, in the case of the single mother, inability to obtain employment and at the same time care for her child'. Some children returned home when parents recovered and proved they were able to support them (Children's Welfare Department 1944–45). Hopefully Ann would have been told and had understood, despite her limited English, that should payment of Michael's 'boarding out' fees

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fall behind for four weeks he would be declared a ward of the state. 'In that way', the department explained 'registered persons who are mostly the persons in charge of institutions for young children, are protected financially by the state against default by the parents' (Department of Child Welfare 1957–59).

Initially all went well. Ann worked and Michael's fees were paid on time. Every Sunday morning she arrived early at the babies' home to take him out. I imagined that ordinarily Ann was unlikely to fall into arrears. But, for any of a number of reasons, she did. Without a good command of English, living in a society where mothers were expected to be married and caring for children at home, her options were limited. Her job was low paying. Wages were docked should she fall ill or was unable to work. Maybe she did not understand the rules. Or maybe she lost interest in her child. After a period of irregularity Ann's arrears crossed the four-week line. Michael was promptly declared a ward of the state and eligible for adoption. However this required Ann's consent. This was not forthcoming, so the department kept Michael separated from Ann in foster care.

Ann's utter astonishment when it dawned on her that she had lost her son surely must have affected the clerk handling the case. She protested. She visited the department time and time again to beg for her son's return. The clerk became increasingly exasperated, determined to see his decision through. Ann could not be shamed in the way Anglo-Saxon mothers could be. They knew the rules. Ann clearly did not. The caseworker entered a note in Michael's file describing Ann as an 'Eastern European type'. She dressed strangely to him. Ann did whatever she could to see her son—even joining the queue of parents who arrived at the babies' home once a year to sign the visitor's book—thus preventing their child's adoption. She died two years later, from an illness spurred, perhaps, by heartbreak. Michael was formally adopted.

As far as the government was concerned Ann's failure to pay her son's maintenance signalled her unwillingness to support her child. Although her marital status was unclear she was seen as an

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unmarried mother—a position linked with moral, biological and social decline. She had ‘fallen down on the job’ as a parent. She was ‘considered intransigent’ when she disagreed with officials’ good intentions and refused to surrender Michael for adoption (Department of Child Welfare 1959). Like Aboriginal women, the mothers of the ‘stolen generations’, Ann was doubly abused. She was foreign—other. Her difference from Australians of English descent evoked misunderstanding and prejudice. The consequence was that mother and son lost one another.

Administering adoption—the ‘department’

Adoption through the state government was a relative latecomer to Victoria. Victorian adoption legislation was passed in 1928. Most other states passed Adoption Acts in the early 1920s. Queensland did not enact adoption legislation until 1935. Before then, officials, regarding the state as being *in loco parentis* to its charges—preferred fostering or institutional care. Adoption was viewed as suspiciously as somehow institutionalising an abrogation of parental duty. States maintained oversight of the education of the children in their care. Training for work in service as domestics or labourers was intended to ensure they had a good start in life (Mayo 1909). According to John Molloy, secretary of the Victorian Neglected Children’s Department, adoption put children at risk. Adoption put children out of sight and at risk of economic exploitation and abuse by depraved parents. They could not be pulled out of these families if things went wrong (Neglected Children’s Department 1912–24). His departure in 1920 cleared the way for policy review and, eventually the *Adoption of Children Act 1928*.

In Molloy’s day few cared much about the life or the future of illegitimate children—a matter addressed at the first ‘Interstate Congress of Workers Amongst State Children’ held in May 1909. Death rates amongst them were high, often from maternal neglect or, as paediatrician Helen Mayo implied, through abandonment or violence. Mothers who did attempt to keep their children were vulnerable to exploitative baby farmers and foster carers. Some

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babies simply disappeared (Mayo 1909). Single mothers were encouraged not to abandon their children but turn to the state for assistance (Green 1909). In Victoria, the *Infant Life Protection Act 1915* formally established clear rules for foster carers. Registration was compulsory. Records listing the dates of arrival and departure of children were required. Any deaths were to be reported and proven by medical certificates. Fees—set by the state—were fixed at 10 shillings a week for infants under 12 months, seven shillings for children to the age of five to a maximum of 40 shillings a week for older children. In 1919, a new provision was added. Should arrears be greater than four weeks, children would be declared wards of the state, *ipso facto*, without recourse to the judiciary. This remained in the statute books until the *Protection of Children Act 1989* was passed.

The *Adoption of Children Act 1928* was not reviewed until 1954 when the *Adoption Amendment Act* tightened the secrecy clauses increasingly accepted as part of the adoption process. Officials believed parents would be more secure if they remained undisturbed by the intrusion of their children's historic origins, or attempts by birth mothers to reclaim them. But new problems were emerging. On the floor of the Legislative Assembly Member for Camberwell, Robert Whately—a psychologist instrumental in the establishment of the Melbourne's child guidance clinic system—spoke critically of the selection of adoptive parents. Adoptive children were typically unsettled he recounted, 'One often hears a woman say "I went into the hospital and it looked up at me with its dear little blue eyes and smiled and I could not do anything about it". Hearts might melt but,' Whately asserted, 'in many cases the choice has been an unfortunate one' with very negative consequences for parents and children. 'The troubles of adopted children are due to the fact that often they are quite out of harmony with the home to which they go' (Parliament of Victoria 1954–55). Whately's thoughts had to wait for their moment in history.

'Closed adoption' was challenged by legal professionals as generations of adoptees, including Michael, sought their origins

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in the late 1970s. Legal practitioner Richard Chisholm defined two approaches, ‘civil rights’ underlining a person’s fundamental right to knowledge of biological origins and ‘welfare’, suggesting access to background information promoted ‘the growth, security and happiness of all concerned’. Chisholm took further steps into controversy by suggesting that biological parents be involved in the selection of adoptive parents, querying whether only infertile couples should be eligible to adopt (Chisholm, in Picton 1976, pp. 113–19). Picton’s research underlined this principle further. Following Scottish social worker John Triseliotis’ work on adoptees’ experiences, Picton sought to ‘introduce a rational element to the highly emotive debate on access’ (Picton and Bieske-Vos 1982). Triseliotis had learned that access to background information, rather than doing harm, assuaged adoptees’ curiosity. He found that meetings between adoptees and natural parents did not disrupt the bond between adopted children and their parents (Triseliotis 1973). Picton and his co-researcher, Mia Bieske-Vos, added to this. They found that adoptees and relinquishing parents were deeply respectful of one another’s lives and families—neither wished to disturb the other. They called for the establishment of a contact register enabling access to information in ‘a systematic and controlled manner’ (Picton and Bieske-Vos 1982, p. 78).

Such talk trickled into practice. The capacity of a couple or individual to parent an *adopted* child became central to adoption assessment. During the 1978 National Adoption Conference, Melbourne psychoanalyst George Christie spoke of people who had ‘set out on a frenetic, urgent search for an alternate form of parenting in an attempt to block out the profoundly disturbing feelings evoked by a verdict of infertility.’ A diagnosis of infertility generates complex and unexpected feelings about self and body image, sexuality and development of a mature identity. People assuming they would take their turn in the life-cycle by passing down the family genes are suddenly bereft (Christie, in Picton 1978, pp. 81–6). Adoption was not inevitably a solution. Fears

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of the stranger, of 'bad blood', and concerns about damage to the family are not easily quelled despite the best of intentions. For other couples, though, parenthood was more important than giving birth.

As the 1980s unfolded, further findings from the psychological arena added much to practitioners' thinking about the meaning of the adoption experience for children. Paediatricians had observed that infants awaiting adoption seemed to be calmer, and less vigilant if they were cared for by a foster mother rather than remaining in institutional care (Betheras, in Picton 1976, pp. 30–4). International work on child development added to the mix. The ground-breaking work *Beyond the Best Interests of the Child* by Goldstein, Freud and Solnit (1973) became compulsory reading for social workers and legal practitioners. Goldstein *et al.* argue that maintenance of a safe, ongoing parent–child bond must be prioritised and respected—the child's interest and welfare was to be paramount in any legal decision making (Goldstein *et al.*, 1973). Infants are born into a particular patterned world of touch, taste, and smell. They know the sound of a mother's heartbeat and voice. Development of the sense of an ongoing self is dependent on the maintenance of an ongoing 'good enough' relationship with a parent (Winnicott 1965, 1971). Although John Bowlby's attachment research was not in vogue (Fonagy 2001), his recognition of its importance for later development was widely known. He argued that a child's loss of mother was an emotional catastrophe from which it never recovered (Bowlby 1973, 1994). But should a mother be unable to undertake the task of parenting, alternative care was necessary. British researchers James and Joyce Robertson countered Bowlby's thinking using film to show that children in alternative care with contact with a reliable and consistently present adult could do well (Robertson 1989). Permanent care or open adoption was becoming a preferred option for children unable to live with their birth families (Green, in Oxenberry 1982, pp. 25–45).

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Michael's request for information may have been driven by barely remembered knowledge of early life experiences of rupture and trauma. On the day we met he was on a mission. He listened intently while I related my findings, carefully avoiding any identifying information. Right at the closing stages he lunged forward and placed a paper before me—'Is this her name?'

It was Ann's full name, but there was a mistake—in the spelling!

In retrospect, my response should have been to advise Michael that the law was about to change and that he could soon obtain this information. My actual response, caught off-guard, was—'It's not spelt that way.' In any case, 30 years later, Michael had succeeded in penetrating the walls of government in a way his mother could not.

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the hidden tragedy of the
white stolen generation and its
consequences: perspectives
on adoption in Australia from
a mother of the white stolen
generation

Christine Cole

Introduction

In this chapter, I examine Australia's shameful history of child removal which comprises not only the well-documented removal of indigenous children—for which there has now been a formal apology from the Prime Minister Kevin Rudd—but the removal of non-indigenous babies and children for which, to date, there has been no apology (Cole 2008). It is unfortunate when

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the Prime Minister apologised to the stolen generation that he did not extend this apology to include the thousands of white families similarly affected. The failure of governments so far, to acknowledge publicly and appropriately and to compensate for the civil and human rights violations that occurred within past adoption practices has left the door wide open for similar abuses to occur, both locally and internationally.

I argue here that there is a similarity between contemporary adoption narratives and ‘past’ ones in domestic adoption—specifically that both are based on the idea that there are many ‘needy orphans’ available for adoption. I further suggest that this narrative masks practices, both in the past and currently taking place, by which ‘orphans’ are legally or socially constructed specifically to serve the adoption industry. Discussing the decline in the numbers of infants available for adoption and the long waiting periods facing prospective adoptive parents, I argue that the pro-adoption lobby has been involved in an intensive propaganda campaign in Australia. Spearheaded by Deborra-Lee Furness and supported by Bronwyn Bishop MP, this campaign is purportedly aimed at remedying the ‘crisis’ of the lack of available children. Arguably, however, history suggests that it is the narrative of needy children that manufactures these orphans so that they might then meet the demands of families seeking to adopt. In short, I contend that it is the *demand* for babies and children from Australian couples and individuals that is creating many ‘orphans’ and that we, as a community, need to be accountable (Graff 2008) for this if we are to preserve and protect vulnerable families—both here and overseas—from the kinds of injustices perpetrated against them in the past.

History unacknowledged is history repeated

The underlying dynamic that drove the abuses perpetrated against young Australian mothers in the 1950s–1970s was the demand for infants by infertile couples. This demand grew in the first half of

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the twentieth century and was at fever pitch by the 1960s. By 1968 the removal of newborns had become systematic within one New South Wales maternity hospital—Crown Street Women's Hospital, referred to hereafter by its familiar name of Crown Street—to the extent that 64% of all ex-nuptial babies born there, were taken from their mothers (Crown Street 1982). Adoption was encouraged by the New South Wales Government because it was seen as the cheapest form of out-of-home care, certainly cheaper than assisting mothers who had no family support (Kerr 2005, pp. 2–3). In Australia in 1972, nearly ten thousand newborn babies were taken from their unwed mothers (ABS 1998). By contrast, with nearly double the population in 2007–08 there were only 70 domestic adoptions nationwide (AIHW 2009, p. 19). Perversely, instead of representing a society where newborns remain with their mothers, and families stay intact as evidence of a functioning and caring society, the print and electronic media repeatedly ask the question—'Why are there so few adoptions?' This conveys the idea that the lack of babies for adoption is a 'problem' that should be remedied. I ask the reader, would you want yourself or your newborn to be the ones who provide the remedy for this 'problem'?

The removal of so many babies was justified by those working in the adoption industry by the use of Freudian or psycho-dynamic theory, on which social case work (practiced by adoption social workers) was based. It equated unwed pregnancy with neuroticism and neurotic mothers were considered to be unfit to parent their own children (Brenner 1941). Not only was the mother perceived in these pathological terms, so too was the entire biological family (Lawson 1960). Once an individual or a group is judged unfit, they are at risk of being treated as less than human and no longer accorded the same dignity and rights as other citizens. Unfortunately, this is what happened to single, unsupported mothers in the decades following World War II. Domestic adoption throughout most of the twentieth century relied not only on the violation of those women's civil and human rights, but on their degradation and stigmatisation (Sherry 1992).

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Law and social policy on adoption in this period was moulded by the state's economic interests, 'progressive' social ideology which sought to punish the 'unfit'—rather than assist them—and sought to provide a 'service' for 'decent' married infertile couples.

Legitimising the unconscionable

The Australian community would not have gone along with the forced removal of newborns based on eugenic notions of inferiority fuelled by demand from infertile couples. Hence, there was a need to formulate narratives to provide a palatable account of adoption practices. One tactic used by the state government Child Welfare Departments—which went under a variety of names—was to periodically orchestrate media campaigns to sanitise adoption by labelling the children of unwed mothers 'unwanted', and infertile couples as their saviours. One such campaign featured in Sydney's *Sunday Telegraph* in 1968. In this way adoption came to be understood by many as an altruistic service that provided families for children who had none. Consequently the transference of babies from their biological families was normalised, while many infertile couples came to regard their access to a child via adoption as an inherent right. This notion persists to this day. Whenever the publication of adoption statistics reveals a drop in the numbers of adoption, the collective cry is 'Why, what has gone wrong?' This response indicates the persistence of uncritical assumptions about adoption as being an inherently good thing, and hence alarm is created when it appears to be in decline.

During this period, adoption professionals justified their promotion of adoption by what has become a much misused maxim—'in the child's best interests'. In this period, it was considered that the best interests of the child could not be served by remaining with a single mother, and that only a married couple could provide the things needed by a young infant and throughout childhood (Hale 1998; Nader 2008). Thus, adoption was publicly promoted as a service for children. The reality, however, was that adoptive couples were the *primary* clients of the adoption agencies

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that operated within state government departments. For instance, a New South Wales Child Welfare Department manual written to guide the practice of staff in the department stated that the department ran an adoption agency, and one of its main duties was to *source* suitable children for adoption (Department of Child Welfare & Social Welfare NSW 1958, p. 30).

The reality of adoption services being primarily adult or adoptive-parent-focussed is most apparent in the practice of labelling more than 20% of infants taken annually as 'unadoptable'. This assessment, based on the opinion of an individual paediatrician, speaks very clearly to the priority being placed on the interests of adoptive parents and not the needs of the children concerned. If there was any suspicion that an infant who had been removed from its mother was not in excellent condition medically and mentally, he or she was placed in an institution to await medical clearance. This practice—perhaps more than others—highlights the tragic abuses against mothers and their children in this period. These babies who were considered 'unadoptable' were, in many cases, removed from mothers who desperately wanted to keep them. Many of these babies were institutionalised. Further, as it had been known since the 1940s that institutionalisation was linked to severe physical and mental health damage in children (Spitz 1945), for many of the children institutionalised in this way, being taken from their mothers was utterly unnecessary and produced far more harm than good.

Serving the interests of adoptive parents at the cost of both mother and child went even further. In my research, I have discovered a memo from the medical superintendent in a large maternity hospital requesting a social worker to find a 'particularly handsome baby for adoption that could be kept at [a specified institution] for 6 months for a doctor [name withheld] who has made an application to adopt a baby in the next 9 months'. Research I have undertaken indicates that there was a system operating within hospitals where children were provided

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to medical and social work staff and their friends (Alcom 1987; see Cole 2008, pp. 63–6).

The litany of horrors that unwed mothers were subjected to in Australia in the middle decades of the twentieth century is not what we would expect in a mature democracy (Malone 2009). It is certainly not what we expect from social and medical staff working in maternity hospitals in a country that putatively supports the ‘underdog’, and prides itself on giving everyone ‘a fair go’. Mothers have provided evidence of being heavily drugged with mind-altering barbiturates, of being tied to beds, forbidden to see their babies at the birth—usually by having a pillow or sheet placed in front of them—injected with a carcinogenic hormone (stilboestrol) immediately after the birth to dry up their milk so they were unable to nurse, then not permitted to leave the hospital or unmarried mothers’ home until the adoption consent was signed. This was generally five days after giving birth with many not permitted to see, touch or feed their infant. Many of the mothers, still minors, were not given any independent legal advice. It appears that adoption legislation in Australian states and territories was used against the mothers of babies earmarked for adoption, rather than to protect them (New South Wales Legislative Council 2000).

At Crown Street for instance, whilst still pregnant, and unbeknownst to her, a mother’s file was coded ‘UB’—unmarried mother, baby for adoption—and this code guided medical staff in the way she was to be treated. That is, her baby was already earmarked for adoption—adoptive parents had already been selected and matched with the unborn child. This was achieved by a social worker gathering the medical and social work history of the mother and her family before she was admitted to hospital as a maternity patient (Roberts 1994).

Legally, no decision regarding adoption was to be made until after the birth of a child and the law provided that no consent for adoption could be given for a minimum of five days following the delivery of the child. The mother as the guardian of her child had

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every right to see, hold and nurse her infant and she was certainly allowed to leave the hospital before signing any consent (New South Wales Legislative Council 2000). During my research, I have reviewed many medical files which demonstrate that having minors sign consent while intoxicated with drugs was a common occurrence in many hospitals.

The above practices demonstrate how mothers were arbitrarily subjected to clauses of various state and territory adoption laws, such as the permanent termination of all her parental rights, prior to her infant's birth. In Crown Street, after the consent was signed the eugenic phrase, 'socially cleared' was written on the bottom of the mother's medical files. She was then told to go home, forget she ever had a baby, and that she would go on to have children of her own one day (Cole 2008).

In these ways, single mothers were treated like unpaid surrogates. Notably, Crown Street also ran a sterility clinic. It was believed in the early to mid-twentieth century that infertility was primarily a psychological event and that if given a baby an infertile woman would go on to have her own child (Crown Street 1956). By 1984, because of the dwindling number of newborns available for adoption, a committee advised the New South Wales Government that it was no longer possible to present adoption as a 'cure' for infertility. The committee further advised that there must be a clear separation between providing a service to infertile couples and adoption services (Marshall 1984, p. 8; Harper and Aitken 1981).

Some of these changes had their roots in the late 1960s when mothers began radicalising, forming organisations and working to expose and put an end to the dreadful practices being used to deprive them of their newborns (Rawady 1997). Consequently by the late 1970s the number of infants available for adoption declined so dramatically that those working within what was termed the 'adoption industry' began calling it a 'crisis' (Rickarby 2007).

In the next section I discuss the 2005 House of Representatives Standing Committee on Family and Human Services

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(HRSCFHS) inquiry which led to the report *Overseas Adoption in Australia*. I suggest that the report supports adoption to such an extent that it seriously risks repeating and perpetuating the injustices of the past.

Addressing the shortage of adoptable infants: Bronwyn Bishop MP and the inquiry into overseas adoption in Australia

During the 2005 inquiry into overseas adoption chaired by Bronwyn Bishop MP, would-be adoptive parents articulated the idea that Australians were experiencing a crisis because of a lack of infants to adopt. This perspective received a very sympathetic ear from government. The overall findings of the inquiry were that Australia is pro-fostering (Commonwealth of Australia 2005b, p. 37) and has an anti-adoption culture that 'pervades all government bureaucracies' (Commonwealth of Australia 2005b, p. 41).

The terms of reference for the inquiry revolved around a central theme: 'How the Australian Government can better assist Australians who are adopting or have adopted children from overseas countries' (HRSCFHS 2005). This narrow focus was criticised as favouring the interests of adults over children (Commonwealth of Australia 2005b, p. 80). Even before the inquiry heard evidence, Bishop stated:

I don't think we can pre-empt what the committee might find from the evidence that we take, but I think it is spurred by quite a number of people who have a great compassion in their heart for children who are left without any parents in other countries and could be given good homes here (Kruger 2005).

The familiar elements from past adoption all seem to be present—'needy orphans', 'altruistic parents', and the need for children to be removed from inferior families and bad environments.

The selective focus on the evidence presented, the comments made by committee members (Commonwealth of Australia 2005a, p. 65) and the seemingly unwavering support for adoptive

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parents by the chair (Commonwealth of Australia 2005a, p. 11) made it clear that the inquiry was not about supporting children to stay with their families or communities overseas (Commonwealth of Australia 2005b, p. 7; Commonwealth of Australia 2005c, p. 62), but was rather about assisting adopters by reducing waiting times and costs (Commonwealth of Australia 2005d, p. 55). Neither did Bishop appear to be interested in best practice articulated by those working in the field (Commonwealth of Australia 2005b, pp. 76–7) or in learning from those who had personally experienced adoption. The evidence presented by older intercountry adoptees of their life long trauma, their experience of racism and identity problems (Commonwealth of Australia 2005b, pp. 11, 12, 19), was responded to in the following way—‘But you have turned out so well’ (Commonwealth of Australia 2005b, p. 23). When problems were identified either by adoptive parents or adoptees Bishop appeared to dismiss these as having ‘nothing at all’ to do with adoption (Commonwealth of Australia 2005d, p. 35)

Several witnesses to the inquiry suggested that reservations about adoption in Australia—referred to by Bishop as having an ‘anti-adoption’ culture—might be due to the lasting legacy left by past adoption practices which resulted in the forced removal of babies from unwed mothers (Commonwealth of Australia 2005b). Bishop agreed that:

[T]here were the most appalling *policies* in the way those young women were treated ... as bad people who had to be punished ... I think a lot of children have missed out on being able to be in a loving, permanent home because of that policy ... there is certainly evidence of individuals who were very strong advocates of the policy ...’ (HRSCFHS 2005, p. 41)

Unfortunately, however, her concern does not seem to be with the impact that these policies had on the women and children concerned, but rather with the ‘impact’ that they might continue

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to have ‘upon people who want to adopt’ which might ‘spill over into the overseas adoption area’ (Commonwealth of Australia 2005b p. 41). Indeed, Bishop’s concern appeared to evaporate completely when a woman, representing mothers of the white stolen generation—attempted to explain the inherent dangers in not learning from mistakes made in past domestic adoption practice. This woman was dismissed, Bishop stating ‘that was a long time ago’ and we ‘should just all move on’ (Commonwealth of Australia 2005b, p. 44).

The drive by parents to find infants for adoption can be overwhelming. One method used by 20% of intercountry adopters to speed up the process is to go abroad and adopt locally in a developing country (Commonwealth of Australia 2005d, p. 24). These parents then apply for a visa to bring their adopted child back to Australia (Commonwealth of Australia 2005d, p. 44). Bishop acknowledged the inherent danger this poses for the child, including that there are no checks done on the parents as is required under Australian law. Unfortunately the committee did not take this issue as seriously as it should. This was apparent in one committee member’s naive conclusion that ‘people who are determined to adopt would be good parents’ (Commonwealth of Australia 2005b, p. 5).

Another group that appeared to strongly influence the findings of the inquiry was the pro-adoption lobby group, the Australian Council for Adoption (ACFA 2005). This group has links with a United States pro-adoption and anti-abortion lobby group, the National Council for Adoption (NCF). As part of its submission, the ACFA attached a paper written by former NCF President William Pierce, in which Pierce accused Australia of being anti-adoption. Arguably, the representations made by ACFA influenced Bishop and the committee into the belief that Australia has a pro-fostering culture. The term ‘pro-fostering’ is frequently used in pro-adoption discourses to attack those who seek to question or impede the speedy flow of children to adopters from the foster care system.

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Seeking to minimise the continued impact of past adoption practices on attitudes to adoption within Australia, ACFA claimed that the inquiry conducted in New South Wales by the Legislative Council into past adoption practices—which reported its findings in the major report, *Releasing the Past* (2000)—was initiated and attended by a group of about eight women who ‘had not come to terms with their decision to relinquish’ (ACFA 2005). In reality, nearly 400 women gave written and oral testimony to the New South Wales inquiry, under oath, along with adoption professionals, medical, hospital and social work staff. Submission after submission recounted abuses and forced adoptions. The findings were that illegal and unethical practices did occur in past adoptions (New South Wales Legislative Council 2000, pp. 104, 196). Justice Richard Chisholm identified crimes of false imprisonment—women being kept in hospitals until they signed their consent for the adoption of their children, and kidnapping—women having their babies taken and hidden after the birth whilst they were removed to a distant part of the hospital, or, in some cases, to another institution altogether (New South Wales Legislative Council 2000, p. 132). Dr Geoff Rickarby testified that women were drugged before being forced to sign adoption consents, and that mothers and their now adult children suffer from severe psychological disorders such as post traumatic stress disorder as a consequence of being separated at, or shortly after birth (New South Wales Legislative Council 1998, pp. 67–73). Despite the obvious need to consider the possibility that removal under such harsh conditions may cause life-long trauma, Bronwyn Bishop has since been centrally involved in producing a further report that can be read as justifying the rapid removal of children from families constructed as irredeemably ‘unfit’, namely the 2007 report, *The Winnable War on Drugs*.

In 2007 Bronwyn Bishop, still in her capacity as Chair of the HRSCFHS, embarked on a further inquiry, this time to investigate the impact of illicit drugs on families and children.

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The focus on removing children from substance abusing parents indicates the close link between this inquiry and the 2005 inquiry into overseas adoption (HRSCFHS 2007). Bishop's support for and promotion of adoption as detailed in the above section, coincides in the second inquiry with her 'zero tolerance' of drug abuse and leads to her calling for all children under five to be removed from their parents where substance abuse is an issue and, for adoption to be instituted as the default policy response under such circumstances (Santow 2007; Bunce 2007). It therefore appears that Bishop and the HRSCFHS have used an inquiry, ostensibly into the impact of drugs on Australian families, as an opportunity to provide younger children for adoption (Garrison 1996–97). If the recommendations of the second committee are taken up, Australia is likely to see another dark chapter in our long history of forced child removals.

In the next section I discuss the ways in which Deborah-Lee Furness' seemingly unqualified support for adoption has also impacted on the Australian community's idea that adoption—in this case ICA—is a unqualified good thing.

Deborra-Lee Furness and her 'Orphan Angels': Celebrity promotion of adoption in the Australian media

In an effort to raise its profile in the media, the pro-adoption lobby in Australia enlisted the support of celebrity adoptive mother, Deborah-Lee Furness, wife of internationally acclaimed actor Hugh Jackman. Furness and Jackman have two children adopted while domiciled in the United States. Furness and Jackman were both present at their adopted children's births (Connolly 2007), with Jackman cutting the cord (Denton 2004). This is illegal under Australian law and contravenes the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, as consent to an adoption can only be given after, and not presumed prior, to the birth (see Ch II Article 4 [c] 4, Hague Conference 1993). In the period since 2008, Furness has spearheaded a campaign to overhaul adoption

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laws, both domestic and intercountry (Aedy 2008; Murray 2008). She has set up her own pro-adoption lobby website (Furness 2008), and engaged in an extensive media campaign.

Furness' message is simple. As I have argued in this chapter, it is also a familiar one that recurs in the history of adoption. There are, Furness claims, millions of 'needy orphans' in the world and Australians are being deterred from rescuing them by obstructive legislation and an anti-adoption bureaucracy. The media campaign which has run in Australia, with Furness as the figure-head, has been highly successful. Furness has achieved the goal of making the transference of infants across borders positive in the view of many Australians. That there are not millions of children available to satisfy the demand by Westerners seems to be a moot point. Nor is critical attention paid to the claims that it is demand from the affluent West for infants which creates the traffic in babies to meet this demand (Smolin 2004). Furness also engages the now well-used strategy of accusing Australia of having an anti-adoption culture. Post-2005, this claim finds support in the report *Overseas Adoption in Australia* (HRSCFHS 2005). Even a cursory reading of the written submissions and witness statements made to this inquiry suggests that the 'anti-adoption culture' line, among others, was 'fed' to the inquiry by pro-adoption groups and individuals.

To summarise, the pro-adoption lobby's campaign in Australia has been well co-ordinated and strategically clever. It certainly helped that the reports of both *Overseas Adoption in Australia* (HRSCFHS 2005) and *The Winnable War on Drugs* (HRSCFHS 2007) chaired by Bronwyn Bishop reproduced much material provided by the lobby. There is a kind of logical circularity at work here. The pro-adoption lobby fed the inquiries, the inquiries duly reported this view—largely sifting out evidence which raised concerns about adoption—and now, the pro-adoption lobby is able to use the findings of these reports to strengthen their calls for an overhaul of adoption in Australia.

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Conclusion

As a community, we must all be accountable for the impact and consequences of our demands for children. It is not good enough to find out that we have adopted a trafficked child and then, after the fact, go and meet with and assist his or her materially impoverished birth family. The demand for children, without sufficient regard for the plight of their families, ensures that trafficking in children continues. According to some experts, ICA has 'contributed to the continued oppression' of tens of millions of children, because of the creation of black markets, incentive for child abductions and the reliance of poorer nations on ICA as a stop-gap measure rather than putting in place adequate social policies and services so poor families are not forced to relinquish (Herrmann and Kasper 1992; see also The Australian Catholic Social Welfare Commission 1991, p. 10).

If Australia has aspirations to take a lead role in the development of global human rights, it cannot be seen to be part of the problem. For example, it would be hypocritical to confront Korea about its role in violating the human and social rights of its unwed mothers, while pro-adoption advocates organise contingents of adoptive parents to visit and donate money to these 'unwedded mothers' homes (Furness 2008) that provide up to 99.5% of infants from that country (Adoption Solidarity Korea 2006).

Regrettably, the pro-adoption lobby both here and overseas is primarily geared to servicing the needs of adults seeking children. In the past, the demand for children blinded Australians to violations of the human and civil rights of its unwed mothers to service those needs. It is hoped that in the present we will not again be blinded by the same demand. How many survivors of stolen generations have to repeat their stories before they're finally heard and heeded?

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Rights,
accountability
and difference
in Australian
adoption



Torres Strait Islander customary adoption: providing legal recognition for alternative paradigms of family in Australia

Kirsten McKillop

Introduction

The indigenous peoples of former British colonies such as Australia have distinctive concepts and paradigms relating to the family and care of children that give rise to specific customary laws which differ from state law relating to the family. This chapter examines the practice of ‘customary adoption’ amongst Torres Strait Islanders. I consider Torres Strait Islander customary adoptions to discuss whether and how Australian law acknowledges and provides for an indigenous view of the family that differs from the predominant Anglo-Australian view. I consider the similarities

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and differences between 'customary adoptions' and state adoptions to elucidate why customary adoption has persisted regardless of whether or not formal legal recognition is provided. In order to highlight the inadequacies of the Australian approach to customary adoption I compare and contrast the legal treatment of Inuit customary adoption in Canada, with that accorded to Torres Strait Islander customary adoption in Australia.

Adoption law: An Anglo-European paradigm of family

Adoption law in former British colonies has tended to entrench a uniquely Anglo-European value system and paradigm of family relations. Three fundamental concepts are identified by Griffith as historically underpinning adoption law in the Western context. These are, first the notion of children as parental possessions, secondly the idea that children should be silent and obey parents and, finally the idea that birthmothers of 'illegitimate' children should be punished and banished (Griffith 1997, p. 45).

These three concepts, though now considered outdated by most, have clearly influenced the practice of adoption in Australia and Canada. To these three underlying principles of adoption I would add the assumption underlying the Anglo-European concept of adoption that if parents fail in their responsibilities to the child, it is the state who must decide what to do. As a result of these concepts the 'closed stranger' or 'clean break' adoption was favoured until the 1970s. This was based on the idea that environment could prevail over genetics. The devastating effects of this belief and associated policy are demonstrated by the long-term negative effects faced by the stolen generation and their descendents in Australia. It was believed that by cutting off all connections to the adoptee's origins, the adoptive environment would shape the adoptee—'The adopted child transplanted into an adoptive family, should grow up 'as if' born to them' (Griffith 1997, p. 46). This goal explains the secrecy that has traditionally surrounded statutory adoptions. The historical legal concept of adoption involves a legal fiction, consisting of

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the total substitution of the new adoptive parents for the birth parents. The legal relationship created between adoptee and adoptive parents is that of birth parent and birth child as if the birth parents did not exist.

The problem with the above concept of the relationship between parents and children as reflected in adoption law is that it provides specifically for an Anglo-European worldview, reflecting preoccupations and foibles, which date from the Victorian era. As such it fails to provide for the markedly different concept of family held by indigenous groups in former colonies. These differing concepts and associated values have persisted despite attempts to replace indigenous concepts with those of the colonisers through policies promoting assimilation. The forced imposition of Anglo-European values on the indigenous peoples of Australia and Canada through the infliction of Anglo-European laws reflects the colonisers' belief in their cultural superiority. Underlying the judgement that the indigenous system was inferior is an assumption that Anglo-European cultural customs are 'normal' in comparison to the 'abnormal' customs of the indigenous people.

An alternative paradigm: Kupai Omasker

An alternative paradigm of family and family relationships can be observed in the Australian context in relation to Torres Strait Islander traditional adoptions known as *Kupai Omasker* (Ban 1993a; Beckett 1987). The Torres Strait Islands—situated in the Torres Strait between the tip of Cape York and Papua New Guinea—form part of Queensland. Torres Strait Islanders are of Melanesian origins and two distinct languages are spoken. There are approximately 53,000 people of Torres Strait Island descent, the majority of whom live on mainland Australia but retain close links with the Torres Strait (Australian Bureau of Statistics). Traditional adoption has continued as a visible element of Torres Strait Island society from pre-colonial times to the present day.

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The term *Kupai Omasker* reflects a Torres Strait Island perspective of what the practice involves. The term is derived from both the Eastern and Western languages. The concept conveyed by the word *Kupai* (umbilical cord) and *Omasker* (children) is to sever the umbilical cord (Family Court of Australia 2004). The idea of severing the umbilical cord reflects the idea of a permanent transfer of a child or children from one family to another. This idea of permanent transfer suggests that *Kupai Omasker* does not correspond to the fostering concept, which evokes the idea of a more temporary arrangement for the care of children.

One of the central purposes for the practice of *Kupai Omasker* is to maintain social cohesion through reciprocation and obligation, and such arrangements are common (Ban 1993a, p. 17). In contrast to an alternative form of child rearing known as 'growing up', which is a temporary arrangement, *Kupai Omasker* placements are intended to be permanent (Ban 1993b, p. 4). A 2003 case provides some valuable insights into *Kupai Omasker* (*Lara v. Marley*). In particular it highlights that the practice is not a homogenous, uniform practice across the different groups and islands of the Torres Strait Islands. This in turn highlights the dangers of recording the content of *Kupai Omasker* since the practice varies between groups. Three experts gave evidence during the case as to the nature of traditional adoption in the Torres Strait Islands. Two of the experts were Torres Strait Elders involved in the proceedings due to their particular knowledge of the customs of people and areas involved in the proceeding. The final expert was a Court appointed expert, who was appointed for his overall expertise in the area. All three experts concurred on the distinction recognised by their culture between a traditional adoption, which implies permanency and other childcare arrangements, which might be long-term, but did not equate to traditional adoption.

In contrast to customary adoptions in many other indigenous cultures, Torres Strait Islander *Kupai Omasker* arrangements are ideally kept secret from the adoptee under customary law (Haddon

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1898, p. 64; Ban 1993b, p. 4). In this regard it might be argued that they are akin to a 'closed stranger' adoption. However, to believe this would be to miss a fundamental value underlying *Kupai Omasker* relationship; the maintenance of social cohesion through the creation of bonds of reciprocity and obligation. Even if *Kupai Omasker* arrangements are kept secret from the child it is not an equivalent concept to a closed stranger adoption. In the latter arrangement the underlying purpose is to provide a 'clean break' for the child and the birth mother. For this reason, neither the child nor the adoptive parents will have contact with the birth parents. In contrast, in *Kupai Omasker* arrangements, which are generally between kin, the two sets of parents know each other. Although it may be kept secret from the adoptee, one of the purposes of a *Kupai Omasker* arrangement is to strengthen social bonds and maintain social organisation. An obvious advantage of this link is that the two families can draw on each other's support to raise the child. Furthermore, family members will have knowledge of medical and genetic history, which a Western-style closed stranger adoption may prevent. The retention of knowledge relating to the adoptee's genetic history was observed as early as 1898 by anthropologists on Murray Island:

The fact of the true descent is always ... remembered by the elders of the family concerned, even if it has been forgotten by the community at large, and ... the real line of descent involves certain restrictions on marriage which render it necessary that the record of it shall be preserved. (Haddon 1898, p. 65).

In common with many other indigenous cultures, responsibility for children does not fall exclusively on the birth parents according to Torres Strait Islander beliefs. The extended family is expected to play an active role in the nurturing of children. It is not assumed that the parents will have the final say in regard to decisions about children. In relation to discipline, for example, aunts and uncles may veto decisions of parents relating to discipline if they are an elder sibling

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of the parent (Kolar and Soriano 2000, p. 50). Aunts and uncles are also responsible for a child's initiation into adulthood whilst grandparents are expected to pass down traditional knowledge and customs as well as information about language, totems, family tree information and information relating to land and sea boundaries (Kolar and Soriano 2000, p. 39).

Best interests of the child

A fundamental principle of contemporary family law in Australia relating to the care and custody of children is that the 'best interests of the child' is the paramount consideration. Like customary adoption among other indigenous groups such as Inuit, it is not clear that the 'best interests of the child' focus of the statutory adoption regime is the primary focus of decisions relating to customary adoption among Torres Strait Islanders. Ban states that 'the underlying principle of Torres Strait Islander adoption is that giving birth to a child is not necessarily a reason for raising the child' (Ban 1993a, p. 17). This stems from the general principle that it is not just the parents who are responsible for bringing up a child. Many of the reasons identified for traditional adoption do not appear to be premised on any narrow notion of the 'best interests of the child' but instead are focused on the needs of the extended family or wider community. For example, the provision of a child for an infertile family or the strengthening of alliances and bonds between the two families concerned (Ban 1993a, p. 17). Although reasons such as these may in fact provide the grounds for a Western-style adoption, this is not generally openly acknowledged. Instead legal and political rhetoric reframe all such considerations to fit the 'best interests of the child' model. This is particularly apparent in relation to intercountry adoptions. Although debate continues as to the wisdom of removing children from their own culture, such adoptions are described solely in terms of the benefits to the child, ignoring the reality that the adoptive parents have often been actively looking for a child due, for example, to infertility issues. At times, the underlying reasons

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for a Torres Strait Islander customary adoption may be identical to the reasons for a Western-style adoption, for example providing a child for an infertile couple. However, whereas the *Kupai Omasker* model acknowledges motivations for child placements, which are explicitly focused on the best interests of the parents or community, the Western model refuses to acknowledge motivations other than the ‘best interests of the child’.

Whether or not the primary focus of customary adoption is viewed as being the ‘best interests of the child’ may depend on how the issue is framed (Baldassi 2006, p. 63). For example, Torres Strait Islanders consider people to be greedy if they have many children and do not share them with others (Ban 1994, p. 8). If this idea is reframed to focus on the increased resources available, both material and emotional, to children whose parents have a smaller number of children then it can be viewed as being primarily motivated by the best interests of the child. Another way of defining the best interests of a child might place the most weight on ensuring that the child was raised in accordance with their culture or religion. In this case customary adoptions might be viewed as intrinsically focussed on the best interests of the child.

Legislative and judicial treatment of *Kupai Omasker*

In Australia the states and territories are responsible for adoption legislation. The Queensland Parliament is responsible for the decision as to whether to provide formal legal recognition to *Kupai Omasker* adoption arrangements in the Torres Strait Islands. For Torres Strait Islanders who move to another state the determination as to whether a *Kupai Omasker* arrangement is legally recognised or not will depend on the law relating to adoption in that state. The majority of Torres Strait Islanders who do not live on the Torres Strait Islands live in Queensland (Australian Bureau of Statistics). The current legislation pertaining to adoption in Queensland does not refer specifically to Torres Strait Islander customary adoptions—*Adoption of Children Act 1964* (Qld). It neither declares them invalid as for example the

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New Zealand legislation does in relation to Māori customary adoptions (*Adoption Act 1955* (NZ), s. 19). Nor does it provide for their recognition as Canadian legislation does in relation to Inuit customary adoptions in Nunavut and the Northwest Territories of Canada (*ACARA* preamble).

Ban has documented the lack of fit between Queensland adoption legislation and Torres Strait Islander traditional adoptions and the resulting problems for those who are involved in traditional adoptions (Ban 1993b, 1994, 1997). He identifies the following problems—difficulties with birth certificates, problems relating to inheritance and custody disputes. In relation to birth certificates, for example, a government policy of ‘rubber stamping’ traditional adoptions existed, which lasted until 1985 and resulted in the issuing of new birth certificates (Ban 1997, p. 11). This occurred in the Torres Strait Islands but not on the mainland. This means some customary adoptees adopted during this period have original birth certificates, with the name of their birth parents, while others have new birth certificates, with the names of their adoptive parents. From 1985 onwards, a policy change meant that the ‘rubber stamping’ of traditional adoptions ceased; adoption orders would not be granted unless they fulfilled the statutory requirements (Ban 1997, p. 11). To gain the legal security of an adoption order, Torres Strait Islanders would be required to abandon the features of traditional adoption that make it distinctive such as the continued interaction between the birthparents and adoptive family, the access to medical and genetic information, relative adoption and reasons for adoption other than the ‘best interests’ of the child (Ban 1993b, p. 4).

Following a 2002 review of the Queensland adoption legislation a draft Bill is currently before the Queensland Parliament (*Adoption Bill 2009*). The Bill mentions *Kupai Omasker* as a ‘note’ to the general presumption against adoption in relation to both Torres Strait Islander and Aboriginal children contained in section 7(1)(a).

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The note acknowledges that Torres Strait Islander custom ‘includes a customary child-rearing practice that is similar to adoption in so far as parental responsibility for a child is permanently transferred to someone other than the child’s parents’. Notwithstanding this acknowledgement of the existence of *Kupai Omasker* the Bill fails to provide any explicit legal recognition of the practice.

The Family Court will give consideration to *Kupai Omasker* arrangements when making decisions relating to custody and guardianship. This does not mean that it can confer the status of ‘legal’ adoption on such arrangements since adoption is not within the legislative competence of the Commonwealth Parliament. However, the provisions in the *Family Law Act 1975* (Cth) may provide some protection to *Kupai Omasker* arrangements when there is a dispute in relation to custody or guardianship. For example, section 61F provides that in making parenting orders the court must have regard to any kinship obligations and child-rearing practices, of the child’s Torres Strait Islander culture.

In *Lara v. Marley* the court was required to determine residence and contact arrangements for a child whom the applicants claimed was the subject of a Torres Strait Islander traditional adoption. Since traditional adoption does not have legal recognition under Australian law the case was determined in accordance with the relevant sections of the Family Law Act.

Despite the fact that the issue of traditional adoption was not determinative, Justice Nicholson considered that an understanding of *Kupai Omasker* was relevant in assessing the actions of the people involved. He observed that the customary practice of *Kupai Omasker* ‘explains why the giving of a child by his/her biological parents to another couple is much more acceptable in a Torres Strait Islander context than it would be in the wider community’ (*Lara v. Marley*, paragraph 46).

Whilst indicating that the case did not turn on the issue of whether or not a traditional adoption occurred, Justice Nicholson

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did devote a substantial portion of the judgment to this issue. After observing that the practice had not been given legal recognition under Australian law, he noted the practical difficulties this created in relation to inheritance, proof of identity and in obtaining parental consent to children's activities (*Lara v. Marley*, paragraph 39). He discussed the Family Court's facilitation of residence orders and orders conferring sole parental responsibility upon the couple or person receiving the child. While noting that such orders did not amount to an adoption order, he observed that such orders did mitigate some of the practical difficulties of non-recognition of traditional adoptions by conferring the adoptive parent with parental responsibility. Justice Nicholson identified the features of such orders as follows: they are made with the consent of all relevant parties who can be ascertained prior to the making of such orders, a report is made by a court counsellor with the assistance of an indigenous court family consultant, and the Judge normally sits with one or more Elders as assessors to ensure that the arrangement being recognised is a traditional adoption (*Lara v. Marley*, paragraph 41).

Difficulties in relation to *Kupai Omasker* arrangements arise at the intersection between indigenous customary law and statutory law. The fact that statutory written law will prevail in a custody dispute over traditional oral law causes uncertainty and instability for parties to a *Kupai Omasker* arrangement. Customary adoption is not inherently unstable or uncertain. It has continued as a practice despite colonisation and an ongoing lack of formal legal recognition. However, because statutory law takes precedence over customary law if there is a custody dispute, one of the parties to the dispute can invoke the statutory system to resolve it. In this case the customary law and the statutory law come into conflict and statutory law will determine the outcome. If, on the other hand, the decision is made on the basis of customary law, then *Kupai Omasker* arrangements are neither uncertain nor unstable. Customary rules determine who the parents are and the decision

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is made within a customary law context. The uncertainty arises at the point of intersection between customary and statutory law, in the clash and mixing of two legal systems.

Possible approaches: Legislative recognition

A variety of possible methods exist for the recognition of customary adoption. The ‘rubber stamping’ policy followed up until 1985 reflected recognition of the actual existence of customary adoptions, and a need to deal with the ongoing consequences of such arrangements. This type of pragmatic approach recognises ‘a social situation which creates the kinds of facts that trigger the law of the wider society’ (Levy 2000, p. 297). This model of incorporation does not generally recognise the content of indigenous law or customary ways of making law. Instead, it ‘recognises customary ways of using powers or establishing legal conditions for which the dominant culture has a different set of procedures’ (p. 302). This means that a traditional adoption would only be recognised where the content of it accorded with the content of statutory adoption.

Two legislative approaches to alternative indigenous and state paradigms of the family are analysed in this chapter to demonstrate possible approaches to Torres Strait Islander customary adoptions. The two approaches considered are: first, ignoring the alternative indigenous approach as evidenced in the treatment of *Kupai Omasker* in Australia by the adoption legislation of Queensland and secondly, explicit recognition of the alternative paradigm as demonstrated in the treatment of Inuit customary adoptions in the Northwest Territories and Nunavut of Canada. A third approach is to acknowledge the alternative paradigm but expressly exclude it, which is the approach taken in New Zealand in relation to Māori customary adoptions (*whangai*). The existence of *whangai* is acknowledged in the adoption legislation, but the legislation specifically states that it will not have legal effect.

The approach taken by the *Adoption of Children Act 1964* (Qld) of ignoring Torres Strait Islander customary adoptions may

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provide some advantages in that it avoids the pitfalls associated with writing down customary law and does not place a ban on the practice. Ignoring the existence of an alternative system is one of a number of possibilities open to a legal system in attempting to deal with customary law. However, the inconsistencies in the birth certificates resulting from the 'rubber stamping' of Torres Strait Islander traditional adoptions prior to 1985, demonstrate the uncertainties associated with this approach.

A number of other detrimental consequences flow from a failure to acknowledge custom in law. These may include difficulties enforcing inheritance rights in relation to land and chattels, problems enforcing native title land rights, and complications for the adoptive parents in claiming welfare benefits to support the child. New Zealand legislation indirectly recognises the flow-on effects of ignoring—or in the New Zealand case excluding customary adoptions—by providing some indirect recognition of customary adoption in relation to Māori land. For example, in the *Te Ture Whenua Maori Act 1993* (NZ), the list of people to whom a beneficial interest in Māori land may be left includes *whangai* of the testator (s. 108[2][e]).

In Nunavut and the Northwest Territories of Canada explicit legislative recognition has been given to Inuit customary adoptions. This approach has advantages over excluding or ignoring indigenous legal traditions. By directly acknowledging alternative indigenous legal traditions and paradigms of the family, it provides for the reality that indigenous customary adoption has continued despite attempts to promote assimilation. It also allows for the fact that the intention and consequences of indigenous customary adoption may differ from statutory adoptions.

In Canada, adoption is generally provided for by provincial or territorial legislation. Three provinces and territories provide explicit, full or partial statutory recognition of custom adoptions. These are the Northwest Territories, Nunavut and British Columbia. The Northwest Territories and Nunavut provide statutory recognition for the legal status of adoptions according

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to Inuit custom. This is recognised in the preamble to the *Aboriginal Custom Adoption Recognition Act*, SNWT 1994, c. 26, which states:

Whereas aboriginal customary law in the Territories includes law respecting adoptions; And desiring without changing aboriginal customary law respecting adoptions, to set out a simple procedure by which a custom adoption may be respected and recognised and a certificate recognising the adoption will be issued having the effect of an order of a court of competent jurisdiction in the Territories so that the birth registrations can be appropriately altered in the Territories and other jurisdictions in Canada.

The finding in *K v. S*—a 1999 case in the Northwest Territories—demonstrates the way explicit legislative recognition of indigenous customary adoption provides for the fact that the intention and consequences of indigenous customary adoption may differ from statutory adoptions. The finding in this case was that a custom adoption does not have the same legal effect as a statutory adoption in the Northwest Territories. The case concerned a custom adoption by grandparents. The adoptive mother was seeking child support from the biological father. He claimed that a custom adoption had the same legal effect as a statutory adoption in accordance with section 37 of the *Adoption Act*, SNWT, 1998, c. 9, under which he would have ceased to be the child's parent and would therefore have no further obligations to the child. Conversely the grandmother claimed that the adoption was irrelevant as unlike a statutory adoption, a custom adoption does not sever ties with biological parents. In other words, she claimed that the legal effects of a statutory adoption and a custom adoption are not identical. Justice Shuler decided that the consequences of a custom adoption are determined by aboriginal custom law, not by section 37 of the *Adoption Act*, which does not apply to custom adoptions. He stated that 'the two procedures are very different and there is no reason why they should give rise

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to identical consequences when one considers that the *ACARA* seeks to preserve aboriginal custom adoption with its own rules and consequences' (*K v. S*, p. 7).

Recommendation: Legislative recognition for *Kupai Omasker*

Indigenous customary adoptions have continued in the settler colonies of Australia and Canada, despite the different legislative and judicial approaches taken to customary adoptions in each country. This demonstrates the resilience and dynamism of indigenous legal traditions which are based on alternative paradigms and values to that of state law. The Australian legislative approach of ignoring customary adoption is inadequate. It fails to provide for the reality that indigenous legal practices—such as customary adoption—have survived the interaction with an alternative legal system and continue as a strong expression of dynamic indigenous cultures. The legislative recognition approach described in relation to the Northwest Territories and Nunavut in Canada, represents an improvement on the current approach taken in Queensland of ignoring *Kupai Omasker*. This approach would provide legal recognition of the practice and customary law processes establishing *Kupai Omasker*. The provision of statutory recognition of the practice would provide some security to Torres Strait Islanders who are involved in a *Kupai Omasker* arrangement, in relation to statutory law. Furthermore, providing recognition for *Kupai Omasker* without prescribing in writing the content allows for variations in the practices between different groups and provides the ability for Torres Strait Islanders to determine how much the practice develops and changes over time.

The practice of *Kupai Omasker* amongst Torres Strait Islanders reflects a paradigm of family that places emphasis on shared parenting. A central reason for the practice is to maintain social cohesion through the creation of new bonds of reciprocity and obligation between Torres Strait Islanders. In contrast, in many ways the traditional Western paradigm of adoption is based on the destruction of old relationships. Generally, adoptive parents do not expect to draw on the resources of the birth parents to assist in

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raising the child. Although there are now moves towards open and even collaborative adoption arrangements, adoption legislation still tends to reflect the assumptions that parenting will be undertaken by a mother and father within the framework of a nuclear family. In many ways the use of the terms open or closed adoption—in relation to *Kupai Omasker*—are inappropriate for a practice which is based on a fundamentally different concept of family relations than that traditionally underlying Western adoptions. However, this term has been used by Torres Strait Islanders in preference to the term fostering. The use of this term emphasises to an Anglo-Australian audience the permanent nature of such arrangements. The term *Kupai Omasker* itself reflects the idea of permanency. The use of indigenous terminology to describe an indigenous concept represents an attempt to move away from the constraints imposed by a word such as adoption which carries particular connotations and is associated with a specific paradigm. The introduction of legislation that provides recognition for *Kupai Omasker* without defining it in terms of Anglo-European adoption, but rather acknowledges it as a practice in its own right, would assist in the process of securing a space for indigenous paradigms of family. Specifically, it would secure it against further intrusions from state law, provide legal security for families involved in such arrangements in relation to state law, and finally provide for Torres Strait Islanders to control both the content and processes related to the formation of *Kupai Omasker* arrangements.

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listening to late discovery
adoption and donor offspring
stories: adoption, ethics and
implications for contemporary
donor insemination practices

Helen J Riley

Introduction

For most of the twentieth century a 'closed' system of adoption was practised throughout Australia and other modern Western societies. This 'closed' system was characterised by sealed records, amended birth certificates to conceal the adoption, and prohibited contact with all biological family. Despite claims that these measures protected these children from the taint of illegitimacy, the central motivations were far more complex, involving a desire to protect couples from the stigma of infertility and to provide

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a socially acceptable family structure (Triseliotis, Feast and Kyle 2005; Marshall and McDonald 2001).

From the 1960s significant evidence began to emerge that many adopted children and adults were experiencing higher incidences of psychological difficulties—characterised by problems with psychological adjustment, building self-esteem and forming a secure personal identity. These difficulties became grouped under the term 'genealogical bewilderment'. As a result, new policies and practices were introduced to try to place the best interests of the child at the forefront. These changes reflected new understandings of adoption; as not only an individual process but also as a social and relational process that continues throughout life. Secrecy and the withholding of birth information are now prohibited in the overwhelming majority of all domestic adoptions processed in Australia (Marshall and McDonald 2001).

One little known consequence of this 'closed' system of adoption was the significant number of children who were never told of their adoptive status. As a consequence, some have discovered or had this information disclosed to them as adults.

The first study to look at the late discovery of genetic origins was conducted by the Post Adoption Resource Centre in New South Wales in 1999 (Perl and Markham 1999). This report found that the participants in their study expressed feelings of disbelief, confusion, anger, sorrow and loss. Further, the majority of participants continued to struggle with issues arising from this intentional concealment of their genetic origins (Perl and Markham 1999).

A second and more recent study (Passmore, Feeney and Foulstone 2007) looked at the issue of secrecy in adoptive families as part of a broader study of 144 adult adoptees. This study found that secrecy, lies or misinformation on the part of adoptive parents had negative effects on both personal identity and relationships with others. The authors noted that those adoptees who found out about their adoption as adults were 'especially likely to feel a sense of betrayal' (p. 4).

listening to late discovery adoption and donor offspring stories

Over recent years, stories of secrecy and late discovery have also started to emerge from sperm donor-conceived adults (Spencer 2007; Turner and Coyle 2000). Current research evidence shows that although a majority of couples during the donor-assisted conception process indicate that they intend to tell the offspring about their origins, as many as two-thirds or more of couples continue to withhold this information from their children (Akker 2006; Gottlieb, Lalos and Lindbad 2000; McWhinnie 2001; Salter-Ling, Hunter and Glover 2001).

Why do they keep this important information secret? Infertility involves a range of complex factors that are often left unresolved or poorly understood by those choosing insemination by donor as a form of family building (Schaffer and Diamond 1993). These factors may only impact after the child is born, when 'resemblance talk' becomes most pronounced. Resemblance talk is an accepted form of public discourse and a social convention that legitimises the child as part of the family and is part of the process of constructing the child's identity within the family. Couples tend to become focused on resemblance as this is where they feel most vulnerable, and the lack of resemblance to the parenting father may trigger his sense of loss (Becker, Butler and Nachtigall 2005).

Several studies have reported on the identity experiences of donor-conceived offspring who have grown up in a climate of secrecy. These studies have revealed feelings of genealogical bewilderment, family and parental disharmony, a need for recognition and understanding, effects on the establishment of trust, and feelings of distinctiveness in relation to others. In addition, these studies have noted the parallels to the identity experiences of those who were adopted under 'closed' systems (Spencer 2007; Turner and Coyle 2000).

Historically, a psycho-therapeutic approach has been the most common treatment offered to those suffering genealogical bewilderment. While this approach can undoubtedly be beneficial, at its core, it is an individualised and 'medicalised'

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response which fails to account for the complexity of the personal, relational and social responsibilities and expectations involved in these practices. Despite the fact that there are significant differences in the practices involved—adoption is framed within the social sciences and donor-assisted conception within the bio-medical field—the commonalities of experience found in many late discovery stories reveal broader issues at play than what can be dealt with through a purely individual response. These commonalities involve feelings of betrayal of trust, and a perception that the intentional concealment of knowledge and the withholding of information about their genetic origins were unjust. Such feelings are about relationships and social practices, and therefore demand relational and social responses.

In the following sections, excerpts from stories gathered from late discovery adopted people and late discovery donor insemination offspring are combined to draw attention to the commonalities of experience between them. All of the late discoverers in this study continue to struggle with the effects that secrecy has had on their lives. Two major themes are noted and their implications explored. The first deals with the issue of trust and the second with recognition.

Trust

Family therapist Evan Imber-Black (1993, 1999) asserts that a central secret in a family or a relationship distorts and mystifies communication processes. He describes secrets as 'systemic phenomena' that can 'disallow conversation in many areas', seriously impairing a 'family's ability to solve problems or to confront normal developmental issues' (1993, pp. 11–13).

This is reflected in these late discovery stories, where those interviewed talk about the sense of 'difference' they experienced even when they did not know that a secret was being kept from them. The excerpts that follow are taken from stories I gathered as part of ongoing research on this experience, and are intended to highlight the commonalities of experience despite the differences

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in practices. In the Acknowledgements section of this chapter, each person is identified by status, age at discovery and length of time since discovery.

Rosemary remembers ‘... growing up I always felt there was something [missing] but a story was always fabricated to answer my questions’. Similarly, Sally felt that she had ‘never fitted with the family she grew up in’, and Cameron knew ‘something was very wrong ... something was definitely not right ... [I] internalised the ‘wrong’ and made it about me’. Heather comments that ‘it actually answered many questions that I had simply shrugged off in the past ... whenever I would attempt to find family similarities with my father and his side of the family, my parents would give me polite smiles with nods and averted eyes. The subject was quickly changed or re-directed’. Adam recalls ‘while growing up ... I wondered if I was adopted. There was always something at the back of my mind about this’, while Wendy notes that ‘for as long as I can remember, dad has loathed my sister and I [because we are not ‘his’] ... and ... he has [now] openly admitted this’.

British social researcher Dr Alexina McWhinnie (2001) suggests that secrecy in donor-assisted conception can be so central to a family’s function and their relationships with others, that it is ‘maintained’ or ‘managed’ by denial of recourse to this different form of family building. ‘Experience shows that once a partnership has presented the child to their family and friends as a child of the partnership, they maintain the secret ... It is hard to turn back.’ (p. 811). Despite the weight of evidence that informed the changes in adoption practice, this evidence has not been fully embraced by the bio-medical community. The factors that inform this situation are beyond the scope of this chapter; however, the historical lack of cooperation and cross-fertilisation of research between the social sciences and bio-medical disciplines must be a major contributor (Delany 1997; O’Shaughnessy 1994). As a result, and despite the evidence-based changes in adoption practice, children born as a consequence of donor insemination

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technology are issued with amended (falsified) birth certificates implying that the non-genetic father is the genetic father.

In Australia, the National Health and Medical Research Council (NHMRC) provides guidelines for clinical practice and research, and these guidelines recommend couples tell a donor-conceived offspring of their origins.

6.1.2 Clinics should help prospective recipients to understand the significant biological connection that their children have with the gamete donor. Recipients should be advised that their children are *entitled* to knowledge of their genetic parents and siblings; they should therefore be encouraged to tell their children about their origins [emphasis added].

Despite this recommendation, there are continuing demands from clinics, fertility specialists and others to maintain donor anonymity and to continue the legal fiction of issuing birth certificates that conceal information about the child's genetic origins.

Only two states in Australia have enacted legislation to regulate donor-assisted conception practices and allow access to identifying information at the age of 18 years. Victoria was a world leader in this regard when it passed the *Infertility Treatment Act 1995*, and New South Wales has recently followed their lead with the *Assisted Reproductive Technology Act 2007*. The majority of the other states or territories only permit access to non-identifying information at age 18 (age 16 in South Australia). While there is nothing in the legislation which forbids access to identifying information if all parties consent in South Australia and Western Australia, neither is there any right to access identifying information.

Despite this mish-mash of approaches, all states alter the birth certificate to perpetuate the fiction that the parenting male partner is also the biological father. While legal recognition of a parenting father may be desirable—in these circumstances this legal fiction appears to reflect a desire to protect the couple—but more

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specifically it protects the parenting male partner from the stigma of infertility. This echoes the *as if* quality of 'closed' adoption practices—*as if* infertility had never occurred, *as if* the adoptive parents were biologically connected to the children, *as if* this family was no different from biologically connected families.

Rather than being in the best interests of the child I would argue that this view places the mother and the parenting male partner at the centre of concern. In fact, it could be argued that, for the child, sperm donor-assisted conception has little, if any difference to a step-father relationship. They are biologically connected to their mother but not their father. The argument that a parenting father has been present since before conception, and is committed to the child, does not change this reality for the child (Callahan 1992). Alteration of an original birth certificate is not an automatic option in step-parenting cases. Instead, a parenting order can be sought from the Family Court which gives legal responsibility to the step-father until the child is 18 years. Alternatively, an application can be made for issuance of an additional birth certificate that reflects the mother's changed surname, if there is a second marriage.

So, while the legislation in Victoria and New South Wales is to be applauded, it is nonetheless based on an assumption that all donor offspring will be told of their donor-assisted origins, and will be in a position to make a choice to request information at 18 years. Currently, the numbers of donor insemination offspring not being told of their origins is significant—in coming decades it is likely that these numbers will continue to rise unless practices change. This is in line with the rise in the numbers of couples availing themselves of donor sperm, the prevailing trend among heterosexual couples to value secrecy and the contradictory nature of current practices and policy. The existence of records admits to a possible need to know while the existence of inaccessible records implies that genetic connections may be sufficiently strong as to threaten the bonds of social relationships (Blyth, Crawshaw, Haase and Speirs 2001).

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Birth certificates can and do play a normative social role in Australian society. The general assumption and expectation is that a birth certificate contains factual birth information about genetic origins. The issuance of a birth certificate that honestly reflects a child's genetic origins would help to ensure that couples choosing donor insemination are honest with their child—in line with NHMRC guidelines which state that they are entitled to know this information. As can be seen in the following sections, late discovery donor insemination offspring stories reflect their perception that this information is a right that should not be withheld, that it is a right that others already take for granted. These NHMRC guidelines cannot be effective when couples continue to receive contradictory messages from government and institutions about the importance of truth and openness.

Recognition

Intrinsic trust lies at the core of parenting and parent–child relationships. Trauma responses in children whose parental figures have betrayed intrinsic trust through acts of incest, violence or abandonment are well documented. Research on trauma and post-traumatic stress responses defines intrinsic trust as 'our fundamental assumption about the world and our safety in it'. It is this type of trust that is violated in traumatic situations such as torture, terrorist acts, and brutal assaults. Feminist philosopher, Susan Brison, identifies some of the harms encountered through a violation of this type of trust as including 'cognitive and emotional paralysis', a loss of 'one's memories of an earlier life', an '[in]ability to envision a future', leaving one with 'no bearings by which to navigate' (1997, pp. 14–21). The significance and weight late discoverers place on trust supports a view that the late discovery experience can also involve the betrayal of a much deeper and more significant level of trust—intrinsic trust.

The following remarks among those I interviewed indicate this loss of trust. Karla says that she felt 'profoundly betrayed ... the brunt of a 40 year joke', while Brenda experienced

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‘absolute disbelief ... I had been mistrusted by not being told the truth and had spent my life living a lie’. Cameron spent hours staring at himself in the mirror, thinking ‘my whole life was a lie’. Barbara identifies the way in which her ability to trust has been affected. She ‘walk[s] away when challenged ... is always on guard when in company but confident and carefree when people are not important or don’t matter to [her]’. Louise talks about her ‘lifelong struggle with attachment and separation issues’. Beth found out from her mother when she herself was considering using donor insemination. ‘I am 27 years old ... did it ever occur to you to mention this a little earlier?’ she asks. Heather was ‘shocked’ by her mother’s uncertainty over the identity of the donor ... ‘how could she deliberately conceive a child without knowing the other half of its biological origins?’

After disclosure, late discoverers may be confronted with a range of other losses. This is particularly true of those who experience disclosure later in life. Zoe expresses sorrow that finding out about her adoption in her forties left ‘little time to try to find any birth parents ... I did manage to meet my birth mother, and two sisters, but it was all too late. My birth mother was very old and sick ... incoherent ... and my birth sisters had had seriously sad and difficult lives’. Ursula believes that ‘the most serious injustice afforded to me by late disclosure is that it prevented me from meeting my father and other members of my paternal family and developing a meaningful relationship with them during his lifetime’.

They may suddenly realise that their medical history has been ‘faked’—a fact that could have health consequences. Tina comments that she has now ‘found out there [is] a history of mental illness in my natural family’, while Eva was concerned for her own children. ‘I was interested in any medical history ... mainly to insure that my children were not carrying any genetic disorders’. She found that her birth mother had a cardiac history. ‘I am having my cholesterol level attended [to] ... I too need to be aware of my cardiac status’.

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If the late discoverer then also has difficulty accessing birth records, locating birth relatives, or is prevented from doing so, this knowledge may have even deeper emotional and social impacts. Ursula felt 'a deep sense of loss and grief for the deliberately severed relationships with [her] unknown biological kinfolk'. Beth's thoughts involved the number of lies that had been told by her mother. 'She'd lied on my medical forms ... *You lied*, I said, *you lied* ... how much of who I am comes from a man I've never met?'

Wendy is searching for her father 'for medical/health reasons [and to] get some insight into my identity'. Ursula believes that she had been 'meandering through life with a semi-bogus family medical history, based partly on a man to whom I was not biologically related, [and this] could easily have had serious repercussions for me. It might have had a distinctly disruptive affect on the groundbreaking diabetic medical study I considered joining, which intended to research the hereditary pattern of the onset of the condition'.

Following disclosure, the lack of transparency that existed throughout their lives becomes apparent. This brings awareness that they have been denied the opportunity to direct their own lives, which can cause anger and hostility. This can be exacerbated if there is a lack of acknowledgment or understanding from others—individuals, communities or institutions—or simply through the lack of an opportunity to be heard.

Sally received a letter from a government department to advise that a birth relative wished to contact her. Her adoptive mother refused to answer her questions about whether or not she was adopted and she was treated indifferently by the government worker she dealt with. 'She was not empathic, supportive or understanding. She just pushed my original birth certificate ... across the counter and said, *This is you*'.

Some late discoverers find it difficult to forgive those who kept the secret. Sally finds it hard to forgive her adoptive mother. 'Not that she adopted me ... but the way she handled it and continues to handle it is unforgivable'. Peter reveals that he has spent the

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last ten years in shock and anger, severing ‘all ties with that part of [my] family’. Felicity feels that she has lost the closeness that she once had with her mother. ‘I try not to let it influence my feelings for her—it just does and it is out of my control’.

Justice

Late discoverers often talk about the way in which they have had to struggle to [re]story their lives since disclosure, to overcome what they perceive as an imposed identity. These feelings of an imposed identity can lead to demands for recognition; that they had a right to know about their genetic origins and a right to not have the narrative of their personal history falsified.

Brison (1997, p. 23) comments that there can be enormous difficulty ‘regaining one’s voice, one’s subjectivity, after one has been reduced to silence to the status of an object, or worse, made into someone else’s speech, an instrument of another’s agency’. Being reduced to silence—that is, denied autonomy—emerges as a significant feature in these late discovery stories. Those affected perceive that they have been instrumentalised, that is, they have had important information withheld from them in order to protect or benefit others, usually to conceal the stigma of infertility and to protect the infertile.

Karla describes being ‘shocked when ... progressive thinking friends and colleagues did not see [the unfairness of this type of secrecy] ... as self-evident’. Ursula comments on ‘the lack of respect for my missing genetic origins shown by society, the medical profession, the government and those who had personally sanctioned and enabled my artificial conception ... I was the person named on my birth certificate but not the person described there, on a document which is supposed to be a true statement of my identity’. Heather observes that she ‘believe[s] that a person’s biological parent(s), extended biological family and heritage are very personal to the individual and should never be deliberately compromised, denied, bought, bartered or traded in order to fill someone else’s need’. Wendy describes herself as an ‘outcast’.

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Open access to knowledge of genetic origins is normative social practice in Australia. As contemporary Australian society has normative values of openness, transparency in decision-making and access to relevant records, those who are excluded from these normative values often express dismay, and make claims that they have the 'right' to such information. This is noted by American author and donor offspring activist Lynn Spencer. In her recent book *Sperm donor offspring: identity and other experiences*, she says, 'donor offspring developed strong beliefs about their right. They felt that their rights included knowledge of the truth about who their biological parents were and knowledge of their medical history ...' (p. 49).

One of the donor offspring in her book (p. 50) echoes this sentiment by commenting on how hypocritical it is to say that biological kinship is unimportant for them, when finding roots and genealogy is a key part of our culture, and a continuous human narrative. Beth reflects this feeling, commenting that 'Children have the 'right' to know their biological parents not because nature has given them that right but because we consider it important in human society'.

Perceptions of imposed identities, demands for recognition, and for the right to the truth of genetic origins are justice issues. These individuals perceive that they have not been given the same status—or seen as deserving of the same considerations—as others in society. Resolution of these perceptions is possible, but only if and when their concerns are recognised as legitimate. Such claims for recognition and justice resonate strongly with the 'Journey of Healing Campaign' waged by indigenous Australians.

Until healing recognition is offered and reflected in changed policies and practices, those who have experienced this type of secrecy, and those who may experience disclosure in the future through current practices, will continue to have difficulty regaining self-respect, trusting again, feeling hope, feeling safe or forgiving (Brison 1997; Walker 2006).

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Conclusion

This chapter has explored two major themes common to the stories told by late discoverers of adoptive status and late discoverers of donor insemination offspring status. The first theme involves betrayal of trust and the second concerns recognition and justice. A range of implications emerge from these themes.

The first theme is linked to late discoverers' perceptions that a betrayal of trust occurred when information about their origins was intentionally withheld from them. These feelings of betrayal are not only directed at those closest to them who kept the secret, but also at government and institutions which actively enabled—and in some instances encouraged—this to happen. They demand that birth records and birth certificates should reflect an individual's genetic origins, as is normative social practice in Australia. Truthfulness and openness in this area would make it difficult for secrets to be kept and would be in line with NHMRC guidelines which state that children are entitled to know their origins. Further, it would bring insemination by donor practices into line with contemporary social understandings and expectations about openness and truthfulness, as has occurred in contemporary adoption practices.

The second theme involves recognition and justice. Public recognition that the practice of secrecy is not only harmful but also unjust, would restore a sense of autonomy to those who have experienced the intentional concealment to knowledge of their genetic origins. Late discoverers will find it difficult to [re]story their lives, until the injustice inherent in this type of secrecy is recognised as a social responsibility requiring social solutions. Anger, concern, and frustration combined with loss of trust, and difficulty forgiving—characterise these and other late discovery stories. These feelings which often remain unresolved even after many decades have passed since disclosure give weight to this call for recognition and justice.

Not all late discoverers of adoptive or donor insemination offspring status experience the feelings and issues discussed

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above. Nevertheless, the commonalities that emerge in the stories of these late discoverers of adoptive and donor insemination offspring status ought to challenge us to consider the ramifications of allowing donor insemination practices to continue in their current form.

Acknowledgements and notes on participants

I gratefully acknowledge all participants in this research for sharing their stories of late discovery. The research study has been conducted through open 'conversations' with participants. Pseudonyms have been used to protect the identities of the research participants in the author's study. Each participant's current age and the number of years since disclosure is listed below to highlight the length of time these participants continue to struggle to [re]story their lives.

Late discoverers of adoptive status

Felicity (aged 43, 9 years since disclosure), Rosemary (aged 55, 29 years since disclosure), Sally (aged 57, 8 years since disclosure), Cameron (aged 45, 14 years since disclosure), Karla (aged 40, 5 years since disclosure), Brenda (aged 66, 11 years since disclosure), Barbara (aged 58, 31 years since disclosure), Louise (aged 51, 23 years since disclosure), Tina (aged 49, 16 years since disclosure), Zoe (aged 61, 16 years since disclosure), Eva (aged 45, 15 years since disclosure), Peter (aged 50, 10 years since disclosure)

Late discoverers of donor insemination offspring status

Heather (aged 42, 24 years since disclosure), Adam (aged 29, four years since disclosure), Ursula (aged 53, 12 years since disclosure), Wendy (aged 24, four years since disclosure), Beth (aged 40, 13 years since disclosure).

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race privilege and its role in the
'disappearance' of birth families
and adoptive children in debates
over non-heterosexual adoption in
Australia

Damien W Riggs

Introduction

Determining the best interests of children is often difficult due to the competing needs of children and parents. Unfortunately, however, an adult-orientated approach to determining best interests often prevails (Burman 1994). One example of this occurs when researchers or political commentators claim that heterosexual people are best suited to raising children, and where non-heterosexual people are depicted as incapable or inappropriate parents (Riggs 2006a). Several things happen when such claims

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to children's 'best interests' are made. First, children's voices and opinions are typically ignored, and second, non-heterosexual parents may feel forced to make claims to 'normality' in order to justify their capacity as parents (Robson 1992). Such claims can, unfortunately, serve to perpetuate the notion that adults always know what is best for children.

This has certainly been the case in recent calls for revising legislation related to intercountry adoption (ICA) by non-heterosexual people, and the practice of domestic adoption within Australia by non-heterosexual people. Such rights claims highlight how notions of 'normality' can result in claims of ownership over children being made on the part of non-heterosexual parents of adoptive children. In the example of ICA, what disappears in such calls for rights is not only the experiences of children placed for ICA and their birth parents, but also any attention to the race privilege of the (primarily) white non-heterosexual people who call for ICA rights.

In order to examine these two 'disappearances', this chapter brings together three interconnected issues that require ongoing attention in research on intercountry and domestic adoption by white non-heterosexual Australians. First, how rights claims and notions of 'best interests' often ignore children's voices in the rush to normalise particular family forms. Second, how calls for rights to ICA typically only allow birth parents to 'appear' as 'bad' parents in comparison to 'good' adoptive parents and the third, how an alternate understanding of adoption and accountability may begin the work of rethinking adoption in ways that emphasise globally-orientated understandings of family. As such, and with its focus on white non-heterosexual adoption, this chapter responds to Lehr's (1999) suggestion that 'it is dangerous for gays and lesbians to see children who become adoptable as a result of social inequalities and discrimination as benefiting from gay parenting, whilst failing to vocally call into question the politics that create the need for the adoption of these children' (p. 127). Exploring the rights claims of non-

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heterosexual adopters alongside the social contexts in which such claims are made creates the possibility for developing an approach to adoption that places a range of rights claims in a relationship to one another.

'Gay adoption'

It is first important to set the context for the discussion that follows. Across most Australian jurisdictions, non-heterosexual couples cannot adopt. Whilst in Western Australia and the Australian Capital Territory non-heterosexual couples are eligible to be considered for approval, the placement of a child with them is contingent upon the consent of the birth parents. As a result, only one such adoption has been reported as occurring since legislation was passed in the one state and one territory that allow non-heterosexual adoption. One further jurisdiction allows for a form of adoption; Tasmania legislates for second parent adoption. This is limited to adults who wish to formally adopt a child born to their partner prior to their relationship or to whom they are not biologically related but who is biologically related to their partner. Duffey (2007) outlines how there exist potential loopholes in the remaining four states and one territory for single non-heterosexual people to adopt, though this means, for non-heterosexual couples, that only one person is recognised as a legal parent.

In regard to ICA, the previous Howard-led coalition government had hinted at legislation that would deny recognition of ICAs undertaken by non-heterosexual individuals. Whilst the draft bill was never tabled in parliament, considerable discussion of it appeared in the Australian media in 2007, indicating the concerns of potential non-heterosexual adoptive parents. Whilst these concerns were valid, it is important to note that ICA by non-heterosexual Australians is rare, as all countries that currently allow for ICA do not allow non-heterosexual couples to apply to adopt, and some countries do not allow single people to adopt. As such, ICA can only be undertaken by non-heterosexual people as single people—in countries that allow single people

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to adopt—or by couples who are willing for only one person to be legally recognised as a parent by the country from whom the child is adopted.

Whilst these are all obvious examples of discrimination against non-heterosexual Australians, and whilst law reform continues to be necessary, it is important to consider how the depiction of discrimination as an infringement upon adult's rights can result in those who oppose adoption by non-heterosexual people referring to such people as 'selfish'. In turn, this can lead to non-heterosexual adopters being forced to fight battles not of their own making. For example, in a 2007 report in the *Sydney Morning Herald* on the previously mentioned possible Bill on ICA, Greens senator Kerry Nettle described it as 'deeply homophobic', and said that it was 'a disgraceful move by the Howard government to pander to homophobic and fundamentally religious interests in the lead up to an election'. Whilst the accusation of pandering during election campaigning may have been accurate, the depiction of the possible denial of ICA to non-heterosexual people was primarily constructed as one of homophobia—as directed at non-heterosexual adults, rather than at the possible needs of children. Additionally, many of the media articles focusing on this issue utilised titles such as 'gay adoption', thus signalling from the outset that these were 'gay rights' issues, rather than human rights or children's rights issues.

A further instance of this occurred in media reporting of the 2005 legislative change in Western Australia that permitted non-heterosexual people to be considered eligible to undertake adoption within the state, and in subsequent reporting in 2007 of the first such adoption, undertaken by two men. In contrast to the notion of rights used in a positive sense by Kerry Nettle, in this instance the focus on adoption rights as 'gay rights' was evoked in a negative way by those who opposed non-heterosexual people undertaking adoption. This mirrors reports from both the United Kingdom (Dey 2005; Hicks 2005) and the United States (Sullivan and Baques 1999) which suggest that resistance from

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those on the religious and political right to legislation allowing non-heterosexual people to adopt has typically emphasised the idea that allowing non-heterosexual people to adopt is not child-focused: that it is about the rights of non-heterosexual people, not the rights of children to a 'mother and father'. In the Australian media, examples of this include 'Opposition Leader Matt Birney said the ... debate about same-sex parents had been hijacked by a focus on the rights of potential parents, rather than the rights of a child' (Laurie 2005) and:

Australian Family Association WA Branch president John Barich said ... a child is not goods to pass around, and the child doesn't get to give his or her opinion until it's too late—then he finds out he's got two dads. Having children is not a right, it's something nature gives you. Nature hasn't given it to them—therefore they ought to desist and dedicate themselves some other way to humanity (Quartermaine 2007a).

Examples such as these highlight how a focus upon rights is used to construct non-heterosexual people as 'hijackers'—as having unnatural desires to raise children—and as treating children as 'goods to pass around'. As this demonstrates, the depiction of adoption by non-heterosexual people as a matter of adult's rights can as easily work in the *disservice* of non-heterosexual people as it can work to the benefit of non-heterosexual people. Media reports of adoption that report both 'sides' of the issue thus actually do very little to present a broad range of alternatives that require consideration in regard to adoption—that is, economic disparities that result in children being placed for adoption. Instead, they emphasise a relatively homogenous image of adoption that centres upon the competing interests of differing groups of relatively privileged adults (Riggs 2006b). Yet these media reports do more than simply report differing groups as being in conflict with one another over adoption rights: they also reinforce a very stereotypical image of adoptive families into which non-heterosexual parents are co-opted.

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Loving families

In arguing for or against the 'adoption rights' of non-heterosexual people, a range of groups continue to rely upon stereotypical images of what constitutes a family. Primarily, these images of family centre upon notions of love, and moreover, the love provided by a two-parent family. This dominant understanding of family was evoked both by those for and by those against adoption by non-heterosexual people as reported in the Australian media in 2007. Then Attorney-General Phillip Ruddock was reported as stating in support of a possible Bill prohibiting non-heterosexual people from undertaking ICA that such prohibitions represented 'measures [that] will ensure that priority is given to those in *typical* family arrangements' (Stafford 2007, emphasis added). Notions of what constitutes a family were also evoked by those in support of changes to adoption legislation in Western Australia.

[WA Attorney-General Jim McGinty said that] the only consideration when it comes to adoption is the best interests of the child. So long as the child is in a loving, caring relationship I don't think he can ask for much more than that ... What we need to do is have loving relationships where the parents love and care for the child (Quartermaine 2007b).

In both instances reported here the speakers evoke notions of family that normalise one particular family form. In the example of Ruddock—who has consistently spoken out against non-heterosexual families and relationships—a 'typical family arrangement' is automatically taken as referring to a heterosexual nuclear family (Riggs 2007a, for more on the implications of these claims for white non-heterosexual parents). Similarly, McGinty evokes a notion of a 'typical family' that, whilst certainly more open to a diverse range of parents, is nonetheless centred upon 'parents' (presumably two) who are in a relationship, and who 'love and care for the child'. Thus, whilst the family forms recognised by McGinty may differ from those recognised by Ruddock in

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terms of structure, they do not differ in terms of process—they involve adults who recognise that children's best interests are best met by loving relationships between two people.

Elsewhere (Riggs 2006c, 2007b) I have written about the limitations of relying upon notions of 'love' to back up the rights claims of non-heterosexual families. Similar concerns have been raised by people who themselves have been adopted internationally, who have highlighted the fact that love alone does not address the challenges that arise from growing up in an adoptive family (Armstrong and Slaytor 2001). The limitations of relying upon notions of love to legitimate non-heterosexual or adoptive families may be understood as taking two differing forms: one, the imposition of love as an all-encompassing ideal for families and the limitations of this for adoptive families and two, the ways in which claims to 'love' may be seen as normalising non-heterosexual families.

In relation to the first point, an emphasis upon love, particularly in regard to families formed through adoption, can deny the possibly conflicting emotions of both adoptive parents and children placed for adoption. It is not automatic that all adoptive families—or any families for that matter—will automatically love one another. As such, an emphasis upon love may well set families up to struggle in the face of the expectation to 'love'.

In relation to the second point, recourse to the notion that 'love makes a family' has the potential to overwrite the ways in which only certain family forms are recognised as morally worthy or deserving of protection in Australia—primarily white, middle-class, nuclear families. In other words, claiming 'love' in regard to non-heterosexual families may not actually serve to recognise the unique shapes of such families, but may instead simply incorporate them into a stereotypical image of what constitutes a family. Furthermore, an emphasis upon familial love, whilst an important counter to depictions of non-heterosexual people as involved in 'pathological love', may present an image of non-heterosexual families within the media that all too easily ignores the struggles that such families face

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living in the context of homophobic societies, and the differing struggles of individual family members.

The emphasis upon 'love' and 'typical family arrangements' amongst those variously advocating for the 'best interests' of children may thus be seen as reiterating a particularly limited vision of what constitutes a family, and more specifically, what constitutes an adoptive family.

'Good' adoptive parents versus 'bad' birth parents

Depictions of the best interests of the child occur not only in the language of 'loving families', but also through the comparison of supposedly 'loving' families with supposedly 'bad' families. Writings by academics who themselves were adopted continue to highlight how understandings of ICA have long been premised upon the depiction of adoptive families as generous, kind, and giving, with birth families depicted by comparison as poor, incapable and undeserving (Trenka, Oparah and Shin 2006). Particularly as this pertains to ICA from countries in Asia, the comparison of 'good' Western adoptive families with 'bad' Asian birth families serves to legitimate the former at the expense of the latter, and furthermore, it serves to justify the economic privilege of the former without necessarily examining the relationship between economic privilege and economic disadvantage.

In regard to the economics of ICA, Park Nelson (2006) suggests that as many adults in Western nations continue to be invested in an understanding of adult-child relations that emphasises ownership, so comes with this a drive to 'source' children available for adoption. This demand for children produces what Nelson terms a 'grey market' for children—one that is not necessarily illegal, but which may often be unethical in its perpetuation of economic disparities between adoptive and birth parents. I would take this further, following Eng (2003), in suggesting that there exists a version of the grey market that we may term the 'pink market'—one where, primarily white, non-heterosexual people are very much invested in the sourcing of

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children, regardless of the ethical implications of ICA (Rosset al 2008, for more on the investments that white non-heterosexual adopters may have in securing ICAs).

One factor contributing to ignorance about the economic factors informing ICAs is the previously mentioned depiction of birth families in Asian nations as undeserving of consideration, with children placed for adoption in such nations depicted as objects of pity. Such depictions are contrasted to the ‘love’ offered by non-heterosexual (and non-Asian) adoptive parents. An example of this appears in the following extract from an Australian news media article on the previously mentioned Bill that was intended to prevent ICA by non-heterosexual people.

The government clearly believes children are better off in a Chinese orphanage or on the streets of Manila than in the care of a loving same-sex couple in Australia (*Sydney Morning Herald* 2007).

In this example a contrast is made between ‘Chinese orphanages’ and ‘loving same-sex couples’, with the former implicitly constructed as inherently negative. The reference to the ‘streets of Manila’ implies that somewhere there are birth parents who are allowing children to wander the streets of Manila (or to end up in ‘Chinese orphanages’). Such parents are thus constructed as undeserving or uncaring, as opposed to the ‘loving same-sex couple[s] in Australia’ who would happily care for children. Furthermore, children who are in ‘Chinese orphanage[s]’ are constructed as automatically better off in Australia—that being removed from their birth country and culture, in addition to being separated from their birth family—is a better outcome than being left ‘on the streets’ or in orphanages. Obviously my point here is not that children should be left in orphanages or on the streets, but rather that statements such as these ignore the reasons why children may be in orphanages or living on the street. One answer to this may be to support the various Asian nations and families to retain care of their children (Williams Willing 2005).

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These contrasts between supposedly 'good' and 'bad' families serve to legitimise the rights claims of non-heterosexual Australians again through the notion of 'loving families', where non-heterosexual families are depicted as loving, and Asian families as uncaring. Being mindful of the use of these contrasts is especially important when we are talking about adoption by non-heterosexual people, as it has historically been the case that non-heterosexual parents have been depicted as 'bad' parents in comparison with supposedly 'good' heterosexual parents (Rofes 1998). Challenging such comparisons requires the rethinking of calls for adoption on the part of non-heterosexual people that takes on a global vision of how adoption functions across contexts and through economic as well as interpersonal dynamics.

Global economies of adoption

Thus far I have hinted at the 'race privilege' of white non-heterosexual adoptive parents. The concept of 'privilege' is typically understood as referring to the benefits that an individual may gain simply by being a member of a particular group. Importantly, it doesn't refer to the intentional actions of an individual to discriminate against another person. Rather, it suggests that members of dominant groups stand to benefit, typically at the expense of other groups. Of course this is a tricky concept to apply to white non-heterosexual adopters, who may well feel that they are discriminated against as non-heterosexual people. Nonetheless, it is important to look at how they experience privilege as white people, and to place this in a relationship to the disadvantages that other groups of people may experience.

When we examine the relationship between privilege and disadvantage, we must be mindful of how the former can come at the expense of the latter. So if we are to recognise the fact that the economic climate of some Asian nations can result in high numbers of children being placed for adoption, this must not simply be left as a matter of concern to such nations—it must also be of concern for those nations, such as Australia, that

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stand to benefit from global economic inequities that are very much the product of colonisation and the ongoing effects of it (Lehr 1999). Understanding intercountry economic disparities in this way, and with particular regard to adoption, may help to produce an understanding of responsibility that moves away from guilt (which typically produces a 'benevolent' response—Riggs 2004), and toward an understanding of responsibility that focuses on legacies of globalisation, and accountability for this in ways that prioritise the lives and voices of those who are marginalised, rather than the needs of those who stand to benefit from marginalisation.

The difference between these two understandings of responsibility is subtle but important. Guilt tends to produce a 'giving to the other', which largely serves to reiterate power imbalances wherein one group is positioned as inherently able to give, and the other positioned as always the recipient of 'gifts'. In contrast, a focus on accountability may serve to first recognise the relationship between those who experience privilege and those who experience disadvantage. Secondly, it may encourage recognition of the ways in which aid can be given in order to strengthen disadvantaged communities on their own terms, rather than on terms set by privileged groups. Obviously this is pertinent in regard to financial disparities, where those people in Australia who wish to access ICA might consider not simply (or even primarily) their own needs, but rather how the need for legislative change and economic reform to the benefit of other countries may be the first step in a reformed adoption agenda (Roberts 2003). For those white non-heterosexual people seeking to secure adoption rights, this may entail redirecting both political energies and funds away from the agendas of white non-heterosexual people and towards the agendas set both within Australia and abroad for supporting families to retain custody of their children.

For those people who continue with adoption, and who seek change in adoption legislation within Australia, it is

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important to challenge notions of ownership within adoptive families. In her writing on raising children who come into a non-heterosexual family through ICA, Lev (2004) suggests that honouring the connection between birth parents and children must entail more than simply 'celebrating other cultures' or 'becoming other' oneself. Adopting children from a culture different to one's own should not entail seeing another culture as 'exotic'—or the child itself as a marker of that culture—nor should it entail denying cultural differences and the detrimental impact of child removal. Whilst respect for cultural difference can easily slip into seeing people other than ourselves as 'exotic', Lev suggests that being respectful requires adoptive parents to refuse the expectations of others to 'exhibit' adoptive children or to make claims to 'going native'.

Situating adoption in a global context requires that those adults who do undertake ICAs consider not only their location within ongoing histories of economic disparity produced by colonisation and other forms of land theft, but also how that plays out in the practice of adoption. Acknowledging these inequities is likely to require a re-orientation of adoption practice toward the needs of children and birth families—as they define them—rather than perpetuating the image of the 'rescuing adoptive parent' who can solve the problems of the world through the act of adoption. In regards to the dangers of seeing ICAs as exotic, then, part of the answer to this problem requires a recognition of the fact that children who are adopted will bring with them a range of experiences that will almost certainly differ from those of their adoptive parents. Recognising these differences and working with children to hold onto the meaning and memory of these experiences is thus one aspect of being an adoptive parent who is endeavouring to understand the experiences of their adoptive children, rather than presuming that these adoptive children came into their care as 'blank slates'.

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Conclusion

I have outlined some of the current debates over non-heterosexual adoption in Australia and drawn attention to the ways in which notions of 'rights' are applied by those for and those against adoption by non-heterosexual people. I have also examined how contrasts are made between supposedly 'good' and 'bad' families and highlighted the role of race privilege in rights claims of white non-heterosexual people. These three areas of focus have allowed me to suggest that the ongoing development of agendas for adoption must be oriented toward addressing economic and social disparities in a global context as informed by the voices of adoptees and their birth parents. Such an approach, I have argued, may counter the 'disappearance' of birth parents and adoptive children in debates over rights to adoption by non-heterosexual people in Australia.

In regard to adoption by non-heterosexual people, and as a white gay parent myself, my interest in this chapter has not been to deny adoption rights, but rather to call for a more considered engagement with the law, and how it shapes the rights claims we make. A reactionary response to the actions of the political and religious right is likely to perpetuate the dominance of particular understandings of family, and to force white non-heterosexual families into complicity. Locating ourselves as not simply non-heterosexuals who experience discrimination, but more transparently as *white* non-heterosexual people who also experience privilege, is an important aspect of addressing the ways in which the category 'non-heterosexual' often represents the desires of white non-heterosexuals, yet repeatedly slips into making universal claims for all non-heterosexual people. Similarly, an ongoing examination of race privilege may help to facilitate an examination of how privilege functions within non-heterosexual communities, and how this plays out in the rights reforms that we continue to see occur across Australia. As Lehr (1999) suggests, calling for adoption reform may thus be somewhat less problematic if the focus is simultaneously upon

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economic disparities in a global context and the location of potential non-heterosexual adoptive parents within this context.

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‘my brown skin baby they take him
away’: a reassessment of the role
of adoption in the forced removal
of Aboriginal children from their
families

Christine Cheater

Introduction

In 1970 the ABC began playing a song by Bobby Randall titled ‘My Brown Skinned Baby They Take Him Away’. Based on his own experiences, the song was an Aboriginal mother’s lament for a child who had been taken from her by welfare officers. It was among the first public airings of a practice that had plagued Indigenous communities since 1788. In the late 1970s, the New South Wales (NSW) government asked Peter Read to investigate the issue. Read called removed children

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‘the stolen generations’ (Read 1981) and on the reasons for the forced removals he later wrote:

White people have never been able to leave Aborigines alone. Children particularly have suffered. Missionaries, teachers, government officials, have believed that the best way to make black people behave like white was to get hold of the children who had not yet learned Aboriginal life-ways. They thought that children’s minds were like a kind of blackboard on which European secrets could be written. (Read 1999, p. 49)

Three decades of ongoing agitation by indigenous organisations such as Link Up—which was formed to reunite removed children with their families—culminated in a nation-wide inquiry conducted by the Human Rights and Equal Opportunity Commission (HREOC), under the chair of Sir Ronald Wilson, into the forced separation of Aboriginal and Torres Strait Islander children from their families. The commission tabled its findings in a report, *Bringing Them Home* (HREOC 1997).

Read’s work and indigenous agitation focused on the act of removal and over the years a number of misconceptions have developed about the placement of the children and how they fared in that placement. This chapter seeks to reassess the role of adoption in Aboriginal child removals. It will look at how many children were adopted after removal and the circumstances that led to their adoption. By positioning indigenous adoptions within the history of Australian welfare policies it will show how changing views on the well-being of the nation and the family influenced the treatment of indigenous children throughout the twentieth century. Finally it will argue that the history of the stolen generations has led to the demonisation of the adoption of indigenous children by white parents.

Estimating the numbers

According to the report *Bringing Them Home* (HREOC 1997):

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Nationally we can conclude with confidence that between one in three and one in ten Indigenous children were forcibly removed from their families and communities in the period from approximately 1910 until 1970. In certain regions and in certain periods the figure was undoubtedly much greater than one in ten ... Most families have been affected, in one or more generations, by the forcible removal of one or more children. (HREOC 1997, p. 11)

The inexact nature of the figures cited by the inquiry on the number of children separated from their families resulted from poor record keeping. Similarly poor records of child placements have made it difficult to determine what happened to children after they were removed. Peter Read observed that in NSW no systematic records were kept of children sent to state or religious homes. The records of children who were subjected to multiple placements were often lost in transit, and 'lighter caste' children handed to the NSW Child Welfare Department were not reported as being of Aboriginal descent (Read 1981, p. 12). Nevertheless, his figures showed that before the 1950s most children were placed in state or religious run institutions while the number of children placed in foster care or put up for adoption rose steadily after 1950. Heather Goodall's gendered analysis of these figures showed that before World War II more girls were removed from their families than boys but the ratios were reversed from the 1950s (Goodall 1990). The report *Bringing Them Home* (HREOC 1997) notes similar trends in the other states.

Since the tabling of the report, historians have generally agreed on three points. Firstly, the majority of removed children were institutionalised.

Second, the number of Aboriginal children put up for adoption by white families was a little less than 17% of the total number of removed children since 1900 and third, the majority of adoptions occurred after the mid-1950s with the number of adoptions accelerating throughout the 1960s and into the 1970s. The exact number of Aboriginal children adopted during this

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period will never be known. Records rarely discriminated between Aboriginal children who were fostered and those who were adopted, and some social workers hid the baby’s cultural heritage fearing that prospective white parents would not accept them. The report *Bringing Them Home* (HREOC 1997) overcame the problem of poor record keeping by taking depositions from people affected by child removals, but this has not been possible when estimating the number of adoptions.

Because the majority of adoptions took place during a period when all adoptions were shrouded in secrecy, many adoptees still do not know their real heritage. Adopted children were not only lost to Aboriginal communities, they also lost their cultural identity. As one late discovery indigenous adoptee told Link Up:

... it’s a triple theft because there’s no files you can have access to so it’s a complete denial of not only any other history or family at all, but also a complete denial of Aboriginality and your Aboriginal history. (Link Up and Wilson 1997, p. 125)

Furthermore, the anger directed at the adoption process in this and other interviews with adoptees has created the impression that the majority of the adoptions failed. While this perception cannot be substantiated, it has contributed to the demonisation of the adoption of indigenous children by white parents.

The impact of welfare policies on child removals

Anna Haebich’s extensive study of the stolen generations, *Broken Circles*, has shown that the forced removal of Aboriginal children from their families was not a uniform process. Child removals were governed by various state rules and regulations—motives for the removals differed between northern Australia and the South-East States—and the philosophy behind the removals shifted from protectionism, which held sway from the 1890s until World War II, to guided assimilation after the 1950s. While some historians such as Peter Read have argued that assimilation was always the

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goal of European officials (Read 1983, p. 25/6), what happened to the children after they were removed went through two distinct phases that can be linked to shifts in official policies.

According to historian Russell McGregor, Europeans quickly formed the hypothesis that Australian Aborigines were a doomed race (McGregor 1997, pp. 14–18). Consequently all of the states developed welfare policies that revolved around the ideal of protecting Aboriginal people from the demands of living in a civilized society. They treated Aboriginal Australians as a child-race, appointing Aboriginal Protection Officers to act in *loco parentis* for Aboriginal people. These officers also had the power to remove any child deemed to be in physical or moral danger. Before the 1940s, the children most likely to be removed were girls aged between 7 and 14 years. State authorities were concerned about the growing number of mixed-descent children and as Goodall has shown, the NSW government responded by institutionalising pre-pubescent girls in an effort to control their behaviour (Goodall 1995, p. 81). After a few years of training in religious or state run institutions the NSW Aboriginal Protection Board then took advantage of the shortage of domestic servants to secure employment for Aboriginal girls in controlled, low-paid positions. Similar responses occurred in the other states and the Northern Territory.

Under protection policies adoption was rare. Protectionism was racially inspired. It aimed at maintaining racial purity by segregating Aboriginal people and controlling contact between Aboriginal and non-Aboriginal people. Neither of these aims could be achieved by allowing the adoption of Aboriginal children. Institutionalisation gave authorities greater control of the children's lives and it was during this period that institutionalisation was also used to 'rescue' destitute, orphaned or abused white children. It was a cheap solution to the care of children that provided these children with some kind of training so they could become productive members of society. In this vein, and despite concerns about the growing number of so called half-

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caste children, authorities continued to place adolescent girls in domestic service where many were sexually abused, thereby perpetuating the 'half-caste' problem. By the late 1930s calls were being made to introduce more aggressive assimilation policies as a way of solving this problem. However because of World War II these policies were not brought into force until the 1950s.

Historian, Tim Rowse, claimed that the cumulative effect of 'assimilation' studies has undermined any certainty about what its proponents meant by the term (Rowse 2005, p. 237). For Rowse the best authority on the aims of assimilation was Paul Hasluck who, as the Menzies government's Minister for Territories from 1951 to 1963, was a driving force behind the nation-wide introduction of 'guided assimilation'. Hasluck's policies were nobly inspired but socially destructive. On the one hand, Hasluck wanted to extend equal rights to Aboriginal people through the repeal of discriminatory legislation—the extension of voting rights and the right to access the same social benefits as other Australians. On the other hand, he saw Aboriginality as an impediment to attaining these rights. Hasluck claimed that the survival of the Aboriginal people rested on their willingness to emulate the values and life-style of 'ordinary Australians'. Under the Menzies government this meant values that were consistent with those of the middle-classes, and were based on home ownership, defined gender roles, stable employment, self-reliance and respectability. Initially many Aboriginal people welcomed Hasluck's stated goals but under funding, lack of resources in Indigenous communities and demands that Aboriginal people abandon their communal way of life soon undermined their support. Moreover, their children continued to bare the brunt of the new welfare policies.

The introduction of assimilation did not stop the removal of Aboriginal children—on the contrary, submissions presented to HREOC (1997) inquiry into the removal of indigenous children pointed to an increase in the number of child removals. From the mid-1940s the states began to apply general child welfare

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laws to Aboriginal children while continuing to act in their usual fashion. The change in policy simply gave welfare officers more excuses to remove children. According to the *Bringing Them Home* report, the implementation of assimilation policies '... was a highly intensive process necessitating constant surveillance of people's lives, judged according to non-Indigenous standards' (HREOC 1997, p. 7). Whereas under protection policies, mainly older 'half-caste' children were taken on the orders of Aboriginal Protection Officers, under assimilation policies any children could be removed if religious ministers, welfare officers, teachers, doctors or the local police thought their welfare was endangered. This meant that all Aboriginal children were threatened with removal if their families in some way breached the expectation that they should behave like white families.

During the 1950s and 1960s, authorities removed children for alleged neglect, juvenile delinquency or because their mothers were deemed unfit. Depending on their age, the children were institutionalised, fostered, adopted, or subjected to a series of multiple placements that sometimes culminated with them being sent to a reformatory. The children most likely to be adopted were 'light skinned' infants who authorities determined would be better off if they were raised in the white community. However, attempts to introduce across-the-board adoption schemes were not possible after the states' welfare departments took control of Aboriginal child welfare during the 1950s. Under the states' welfare regulations no child could be adopted without the mother's consent. When confronted with this restriction, authorities resorted to the same tactics they used when pressuring single white mothers to relinquish their children. Some children were adopted without the mother's consent after nursing or welfare staff had forged their signature. Some women were told their babies were stillborn and some women signed papers without realising they were authorising the adoption of their child (HREOC 1997, p. 3; Haebich 2000, pp. 549–51). Another grey area concerning the legality of adoptions occurred in NSW where the Child Welfare Department

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delegated responsibility for obtaining the mother's consent to the Aboriginal Protection Board, which in turn entrusted the task to mission station managers. According to testimonies taken by Link Up (NSW 1997), this resulted in parents not being advised about their rights or even that their child was being considered for adoption (Link Up 1997, pp. 120–4). A similar situation occurred in Western Australia where the Department of Native Welfare retained the right to remove children through its powers of guardianship until 1963.

Other children who could fall into the adoption net were children removed from remote areas in Northern Australia—where medical and educational facilities were lacking—and sent south to receive treatment for physical or mental illnesses, or to attend boarding schools. Prevailing attitudes towards gender roles ensured that boys were more likely to be sent south to boarding schools. These schools educated the boys about their future roles as husbands and fathers who had to work to provide for their families. Because of perceived problems in their home environment some of these children never returned. Also, the notion that children would benefit from contact with white families led religious and philanthropic organisations to establish schemes, where school-aged children from remote communities and country towns were sent to live with white families over the summer holidays. The bonds that developed between the families and their boarders led to requests to adopt. The Queensland Government encouraged this desire by establishing long stay placements in Victoria with the option of going on to apply for adoption. The scheme was stymied by the problem of arranging interstate adoptions. However, Queensland records indicate that white families in Victoria may have informally adopted a number of these children.

Despite these irregularities, many Aboriginal children were legally adopted. Young mothers, especially those who had been raised in institutions, agreed to relinquish their children. Some thought that this was the best thing they could do for their child. Single women, who had been cut off from their family networks

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and were unable or unwilling to return to an institution, had little option but to put their children up for adoption in much the same way as single, poverty stricken, white mothers did. As occurred with single white mothers, welfare officers or nursing staff routinely pressured Aboriginal mothers to sign adoptions papers (Croker and Gair 2007). Care-workers were convinced that Aboriginal women could not cope with raising a child and that adoption into a white family was in the best interests of the child. In some instances the child's Aboriginality was not mentioned out of concern that they would not be approved for adoption or that adoptive parents would reject them. According to Link Up it was actions like this that highlighted a general acceptance of the idea that '... any child which could be 'passed' as White, should be passed as White' (Link Up and Wilson 1997, p. 125). It was taken for granted that 'passing' as white would provide children with better chances in life despite the fact that these children were robbed of their Aboriginal heritage.

Assimilation via adoption

When explaining the shift from a preference for institutionalising Aboriginal children to one that favoured fostering and adoption, Peter Read initially claimed the reasons were economic (Read 1981, p. 20). Children were being sent to institutions in larger numbers, overcrowding had become a problem and the cheapest solution was to place children in foster homes or put them up for adoption. While this was a factor, overcrowding had occurred before and authorities had responded by moving the children to other institutions or onto mission stations. Moreover, by 1955 the number of children placed in foster care or adopted out was double the number of institutionalised children in some states, an increase that indicated widespread acceptance of new placement practices. Read later amended his assessment of the reasons for the shift to include new psychological theories about the importance of the mother-child bond (Read 1999, p. 37). This however, raises the question of why new psychological theories gained popularity as a solution to the 'Aboriginal problem'.

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The answer lies in the campaigns Hasluck ran to promote the notion that the prosperity of Aboriginal Australians rested on their ability and willingness to assimilate to white social ideals. Aboriginal Australians should be afforded the opportunity to live in houses, hold down a job and access social services with the eventual aim of achieving full citizenship rights. Hasluck's success in inducing the states to place Aboriginal child services under the auspices of their welfare departments meant that Aboriginal children were subjected to the latest trends in child welfare policies. This proved to be a two-edged sword because during the 1950s child welfare policies were also intent on assimilating deviant white families to socially accepted norms.

In the 1950s child welfare policies were based on a philosophy that emphasised the mother-child bond, criticised the emotional deprivations suffered by children in institutional care, and eulogised the middle-class nuclear family as the ideal way of raising healthy and mentally well-balanced children. The privileging of the nuclear family over other forms of family life increased the likelihood of children being removed from families that deviated from the norm. This included single parent families, poverty-stricken families and indigenous extended families. Welfare workers labelled children living in these situations endangered, and subjected their families to intense scrutiny. If the children's homes were dirty or overcrowded, if the father failed to provide a regular income, if the mother appeared slovenly, ill or considered unfit, or if the father was dead, missing or absent for extended periods of time, welfare workers considered taking the children into care. While child psychologists advocated fostering by approved middle-class families as the best form of care, government officials favoured adoption as it permanently relieved the state of the burden of having to provide for the child. This attitude resulted in a large number of both white and Aboriginal children being adopted with scant regard for their mothers' wishes.

Hand-in-hand with the national acceptance of the importance of nuclear families, was a corresponding acceptance of adoption

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as a way of providing children for those incapable of having their own or who wished to have a larger family. During the 1950s and 1960s the popularity of adoption soared, with many childless couples seeking to adopt and raise children from infancy. However, the number of couples seeking children outstripped the pool of available adoptees. Authorities filled the void by offering 'light skinned' Aboriginal children. To overcome resistance to the idea of raising an Aboriginal child, authorities either used the secrecy of adoption laws to hide the child's origins or relied on propaganda. From the mid-1950s most states ran newspaper campaigns designed to persuade respectable white families to accept Aboriginal children as their own. The articles contrasted the destitution of Aboriginal communities with the benefits children gained from being raised by a white family. For example, an Adelaide paper ran a story stating that an Aboriginal child adopted into a white home '... becomes a member of the family and automatically a member of the white community' (*The Advertiser* 1975).

Some of the people who responded to these stories may have been inspired by religious or philanthropic sentiments. They wanted to rescue a child. Other couples just wanted a family and with some justification expected the criteria for adoption to be lower for Aboriginal children. For example, in South Australia in the 1950s couples who adopted Aboriginal children were from a lower than average income bracket and in Western Australia authorities were willing to consider any application to adopt an Aboriginal child (Haebich 2000, p. 554). As the demand for suitable adoptive children peaked in the 1960s, authorities increasingly imposed mainstream selection criteria on prospective parents. Needless-to-say the criteria—a stable marriage, home ownership, a steady income and good health—made it virtually impossible for Aboriginal people to be judged as suitable parents for adoptees. Even after Aboriginal Australians gained full citizenship rights in the

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1960s, authorities continued to remove their children and put them up for adoption by white families.

The adoption of Aboriginal children by white families became the ultimate form of assimilation. It removed the children from the influence of their communities and placed them in homes that would raise them like white children. Adopted children lost all contact with their families and their Aboriginal culture as shown by the recollections of Julie Wilson who was adopted by a Sydney family in 1958. Julie Wilson had the same upbringing as other white middle-class girls, and she recalled that even though she could see differences in the mirror, her adoptive parents never mentioned her colour. She told her school friends she was from New Caledonia because she liked Gauguin's paintings and thought coming from such an exotic background was socially acceptable. It never occurred to her that she might be an Aboriginal person because '... there were no Aborigines on the North Shore of Sydney' (Wilson 2001).

Despite the rosy picture painted by authorities wishing to encourage white families to adopt Aboriginal children, problems did occur. Older adoptees were routinely placed in an institution before being sent to a foster home or put up for adoption. Some children had suffered multiple placements before a family offered to adopt them, and some had been separated from siblings. These children had problems of dissociation caused by their initial removal and consequent multiple placements, and by grief for their lost families (Mellor and Haebich 2002, pp. 30–9). With children adopted at birth or during infancy, problems resulted from dealing with the inherent racism found in white communities if the children's skin colour was darker than normal. These children were teased at school and some recalled scrubbing themselves raw in an effort to lighten their skin. As can be seen from many testimonies made to the HREOC (1997) inquiry, many took Julie Wilson's route and invented an acceptable heritage by saying they were Greek or Indian.

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The problems these children encountered continued into adulthood with major difficulties arising from loss of identity. This was captured in an interview conducted by Link Up with an Aboriginal woman who was adopted by a white family that did not inform her about her Aboriginality. While the adoption was successful, when she learned of her identity she felt anger at her cultural isolation. She felt the adoptive process caused pain to everyone involved, but for Aboriginal children:

It also robs you of the company and support of any other Aboriginal people—kids or adults that could help counteract all the different insidious forms of racism against what I am, that is Aboriginal (Link Up and Wilson 1997, p. 126).

This was a common complaint made by both adoptees and fostered children who felt isolated in white communities. They felt that they would have been able to cope better with racial slurs if they had had the support of family and other members of an Aboriginal community.

From views expressed in oral histories and Indigenous autobiographies, adoption was more socially destructive than institutionalisation. While institutionalised children were separated from their parents, many were able to form support networks and maintain elements of their culture. According to Ruth Hegerty, who was raised in a mission dormitory in the 1930s:

Our lives were governed by the same policies and what happened to one, happened to all of us. No one was treated as special or given privileges. We were treated identically, dressed identically, our hair cut identically. Our clothes and bald head were a giveaway. We were dormitory girls. (Hegerty 1999, p. 4)

Adopted children were denied the comfort of a shared identity. Fostered children, while in a similar position, still knew of their

'my brown skin baby they take him away'

Aboriginality and could link back to their communities as adults. Adopted children could not. Adoption acted as a total break between children and their Aboriginal heritage and, given the secrecy surrounding adoption before the 1980s, has caused the permanent loss of family members for many Indigenous people.

Demonising adoption

During the 1960s Aboriginal Australians successfully won the right to vote, the right to be counted as citizens and the right to be paid equal wages. Their voices—joined with those of the women's movement and the human rights movement—called for equal rights under Australian laws. The 'Freedom Rides' led by Indigenous activist Charles Perkins, commencing in 1965, called for an end to racial discrimination and equal access to public facilities. In 1972 the newly elected Whitlam government began the process of dismantling the White Australia Policy and Aboriginal assimilation policies. It established the Commonwealth Department of Aboriginal Affairs with a brief to consult Aboriginal Australians in all matters—to collect information on social indicators and to devise policies that promoted self-determination. Aboriginal Australians were guaranteed equal access to government services including sole parent benefits. However, state authorities continued to remove children because of the 'third-world' living conditions in Aboriginal communities.

As more information on the past treatment and contemporary living conditions of Aboriginal Australians came to light people began to question this practice. Welfare workers questioned the removal and fostering or adoption of Aboriginal children and the media published sensational stories that played up the emotional tug-of-war between adopting families and the child's biological parents. These stories plus Randall's song produced heated public debate about the rights and wrongs of forced child removals, but little was achieved. Of more effect were changing attitudes toward adoption and the growing conviction among welfare workers that adoption was not simply about finding suitable parents for

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'neglected' babies. Adoption should promote the welfare and interests of the child, a doctrine that was enacted in the series of new adoption laws—which conformed to a model developed by the Commonwealth called the Model Uniform Act—passed by state and territory governments during the 1960s. The Model Uniform Act stated that, depending on their age, children had a right to be consulted about their own adoption.

Further advances were made following the First Australian Conference on Adoption. Held in February 1976 this conference aimed to reassess the practice of adoption in light of social changes (Picton 1976). The three most important of these advances were: first, the impact of the feminist revolution, which had destigmatised illegitimacy and improved the status of single mothers. Second, medical advances which had led to a decrease in the number of unwanted babies and third, the extension of human rights to non-European peoples and the growing realisation that children also had rights.

The first two points affected the number of children put up for adoption, which in turn led to a growing acceptance of cross-cultural adoptions. The last point called into question the adoption process and impinged on this trend. Under previous practices social workers focused on placing babies in suitable homes. No thought was given to the relinquishing mother. Adoptive parents received no information about their child and no support after placement. Finally, the secrecy laws prevented children from seeking information about their biological ancestors. The papers given at this conference canvassed all of these issues and made recommendations regarding how to improve adoption practices so that they took into account the rights of all parties involved in the adoption of a child.

The conference was characterised by open and frank discussion of all aspects of adoption from a variety of viewpoints, and was one of the first instances where Aboriginal people were asked for their views. Aboriginal leaders ran a series of pre-conference workshops in all states and the Northern Territory and these

‘my brown skin baby they take him away’

provided an opportunity for as many Aboriginal people as possible to express their opinions. Common concerns that emerged from these workshops included the imposition of white standards when selecting suitable parents, disregard for Aboriginal family traditions such as their informal adoption practices, the wish for more control over the placement of Aboriginal children and the need to maintain the child’s Aboriginal identity (Sommerlad 1976, pp. 162–5). At the conference, delegates recommend that:

... the only way in which an Aboriginal child who is removed from the care of his parents can develop a strong identity and learn to cope with racism is through placement in an environment which reinforces the social and cultural values characteristic of Aboriginal society. We believe that white families are unable to provide such a supportive environment. *We therefore call for an end to the placement of Aboriginal children with white families by white adoption officers.* [original emphasis] (Picton 1976, p. 170)

This was not the first time Aboriginal people has expressed these views but it was the first time welfare workers were prepared to listen.

Rosemary Calder, a speaker at the conference later claimed it occurred at a pivotal point in the history of adoption (Calder 2000). Changes were being made to welfare systems, there was an increasing awareness of the rights and needs of the child, and intercountry adoption (ICA) was emerging as an issue. As a result of the conference there was a push for adoption laws to enact the recommendation that Aboriginal parents adopt Aboriginal children. This concern was taken up at the second adoption conference held in 1978 when the guest speaker, John Triseliotis, talked about the rights of children to know their origins. At that time authorities blocked all access to information about the children’s origins on the grounds that they needed to be part of their new family. John Triseliotis argued, ‘... it was essential that adults have access to their origins’ (Mellor and Haebich 2002). A result of the second conference was the growing belief that

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cross-racial adoptions did not work. From the 1980s civil and children's rights activists around the Western world questioned the ethics of cross-racial adoption, extending their arguments to include ICAs. Human rights advocates argued that children had the right to know their ethnic origins, with those holding more extreme views stating that parents could not successfully raise a child from another ethnic group.

During the 1980s, the conviction that the adoption of Aboriginal children into white families was wrong grew. State governments began to alter their adoption laws to bring them into line with Indigenous adoptions practices by placing children with members of their extended family. Past adoption practices were vilified and welfare workers were persuaded that 90% of cross-racial adoption failed. Little evidence was offered to support this figure but it has since become orthodoxy to quote it when discussing the legacy of the 'stolen generations'. Oral histories have played a role in shaping these discussions. Both interviewees from the 'Bringing them Home Oral History Project' and late discovery adoptees have talked about their confusion on discovering their Indigenous heritage. In these interviews, emphasis was placed on the shock of discovery, the reactions of adoptive families, feelings of not belonging and the search for birth parents—all of which created the impression that the adoption had failed. Overlooked have been comments to the effect that many had a happy childhood and still felt affection for their adoptive parents (Shearer 2004). The sentiments of these neglected comments have been supported by recent studies. In a paper given at the 7th Australian Conference on Adoption, Trudy Rosenwald, using longitudinal studies of adoption success rates, found little difference between the adoption of Indigenous children by white parents and by indigenous parents (Rosenwald 2000). She also noted that despite the small number of children who had been adopted, adoption remained the focus of the backlash against forced removals. This backlash continues to shape Indigenous child placement principles.

'my brown skin baby they take him away'

Conclusion

Adoption played only a small role in the history of the stolen generations. National welfare considerations have had more impact on Indigenous child removal practices than concerns about the best interests of the child. Before World War II, children were placed in institutions where they could be trained to be productive members of Australian society. After World War II, views that equated national prosperity with the well-being of the nuclear family gained prominence. Consequently, the placement of removed children gradually shifted from institutionalisation to fostering and adoption. Although less than 17% of the children were adopted, adoption now exemplifies the worst excesses of the forced separation of Aboriginal children from their families. It was shrouded in secrecy. It permanently removed children from their communities. It aimed at replacing Aboriginal values and traditions with white values. Many children never returned and some, to this very day, may not be aware of their Aboriginal identity. Because Aboriginal people fear a return of policies intent on forcing their culture to conform to mainstream white society, they have continued to demonise the adoption of Indigenous children by white parents. Given the long history and ultimate aim of forced child removals in this country their stance is understandable.

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4

Contemporary
perspectives
on intercountry
adoption



ten thousand journeys: a
brief demographic survey of
intercountry adoption in Australia

Trudy Rosenwald

Introduction

According to extensive archival research of government and non-government sources reported in this chapter, the 10,000th intercountry adoptee arrived in Australia in 2008. This chapter briefly surveys over 30 years of demographic history of intercountry adoption (ICA) to Australia. The history explains when the adoptees arrived, from which countries and continents they came and in which parts of Australia they were placed. The chapter includes some graphic figures and tables to illustrate trends in the origin and number of arrivals and differences between the states and territories, updating an earlier article which provided the first complete overview of ICAs to Australia up to July 2006

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(Rosenwald 2007). In closing, the estimated number of ICAs to Australia is positioned in relation to domestic adoptions within Australia during the same period. The following brief overview of the sources of Australian adoption data is offered to provide some insight into the potential for variations in the statistics.

Sources of data on ICAs to Australia

Early ICA statistics are buried within Australian governments' archives, such as those at the Australian Bureau of Statistics, the Australian Immigration Department, and records and annual reports in state and territory child welfare departments and libraries. A particularly informative source of historical demographic data on the early ICA arrivals in Australia is the 1986 report by the Joint Committee on ICA (1986). Past and present members and newsletters of Australia's non-government organisations with longstanding involvement in ICA have proven to be valuable sources of data on ICA arrivals and countries of origin. They have also assisted in furthering clarification of government data. Since 1990–91, the Australian Institute of Health and Welfare (AIHW), an Australian Federal Government statistics and research agency, has published increasingly comprehensive annual local and ICA statistics in its Adoptions Australia series (www.aihw.gov.au). Although the AIHW statistics go back to 1969–70, some crucial data for the years 1985 to 1987 remain missing (AIHW 2008). Through extensive archival research the author was able to collect most of the missing data and compile a more comprehensive overview of the estimated number of ICAs to Australia (Rosenwald 2007).

From the late 1960s to the end of June 2008 an estimated 10,221 intercountry adoptees were placed with families across Australia. Although the number is based on sound and extensive research, it remains an estimate only for reasons mostly related to the fact that prior to the annual AIHW reports the national collection of adoption data was inconsistent. The collection of national ICA data commenced in 1974, but state and territory

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departmental figures were usually at odds with the number of arrivals recorded by the Department of Immigration (Joint Committee on Intercountry Adoption 1986). The inconsistent reporting of separate figures for ICA arrivals by countries of origin in annual reports added to the challenge to provide an accurate indication of trends in countries and continents of origin. Further confounding factors were changes in the data collection period from calendar to financial years, lack of distinction between relative and non-relative adoptions, and lack of clarity about whether the figures represented arrivals or actual adoption orders issued in Australia. As the latter took months and sometimes years after the adoptee's arrival, mixing the two data sets have confounded annual statistics reported in government reports. When perusing the following sections on the demographic history of ICA in Australia the reader needs to remain mindful of these factors.

A brief history of ICA to Australia

According to government and non-government sources, ICAs to Australia to date have occurred in three distinct waves which resulted from socio-cultural and political push and pull factors inside and outside Australia (see Figure 1).

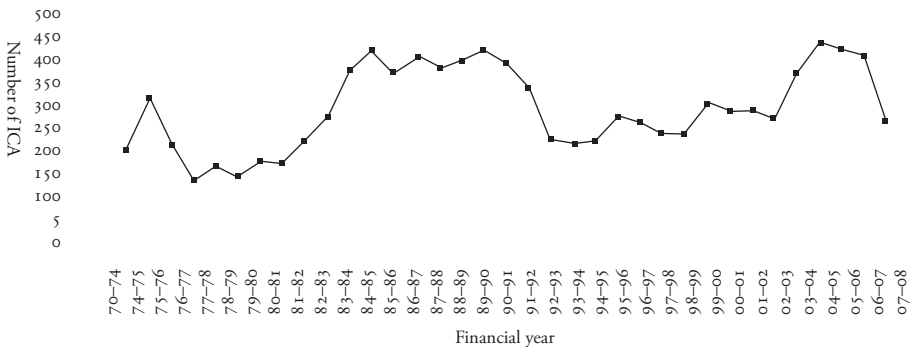


Figure 1: 10,000 intercountry adoptions to Australia 1970–2008

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The first wave, which took place in the early 1970s, was triggered by a high rate of orphaning during the Vietnam War. This outside push factor joined forces with the battle inside Australia to dismantle its White Australian Policy and remove remaining barriers to non-Caucasian immigrants (Jayasuriya, Walker and Gothard 2003). The adoptions started tentatively and informally with the arrival in the late 1960s and early 1970s of Vietnamese and Cambodian children who were adopted overseas and brought into Australia by their adoptive parents (Joint Committee on Intercountry Adoption 1986). Most of these initial adoptions were not ICAs as such, but rather domestic adoptions in the overseas countries, also referred to as domicile adoptions. The adopted children entered Australia as dependent children, irrespective of the length of time the adoptive parents had been overseas or how long ago the adoption had taken place. This initial group was followed by the 292 children airlifted from Vietnam at the end of the war in April 1975 (Harvey 1983).

To obtain a realistic estimate of how many domicile adoptions had taken place in Vietnam seems virtually impossible as the relevant data is embedded in the Australian immigration records of the time. However, indications are that the number was possibly as high as the number of airlifted children, if not higher. In a report on immigration during the twentieth century, the Department of Immigration and Multicultural Affairs (2001) stated that Australian families adopted 537 Vietnamese babies and orphans between 1972 and 1975. The number indicates that during that period alone at least 245 Vietnamese children had been adopted before the 1975 airlifts. Few of these domicile adoptions were included in state and territory adoption statistics because provisions to validate them were generally lacking in adoption laws around Australia.

The second ICA wave took off towards the end of the 1970s when the demise of the White Australian Policy helped change attitudes towards non-Caucasian immigrants in state and territory governments. These internal changes opened the door to the establishment of formal ICA programs with Asian countries such

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as Bangladesh, Sri Lanka, Thailand, Hong Kong, The Philippines, South Korea, India, Taiwan, Fiji and Indonesia. Programs were also set up with the South American countries of Brazil, Chile, Columbia, Bolivia and Peru, the African country of Mauritius and Poland and Romania in Europe. All these programs, except Bangladesh, Indonesia and Romania are still operating today—although in some programs arrivals are few and far between. In the 1980s some children also arrived from Mexico and Haiti. Although these programs were not formally recognised by Australia, and the adoptions were excluded from the national statistics (Joint Committee on Intercountry Adoption 1986), they are included in the data presented in this chapter.

Throughout the duration of the second wave, the Korean program was by far the largest and any dips and rises in the total number of arrivals were generally caused by ups and downs in this program. The second wave of ICAs peaked at 420 at the end of the 1980s, just before the 1988 temporary halt to the Korean program imposed by the Korean government because of rising anti-ICA sentiments in Korea (AIHW 1998). The suspension of the program led to a rapid decline in ICA arrivals in Australia, reaching a low of 222 in the mid-1990s. Some other ICA programs had come on stream in the meantime. These included Ethiopia—with its first ICA placement arriving in the early 1990s—and the Central American country of Guatemala, one of the largest ICA programs in the world despite its small population (Selman 2006). The latter program has since closed because of concerns about the adoption process within Guatemala.

Australia's ratification and implementation of the 1993 Hague Convention on Protection of Children and Co-operation in Respect of ICA (Hague Conference on Private International Law 1993) in the late 1990s was expected to lead to rapid expansion in the number of ICA programs and increase ICA arrivals. The expected increases did not eventuate. Instead, the opening in 1999 of the program with China—at that time a non-Hague Convention country—triggered the third ICA wave to Australia and led to a

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record peak of 434 ICAs in 2004–05. Increased restrictions imposed recently by China has seen arrivals reduced by more than half from a high of 140 in 2004–05 to 63 in 2007–08. This decline have in turn led to a nearly 40% reduction in the total number of ICA arrivals to Australia since its peak three years earlier.

Sending countries and receiving states and territories

ICA adoptees have come to Australia from more than 70 different countries from all continents. Most have come from countries in Asia—8,222 in total—representing over 80% of all ICA arrivals in Australia. They are followed by 753 adoptees in America, 570 in Africa, 197 in Europe, and 157 in Oceania. The country of origin of 312 adoptees remains unknown.

Despite the large number of countries of origin, 86% of the adoptees originate from ten sending countries. Listed in rank order from the highest number of arrivals by July 2008 to the lowest, these countries are: Korea—3,434, Sri Lanka—919, India—832, Philippines—669, China—665, Thailand—662, Vietnam—540, Ethiopia—514, Columbia—350 and Chile—182. Since 2006 the Philippines has moved up from fifth to fourth place and China from seventh to fifth place. Thailand moved down from fourth to sixth place and Vietnam from sixth to seventh place. Table 2 further on in the chapter provides a more detailed overview of which state or territory in Australia the adoptees were initially placed and may still be living today.

Over the years, the operation of ICA programs has not been uniform across all states and territories in Australia. This is largely due to different attitudes towards, and practices in ICA. These differences are reflected in the varying state and territory numbers of ICAs. Up to 1 July 2008, the largest number of intercountry adoptees—3,315—had been placed in New South Wales. These adoptees represent one third of all intercountry adoptees who have journeyed to Australia since ICA started, a proportion that is on par with New South Wales' proportion of the Australian population. South Australia, on the other hand, still shows the highest ICA rate

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per head of population in Australia, as this state received 19% of all ICA arrivals to Australia but only has 7% of Australia's population.

Continents and countries of origin of the adoptees also vary across the different states and territories. The differences appear to be largely related to certain ICA programs being more promoted and facilitated in some states and territories than in others. For example, New South Wales has thus far received the largest group of arrivals from the Americas and Victoria the largest groups from Europe and Oceania. The highest number of African adoptees has been placed with families in Queensland. Table 1 gives a detailed overview of the continents of origin of ICA arrivals across the Australian states and territories. It also reports the total number of intercountry adoptees estimated to have arrived in each state and territory by the end of June 2008.

Table 1: ICAs to Australia by continent of origin from 1970 to 1 July 2008

Continent	Total	NSW	VIC	QLD	WA	SA	TAS	ACT	NT
Asia	8,222	2,554	1,569	683	774	1,628	327	345	153
America	763	560	114	27	7	14	4	19	9
Africa	570	92	108	125	52	95	65	27	7
Europe	197	54	77	9	18	14	1	14	2
Oceania	157	22	62	22	4	16	21	6	4
Unknown	312	33	35	43	0	138	43	4	10
Total	10,221*	3,315	1,965	909	855	1,905	506	414	185

* Includes 167 adoptions to unknown state/territory

Korea remains the most prolific sending country. It was the country of origin of the majority of intercountry adoptees in each state and territory. Almost a third of the Korean adoptees were placed with families in New South Wales. The second largest group was placed in South Australia. A simple summary of the arrivals to each state and territory from the ten major sending countries is provided in Table 2. Adoptees from Sri Lanka—the second highest

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ranking sending country—were also placed predominantly in New South Wales and South Australia. Western Australia, on the other hand, appears to have received only 21 adoptees from Sri Lanka, the smallest group of Sri Lankan adoptees across Australia. Most of the Indian adoptees went to Victoria, followed by New South Wales. There is a proportionally large presence of Thai adoptees in South Australia. This can probably be largely attributed to the close working relationship that had developed between the now defunct non-government adoption agency and the Thai adoption authorities. A similar positive relationship between a non-government ICA support organisation and the overseas adoption authorities may well be the best explanation for the proportionally high rate of Philippine adoptions to Victoria, Ethiopian adoptions to Queensland and Tasmania, and Columbian and Chilean adoptions to New South Wales.

Table 2: Ten main sending countries of ICAs to Australian from 1970 to 1 July 2008 in rank order by states and territories

Country	Total	NSW	VIC	QLD	WA	SA	TAS	ACT	NT
Korea	3 434	1 300	480	338	444	506	151	163	62
Sri Lanka	919	373	144	35	21	245	39	40	22
India	832	207	277	49	75	125	39	31	29
Philippines	669	159	167	89	41	134	35	34	10
China	665	196	167	43	77	91	34	38	18
Thailand	662	102	127	72	27	263	44	22	5
Vietnam	540	111	126	7	15	138	13	3	1
Ethiopia	514	84	96	123	31	86	61	26	7
Columbia	350	322	1	11	0	0	0	10	3
Chile	182	134	22	6	2	9	1	4	0
Total	8 767*	2 988	1 607	763	733	1 597	417	371	157

* Includes 134 adoptions to unknown state/territory

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Intercountry and domestic adoptions in Australia

From 1970 to 2008 over 100,000 adoptions have reportedly taken place in Australia. This figure includes all types of adoptions, such as domestic and intercountry, relative and non-relative, step-parent and foster carer. Since 1972, the total number of adoptions has declined 96% from nearly 10 000 to 440 in 2008—the lowest number reported over the last four decades (AIHW 2009). The main decline has been in the number of domestic adoptions. ICAs started to outnumber domestic adoptions in 1999 and continue to do so today, despite a 33% decline in ICAs from July 2007 to July 2008. At present, about 10% of the total number of adoptions in Australia undertaken in the last 40 years have been ICAs. ICA will increase its share in the coming years if domestic adoptions in Australia decline even further.

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more than a Korean adoptee:
making sense of identity and
adoption in South Korea and
adoptive countries

Jessica Walton

Introduction

What does it mean to be an intercountry adoptee raised in a family, usually with white adoptive parents, in a country which may see itself as a multicultural country but nevertheless views people who are not white as outsiders? Korean adoptees and other intercountry adoptees, often experience a sense of being 'out-of-place' or not quite belonging in their adoptive country or their birth country. While Korean adoptees are often assumed by other people to be from 'somewhere else', usually an 'Asian' country, they often identify more with the white 'Western' culture in which

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they were raised rather than the country where they were born, mainly because it is what they know.

Recently, adoption studies in the social sciences have emerged that look at the ways adoptees think of their identities by considering the social and cultural context as well as specific historical and political factors. Based on in-depth interviews and field research conducted in Seoul in South Korea, this chapter contributes to this transition in adoption studies by focusing on the lived experiences of adult Korean adoptees as they negotiate issues of belonging, difference and identity.

In 2007, I went to Seoul to conduct fieldwork as part of my doctoral research at the University of Newcastle. I stayed at KoRoot, a guesthouse that provides affordable accommodation, resources and a support network for Korean adoptees. KoRoot is only open to Korean adoptees and their guests so as a Korean adoptee from the United States, I was able to live there while doing my research. Over the three months that I was there, I met and became friends with Korean adoptees from many different countries as they passed through during their travels. Of the Korean adoptees that I interviewed, most were adopted to Australia and the United States with a few from Sweden, Switzerland and Canada. In this chapter, pseudonyms are used for those that decided not to identify themselves using their actual names.

The Korean adoptees I spoke to were mainly raised by white parents in areas where the population was predominantly white. This chapter analyses how Korean adoptees think of 'difference' or 'otherness' given their experiences in their adoptive countries and South Korea. It also considers the creative ways Korean adoptees engage with what it might mean to be (more than) a Korean adoptee, in terms of their identity and sense of belonging.

'Where are you (really) from?'

A common question that Korean adoptees often face is 'where are you from?' While usually asked out of curiosity, this question

more than a Korean adoptee

primarily draws on socially constructed racial differences, which target particular physical attributes. Oftentimes, subsequent questions may unknowingly lead to insensitive probing about their personal background. Sarah, a Korean adoptee from Australia, expressed:

People tend to assume that I come from China or Japan, and often that forces me to just go along with it and not bother to correct them, or to reveal that I'm Korean. That's when we get into dangerous territory! If the conversation keeps going, it usually means I will have to also reveal that I'm adopted. I resent doing that because it's a very personal issue and no one else's business.

These sentiments were also articulated by Brea, a Korean adoptee from the United States, 'I get asked the question all the time. And usually I am not sure what to answer ... Sometimes I don't want to answer the questions because I know more questions come and I hate answering them'.

This kind of everyday encounter is a reminder that Korean adoptees are seen as not belonging despite the fact they lived in their adoptive countries for the majority of their lives. It assumes that no matter where people are, their belonging will always be determined by the place where they were born. Thus, cultural identity is simplified and condensed to perceived racial differences that denote 'otherness'. For example, a stranger at a tram stop commented on Mia's Korean eyes and remarked, 'wow, you have beautiful eyes. What's your orientation?' After recounting this incident in an interview, Mia stated, 'I feel that it emphasises the fact that we *look different*. Isn't Australia supposed to be a multicultural country? I don't go around asking Caucasians what their orientation is.'

Other migrant groups and their descendents experience similar encounters when they are considered to be part of a 'minority' group based on physical differences. However, it is

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different for adoptees because they are alienated from their birth country as well as their birth family. For example, they do not necessarily grow up with the kind of immediate knowledge that first generation Korean children may learn from Korean family members, which would confirm some kind of familiar connection to Korea. Because of their lack of knowledge, Korean adoptees may not feel accepted by other groups of people with Korean heritage. Kelly recalled:

I have tried going to a Korean church to try to belong but they all spoke Korean and I do not speak Korean, only English. Sometimes I would try to go to Asian or Korean picnics but still felt like I was an outcast with the Koreans because I cannot speak Korean.

Similarly, when Brea joined the Korean Student Association at her university 'everyone assumed I would fit in but I felt very out of place because I knew nothing'.

Therefore, a question that addresses Korean adoptees' origins also assumes that they have some knowledge or experience that would indicate a basic understanding of the culture, language and social conventions where they are supposedly 'from'. As Ien Ang points out, 'so long as the question *where you're from* prevails over *where you're at* in dominant culture, the compulsion to explain, the inevitable positioning of yourself as deviant *vis-à-vis* the normal, remains' (2001, p. 30). So whether or not Korean adoptees in Australia feel they are from Australia—where they are 'really from'—will continue to be highlighted in terms of prevailing ideas about belonging and identity.

Understanding identity

Rather than immediately assuming that identity is represented and determined solely by someone's racial differences, it is important to look at the complex ways that identities are dynamic as well as situated in everyday lived experiences (Lien and Melhuus 2007).

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This approach helps us to look at Korean adoptees' identities 'not [as] essentialised wholes', and instead views identity as a creative process that is worked through overtime (Kondo 1990, p. 46).

That said, there is a tendency to glorify people considered to have hybrid or multiple identities in a celebratory manner (Lo 2000). An example in adoption discourse is the term, 'rainbow family'. Rainbow families refer to families consisting of adoptive parents and children with various ethnicities. The family is imagined as a rainbow of many different colours united as one. This perspective celebrates diversity but also tends to overlook difference by drawing on the popular adage that love in a family is 'colour-blind'. This celebration of difference for the sake of diversity overlooks tensions within difference that adoptees often experience. As Hübinette (2007) points out, feeling 'different' and coming to terms with it is not always such an easy process and can be quite painful, traumatic and problematic.

It is not surprising that Korean adoptees often experience 'difference' around the time they attend school. During this time, they learn that they are 'different' because their Korean physical features set them apart from their peers. This difference is then frequently experienced in negative ways, which include derogatory racial slurs, taunting, gestures such as pulling at the corners of the eyes to make them slant, and other forms of psychological and physical bullying. In order to try to fit in, Korean adoptees learn at an early age that belonging is associated with whiteness and therefore they often feel that in order to belong, they have to become white. Todd grew up in country New South Wales and recounted, 'when I was younger, I was always bullied by other people because I was Asian ... I really wished that I was a Caucasian person so that I would fit in with everyone. I felt like I didn't belong'. Moreover, it meant not emphasising a Korean identity. As Hee Su asserts, 'I really tried to not be Korean. You know I really tried so hard to dress white, to act white, to be white ... and to emulate everything that is to be white middle class Canadian'.

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In this context, Korean adoptees internalise what whiteness represents, that to be white means to be normal, to belong, thus carrying with it a sense of 'invisibility' (Dyer 1997). Therefore, having a Korean identity is considered undesirable because it reinforces difference, already evident by their physical difference. Kelly who was adopted to the Midwest in the United States commented, 'I wanted to be white so bad growing up. I did not like being Korean'. Todd reiterated the perception that whiteness is associated with normality, 'when I was about eight years old, that's when people started to tease me about my appearance, and that's when I really hated my appearance. I think I wished everyday that I was a white person, a normal person'. In the process of trying to reconcile a white identity with their surroundings, Korean adoptees become 'strangers to their own bodies' (Hübinette 2007, p. 150).

Being in Korea

Conversely, when Korean adoptees go to South Korea, their Korean bodies are no longer what make them appear different but what allow them to feel a sense of anonymity and sometimes, a sense of belonging. In Korea, adoptees like Steph, often say they feel they belong in a way that they do not feel they belong in their adoptive countries. 'In Australia, I often feel like I don't belong, especially when I'm in a room full of Caucasian people. But in Korea, I just blended in with everyone else. It was a nice feeling'. However, for adoptees with multiracial backgrounds, the possibility of blending in seamlessly with the rest of the population is not as easy and can be a source of deep anxiety. Marah, a Black Korean adoptee who grew up in the United States said, 'In my experience many Korean people won't even acknowledge that I am in fact Korean because I am black'. Clearly, who counts as Korean is based on certain discriminating criteria that only include particular physical characteristics. So even though most adoptees do feel like they belong based on shared physical appearances, many other adoptees are also excluded.

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Initially, adoptees may go to Korea in the hope of finding a sense of belonging that is consistent with their bodies. However, once in Korea, it can become quickly apparent that they do not necessarily fully belong there either. As Matt explained, 'I am not Korean enough to be considered to be Korean because I am not completely fluent and I stick out like a sore thumb when I am in Korea'. Consequently, complete belonging in Korea or in their adoptive countries is often realised as something that cannot be fulfilled. Barbara Yngvesson proposes that '[the] birth country is ... a powerful site where the potential and the impossibility of full belonging may be experienced' (2005, p. 37). Indeed, for many, there is a power in this ability to return and to exist in a country that continues to send its children away for intercountry adoption (ICA). In contrast to their adoptions, when the decision was not theirs, these trips are often made through their own initiatives.

However, for Korean adoptees like Marie, belonging is not necessarily the main focus. Instead, it is about making that Korean identity a more understood part of the self.

If you think of your life as a puzzle or you have this piece missing then, say all the pieces are green for example. Then this piece you know is empty because we don't know who our mothers are or our fathers or siblings or aunts and uncles but just being in Korea almost shades in maybe a really light green, you know like for every time you come back maybe it gets a little bit more green. You can never get completely green as all the other ones but it can fill a little bit of the void so I think *that's* the power, for me, knowing that it's pretty much impossible for me to find my parents but *being* here helps that.

Therefore, it is not so much that Korean adoptees have an 'imagined belonging' (Howell 2007, p. 33). Rather, while they may initially have an imagined sense of belonging associated with Korea before they go back, it does not necessarily have the

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same relevance once they are actually there. Frequently, cultural differences and language barriers are too difficult to overcome.

However, what is often overlooked in these discussions about belonging and what could actually be more telling, is the importance for Korean adoptees to experience Korea for themselves. It seems that rather than focusing on whether or not Korean adoptees can ever feel like they fully belong, a more compelling discussion can be had about the significance of *being* in Korea. This is especially relevant when considered in terms of their identities. As Matt expressed:

Even though I haven't fully figured out who I am, just going to Korea, just being there where it all started does something. I can't describe it that well, but there's something about just being there physically and seeing it. Seeing with your own eyes, where you came from, standing there with your own feet, smelling, hearing, tasting, touching. All of that does something in helping me discover a little more about myself.

Just being in Korea is a powerful statement and hugely significant because it is also the adoptees' choice to be there. When the focus is shifted, Korea becomes not so much a place to belong but a place to be in, to experience.

Being (more than) a Korean adoptee

For adoptees, being in Korea is not only about understanding their identities; it can also offer a chance to meet other adoptees that have also returned to Korea. While I lived at KoRoot, the communal atmosphere of the guesthouse provided a comfortable space in which adoptees could share their stories with each other. While talking with other adoptees, special connections formed between complete strangers in a short period of time. There was a sense of common understanding and shared belonging based on the fact that we were all adopted with a connection to Korea. Importantly, although we experienced different life trajectories

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after leaving Korea, there were also similar feelings and emotions about identity and belonging. It became apparent that instead of finding belonging in a particular place, belonging could be found through mutual understanding between people. Whether in their adoptive country or in South Korea, sharing experiences with other adoptees can offer a more implicit kind of understanding.

Many adoptees express that the kind of immediate understanding and empathy they feel with other adoptees is unique. They reason that 'non-adoptees' cannot fully grasp what it is like to be adopted. As Marah noted:

It is nice to find other people out there who have the same feelings as you and can really and truly understand what you go through. People who are not adopted can never know what it's like to not know who you are and where you came from.

Furthermore, there is a different kind of communication between adoptees because of this implicit understanding. Steph explained how she felt when she shared her story with other adoptees:

For most of my life I had a craving to be fully understood by someone else, and by talking to other adoptees, I felt this kind of comfort and contentedness to just sit back and think, 'yes, this person understands me'. There was no need to explain myself to the extent I need to with non-adoptees ... adoptees just knew how I felt. It was very refreshing to not be misunderstood.

This implies that a basis for understanding is already there so feelings, emotions and thoughts do not need to be overly explained to try to elicit understanding. Young Mi commented on this experience after she became involved with an adoptee organisation in Australia, 'it was just kind of comforting and something new to be around people who instinctively understood my situation and didn't have to ask stupid questions or make unfounded assumptions about me'.

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While these strong connections are important, I do not wish to imply that all adoptees experience the same depth of connection or any connection at all for that matter because this is not always the case. Being adopted is certainly not the only aspect of a person's life experiences, personality and identity. However, as some argue, being able to share experiences about being adopted is incredibly significant even while it is not the only distinguishing factor that connects people to each other. Pia commented:

Although our lives, personalities and so on are often very different, we have a shared experience that is unique. I'm not saying I get along with adoptees better than non-adoptees just because we're adopted ... There's just an understanding that you don't have with non-adoptees of where you've been and sometimes where you are (emotionally) now.

These connections that adoptees talk about and this oftentimes inexplicable feeling of mutual understanding characterise a sense of belonging through shared histories and shared experiences.

Based on these shared aspects, the communities and groups adoptees create such as at KoRoot could be an example of what Malkki refers to as 'accidental communities of memory' (1997, p. 91). She explains that 'it is the communities that are accidental, not the happenings' and it is this 'indeterminacy ... [that brings] people together who might not otherwise, in the ordinary courses of their lives, have met' (1997, p. 92). The ICA program began in South Korea as a result of the Korean War (1950–53) and since then there have been different reasons for continuing the program to the present day, such as social stigma against people with multiracial backgrounds, poverty, extramarital pregnancies and discrimination toward single mothers. Since the program's inception, over 150,000 Korean adoptees have been dispersed around the globe. What draws Korean adoptees together is partly due to this common beginning in the sense that their lives were

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irrevocably changed and affected by these social conditions and historical circumstances.

Places such as KoRoot are spaces in which ‘accidental communities of memory’ are created as Korean adoptees from different countries form relationships with each other based on this common aspect of their lives. Within such spaces, stories are often exchanged and an unspoken understanding permeates the conversations. As Hanna remarked, ‘even though I do not get equally well along with all Korean adoptees, I still feel we are connected’.

Therefore, based on these common aspects, Korean adoptees often feel a sense of belonging through connections with other adoptees. In this way, ‘Korean adoptee’ is used as a marker of solidarity and as a form of empowerment to campaign for certain issues and rights for adoptees (Trenka, Oparah and Shin 2006). However, although Korean adoptees share a common connection, they are also diverse people and sometimes resist being defined solely as an adopted person from Korea. This does not undermine the important sense of shared identity and belonging created by reclaiming the term ‘adoptee’, but it does point out that Korean adoptees are ‘more than’ any category which attempts to define them. In this sense, Korean adoptees are also ‘more than Korean adoptees’.

Throughout this discussion, I have chosen to use the term Korean adoptee because it is useful to refer to this diverse group of people. However, by also challenging the term, ‘Korean adoptee’, I wish to emphasise that Korean adoptees are not simply defined by their adoptee status and instead, resist being pigeonholed into any category that may overlook their multifaceted identities. Natacha commented, ‘we are not [all the same] ... I don’t speak with *an adoptee*, I don’t speak with you or another [person]. I speak with [you] ... as a human’. While what it means to be an adoptee varies in relevancy depending on the person, Marie added, ‘I’m not just an adoptee. You know, I’m a lot of other things too’. Furthermore, Korean adoptees think about their connection with Korea differently. As Nate explained:

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In a way, I almost search for a connection with adoptees until they turn out to be the type that are just totally oblivious that they're Korean and don't want anything to do with it and then they basically shut you out. But yeah in general, I feel if they're aware, I do feel comfortable [around] Korean adoptees and do feel a connection.

For these reasons, it is important to recognise not only the shared experiences between adoptees but also their individual experiences and their diversity as people.

Therefore, although Korean adoptees share common experiences, it does not necessarily entail an automatic connection just because they were adopted. While there is this connection, they are also just as diverse as any other group of people. Brea commented, 'I feel the most comfortable around my Korean adoptee friends but I don't get along with all Korean adoptees. Many of them I have a hard time getting along with because I feel we grew up with such different backgrounds'. Marie also pointed out that because she was adopted in the 1970s when adoption agencies did not keep adoption papers that were as comprehensive as those for children adopted after the 1980s, she feels a stronger connection to people who are in the same age group as her. 'I feel a greater connection to the people, to adoptees that were born during the 70s than I do with the 80s, just because we were more the first batch'.

Additionally, there are different experiences depending on the adoptive country. For example, adoptees living in more multicultural countries such as Australia and the United States where there are significant Korean migrant populations would have different experiences to those who were raised in Scandinavian countries such as Norway and Sweden, where there is less possibility for diversity. Furthermore, within countries such as the United States, it also depends on whether the area was mostly rural or near an urban centre. Marie explained:

It's not like we're *all* the same. You know the Belgians or the Norwegians or the Americans or the Australians. I mean, we all

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grew up completely different. We might have one experience that is fairly similar and that I guess connects us in some way *but after that* it comes down to personality.

In this sense, the different trajectories that Korean adoptees' lives took after they were adopted out of Korea indicate that their lives were randomly decided for them. Hee Su conveyed this indeterminacy, 'I could have been anywhere in the world. Like you could spin the globe and point your finger and that's where my home could have been so it was really cool to meet people who landed somewhere else in the world'. Korean adoptees were all born in Korea but after that, their identities were shaped in ways that were a result of the ICA process.

At KoRoot these differences became more apparent especially when people spoke multiple languages. People tended to connect more with others from the same adoptive country because of shared language and other similarities in addition to being adopted. Natacha lived at KoRoot for an extended period of time and one of the things she liked to do was to observe the differences between adoptees. 'What is interesting here is that all these persons are originally Korean but ... a Swedish adoptee is so different from a French adoptee and I like to point out why, why they are different, you know?' For Hee Su, these differences challenged the idea that she would feel an unspoken connection with people just because they were adopted from Korea. She spoke about some of her interactions with other adoptees while she stayed at KoRoot.

If I was only with the people that I'm here with kind of, I would feel probably twice as lonely as if I were just alone because they're just so different than who I am and then I'm like am I weird to be an adoptee and not identify with these other adoptees, you know, does it make me twice an outsider?

There is an expectation that adoptees should automatically get along with other adoptees because of this common bond, but this

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bond is not a natural bond—it is something that is dependent on other factors as well. Therefore, it is necessary to recognise the different ways Korean adoptees understand their identities that are not limited to their adoptee status. By acknowledging this, tendencies to generalise adoptees' experiences are challenged. This is important because oftentimes in public discourse, adoptees are represented in ways that characterise their experiences one-dimensionally as 'lucky', 'successful', 'angry' or 'negative'. These representations mask the rich texture of their lived experiences and the diversity which characterises adoptees.

Conclusion

Identity and belonging are often understood within conventional frameworks, which do not always acknowledge their complexity in terms of how they are experienced. For Korean adoptees, issues of identity and belonging are not taken for granted. Instead, ideas about 'whiteness', 'Koreanness' or 'adoptee-ness' are re-conceptualised and given new meaning based on their lived experiences.

Additionally, identifying as a Korean adoptee can create a sense of solidarity through their common experiences. At the same time, they also attribute different meaning to being adopted and so as diverse people, they are also 'more than' just Korean adoptees. Importantly, what this means is an ongoing process. As Sarah reflected:

At this stage of my life anyway, to identify myself as Korean is probably more important to me than to identify myself as Australian. Further along in my 'discovery' of Korea, however, I'm aware that I may find myself disillusioned by the cultural gap and quite happy to be just Australian. Who knows.

Finally, as Anne so clearly articulated, 'what I am is a little different but just as valid as anything'.

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Australian intercountry adoptees' diverse experiences returning to the 'homeland'

Kim Gray

Introduction

Intercountry adoption (ICA) stories about returning to the 'homeland' are viewed as compulsory reading for those of us in the ICA community. They reiterate our fears and fantasies about the other unknown family and nation forever connected to us but out of our reach until we finally make the journey 'back'. For the journey back is not only seen as inevitable, but also viewed as necessary and desirable for the emotional development of the adopted person and essential to achieving a sense of 'wholeness'. Indeed, discourses about 'returning' have changed considerably since the first intercountry adoptees arrived in Australia in the 1970s.

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The story about the importance of adoptees returning to their 'roots' emerged with the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (1993), which suggested that children have a right to the preservation of their 'ethnic, religious and cultural background'. Identity, in this discourse is believed to be 'associated with a root or ground of belonging that is *inside* the child (as 'blood', 'primal connectedness' and 'identity hunger') (Lifton 1994) ... but it is also *outside* the child in the sense that it is assumed to tie her to others whom she is like ... and a psychological need for the adopted child to return to where she really belongs' (Yngvesson 2003, p. 7).

The idea that the return journey is both inevitable and desirable to all adoptees presents itself in a range of academic disciplines as well as in popular and other public discourse on ICA. The dominant public discourse on returning usually involves an adoptee travelling to 'the homeland' for the first time as an adult in search of birth family members and on 'a quest for identity'. But adoptees' return journeys to birth countries don't always involve a 'quest for identity' or searching for birth family members. There are other stories of return that do not have the sensational elements of 'search and reunion' desired by the press—stories for example, about adoptive families who travel with their children to the birth country while their children are young. What can the adoptees' diverse stories tell us about their particular motivations and expectations about travelling 'back' and how has the cultural, social and political climate changed to allow such journeys to take place?

This chapter will consider the return journey experiences of three groups of adoptees—an adult group of Vietnamese adoptees who arrived in Australia in the 1970s, an adolescent group of Korean adoptees who arrived more than a decade later, and a group of younger adoptees and their families who travelled with my family to Korea in 2005 and again in 2008. The groups' experiences reflect the changing discourses about 'race', cultural identity and adoption, highlighting the differences both within and between

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each group about returning. The differences between each group also point to the way adoptees have been significantly impacted by the socio-cultural conditions of their youth.

I commence the discussion with some personal reflections on travelling to Korea with a group of adoptive families, a journey which was perhaps unimaginable for Australia's first intercountry adoptees from Vietnam. It is also worth mentioning that the adoptee narratives have not been edited as this allows the individual voices of the adoptees to come through.

Returning to Korea

I'm glad to hear that you'll be taking your kids back at a young age ... wish that my parents had been able to do so for me. At least Korea will figure for them at some level, even if it's just fun memories, rather than the quest for identity, which I've been on! I guess the country's significance for them will come clear later on. It's always different for each one of us. It's been amazing meeting so many different people with divergent views on Korea, adoption and their adoptive families and countries. I think for many people the issues may stem from a lack of openness and understanding of Korea and adoption in their upbringing
—Linnea, Korean-Australian adoptee, 20 years old

In September 2005 a group of 15 adoptive families—including myself, my husband and our two Korean-born children, a nine-year-old son and a seven-year-old daughter—as well as other Korean-Australians from Saet Byol Korean School, travelled from Sydney to South Korea on a 'Motherland Tour'. This particular trip to Korea marked 10 years since our first association with Saet Byol, an organisation set up by some members of the Korean-Australian 'community' and adoptive parents in 1988 to provide Korean language and other cultural activities for adoptive families. The 'Motherland Tour' group consisted of 32 children (and their parents), most of whom were adopted from South Korea, ranging

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in age from two to 15—most being under 10 years old. The trip was not the focus of any Australian media attention—it differed from those of high-profile movie stars portrayed in popular women's magazines and television broadcasts 'saving' orphaned children and indeed from other stories of adoptees embarking on a 'quest for identity'.

While families and individual family members on the Saet Byol trip differed in their motivations and expectations about the journey, participants generally agreed that it was an opportunity for parents and children to experience a little more of Korean traditional and contemporary cultures and to (re)connect with people and places which had poignant personal significance. For most of the children it meant the chance to indulge in Korea's latest technological innovations, to visit theme parks, to have fun skylarking with friends on the long bus journeys around the country, and generally to feel a part of the broader 'family' of adoptees in the country of their birth. For my seven-year-old daughter and some of the other adoptees, it also entailed numerous visits to the place where she had spent the first few days of her life—Eastern Babies Home—situated on another floor of the building which also encompassed our 'home away from home', the Eastern Social Welfare Society's guest house in Seoul. Together with her adoptee friends, my daughter watched and helped the nurses feed and care for newborn babies who had been relinquished for adoption, most likely destined for a life 'just like mine' in a Western country far away. Some of the babies may have found homes within their birth country.

For most of the adoptees on the Saet Byol trip, visits to the Eastern Babies Home, to the hospital where they were born and meetings with foster parents and social workers, allowed them to feel a greater sense of connection to 'Korea', and to actively (re)construct their own stories about the first months of their lives before they joined their adoptive families and travelled to Australia. The trip included a home-stay with local Korean families, in the home town of the Korean-Australian family

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who organised the tour, where adoptive families experienced contemporary living arrangements and lifestyles. It also included staying in a Buddhist temple and eating, sleeping and chanting with resident monks, and staying in other traditional accommodation in a 'folk village'. The journey not only encompassed profoundly emotional meetings with significant people in the children's early lives (not including birth parents), it also cemented friendships with other adoptees and fostered transnational friendships opening up possibilities for ongoing communication and future journeys across national boundaries.

I have elaborated on my family's journey to Korea as a source of comparison to the very different life experiences of Australia's first significant group of intercountry adoptees who arrived from war-torn Vietnam three decades ago. Most of the Korean adoptee children who travelled on the Saet Byol 'Motherland Tour' arrived in Australia as babies, about a decade after the adolescent Korean adoptees who participated in this project, and between two and three decades after the adult Vietnamese adoptee participants. With each new decade the adoption 'community' and broader society have become more aware of the challenges and complexities of being an intercountry adoptee, learning from Vietnamese and other earlier adoptees who spoke of experiences of isolation, and the damaging effects of policies of assimilation and adoption secrecy on their identities.

I'd like to turn now to the experiences of some of the Vietnamese adoptees who were not able to return until they reached adulthood. They described many of the complexities, ambivalences and contradictory elements of their journeys. Their experiences differ from the groups of younger Korean adoptees, not only because of their age and stage of life but also because of the particular socio-political and cultural context of their youth.

Returning to Vietnam

Vietnamese adoptees mostly came to Australia as part of Operation Babylift at the end of the Vietnam War. They were airlifted in the

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chaos of war without (or sometimes with incorrect) identifying information and usually with no record of their life prior to the airlift. They spent their youth amidst public controversy over the arrival of Vietnamese boat-people and experienced predominantly assimilationist views in the public domain. 'Difference', particularly racial difference, was viewed with suspicion by some and with ignorance by many. The White Australia policy, as it came to be called, was introduced as part of Australia's nation-building projects at Federation in 1901, remained the dominant immigration policy until 1966 and was not extinguished until 1975 (Cox 1987; Viviani 1996). In the 1970s and throughout most of the 1980s, there was little space, opportunity or resources for most Vietnamese adoptees, or indeed any other adoptees from Asian countries, to explore any identity other than those bestowed on them within their (predominantly) white, middle-class families.

For most, Vietnam had remained a fantasised and unknown 'other' place throughout childhood and adolescence, and the early years of their twenties. Exploration of their birth culture usually did not commence until their adult years as part of the preparation for their first return journey back. Vietnamese adoptee, My Dung, aged 28, spoke of her motivations and emotionally charged return to her orphanage.

My whole purpose of returning to Vietnam was to find out about my culture and to return to my orphanage. We went to the orphanage and met some of the original nuns, still there since the war. They only had a book of baptismal certificates, all other records were destroyed. I found mine. It was amazing ... Fran cried, the nuns cried and I just sat there in amazement—that I was there, that I was 'home' that I'd met these wonderful women. I was shown around the grounds and the hall where I was baptised. It is a childcare centre now. I met another orphan who stayed there and now lives on the grounds with her child. It's hard to summarise what it was like, but needless to say, it was AMAZING! They kept

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saying, 'you're home', 'you've returned to your motherland'. It was very cool!! I took baby photos and left contact details should anyone ever return there enquiring about me.

My Dung's motivation to find out 'about my culture' is echoed in other Vietnamese adoptee accounts. Ana, for example, described her 'goals' for the trip.

To gain an understanding and appreciation of my birth country and culture, to be proud of my origins, to visit the orphanage where I spent the first ten months of my life and to want to return again ...

Ana visited the orphanage where she saw 'a room full, wall to wall, with stainless steel baby cots and inside every cot was at least one baby less than 12 months old'. She describes the attentiveness of the 'ladies' caring for the babies.

In the last ward we visited Sister H told one of the ladies in there that I was Thanh Thuy and she all too quickly for my convincing, exclaimed 'Thanh Thuy? I remember Thanh Thuy!' And then she continued to gesture to me she once looked after me like the baby she had in her arms right then. I thanked her and feigned belief, but I wasn't really convinced that she was telling me the entire truth. I got the feeling that that it was a bit of a scam to extract money. I could have been wrong, but it was what my gut instinct was telling me.

The extent of the socio-economic gap between her life in Australia and the life of the orphans of Vietnam left Ana feeling, as did My Dung, that she wanted to give something back. However, Ana's feelings about the Sisters' references to the orphanage's financial situation reminded me of the American-Vietnamese adoptee who returned as an adult to Vietnam in the documentary film *Daughter from Danang* (Franco and Dolgin 2002). In this

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film, the American adoptee, Heidi, was confronted with the cultural expectation from her birth family that she would provide ongoing financial assistance to them. She was totally unprepared and overwhelmed by their request and her lack of knowledge and experience of Vietnamese cultural expectations left both the birth family and Heidi in a state of seemingly permanent misunderstanding. The documentary ends with Heidi having no ongoing contact with her birth family or Vietnam, a situation which appeared to be extremely difficult for her birth mother waiting in Vietnam for contact from her daughter.

For many of the Vietnamese adoptees who had grown up in predominantly white environments with little exposure to cultural diversity, their trips to Vietnam finally allowed them to physically 'fit in', to temporarily escape their status as 'other' allowing them to identify themselves as Asian-Australians.

It's funny, because when we landed in Saigon, I really felt I was going somewhere familiar and I felt really comfortable being there. I could walk down the street and be just like any other Asian and not be looked at sideways, but as my brother said, 'my cover was blown' as soon as I spoke! After this experience, I really identified as an Asian-Australian. I felt sad though, that I had missed out on that culture and wondered what it would have been like if I'd have stayed there.

—My Dung, Vietnamese-Australian adoptee, 28 years old

Another Vietnamese adoptee, Ingrid, also mentioned that 'the best part about returning was feeling at least physically, like I didn't stand out' and that 'by seeing my birth country, I was better able to build a sense of dignity about where I come from and what my ancestry is'. It seems that the return journeys finally allowed them to feel a sense of pride about their hybrid identities. This raises the question—what effect would it have had on their identity construction had they had the opportunity to experience their birth country in their youth?

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The return journeys for many of the Vietnamese adoptees were usually intensely emotional experiences dominated by searching for 'something' which may fill in the missing pieces of their lives. An exception in the study was Sue, aged 28, who spoke about how her parents had exposed her to a culturally diverse childhood and instilled in her a love of travelling. Despite this, however, she had delayed returning to her birth country until she was emotionally prepared. For most of the other adoptees though, the trips were overwhelmingly positioned as returning to one's 'roots'—exploring one's origins. Being able to enjoy 'discovering the country itself' as Sue had experienced, or being able to savour the rich cultural diversity and complex history of the place seems to be inevitably overshadowed by the need to find a more personal connection to the place of their birth.

For some, the lack of information and knowledge about their birth culture or indeed about other Asian countries prior to travelling has contributed to enormous personal struggles to understand the socio-economic and cultural divide that they encounter. Sue's experiences travelling to a number of Asian countries prior to her trip to Vietnam seemed to have greatly assisted her in this regard. She says 'I knew it would be difficult' and her previous travel experiences allowed her to imagine what those 'difficulties' might be. Vietnamese experiences of not returning until adulthood are intricately linked with the social policies and practices of the time.

Australia's contemporary ICA policy has been significantly influenced by past secretive practices in local adoption as well as by particular racial discourses including those which perpetuated significant injustices experienced by indigenous Australians (Human Rights and Equal Opportunities Commission 1997). Legislation enacted by parliaments in Australian states and territories between 1984 and 1994 opened up adoption records for adult adopted persons and their birth parents, effectively ending the period of adoption secrecy for local adoptions

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(Marshall and McDonald 2001, p. 3). This has led to a more general discourse of 'openness' in relation to adoption, not only amongst adoption workers, researchers and academics but also within the wider community.

But does this relative openness mean, as Ahulwalia suggests, that all adoptees now have 'an overwhelming desire to establish a connection with their origins' (Ahulwalia 2004, p. 3)? Researcher, Sandra Patton speaking from the United States context says 'all the adoptees I have spoken with ... are familiar with the dominant public narratives concerning adoption and identity—that searching for our birth parents (more often mothers) is the only way we can know who we 'really' are. Some embrace this view, while others are more critical' (Patton 2000, p. 15). Similarly, the individual personal narratives of adoptees in my study suggest significant differences between individual adoptees about questions relating to why, when or how to make a connection with the birth country and how important this is or isn't to their sense of knowing 'who they really are'.

In a recent discussion on anti-racist parent website (www.antiracistparent.com), an American (non-adopted) girl described her frustration with constantly being asked where she is from because of the colour of her skin. Her father was born in China and she describes a conversation with an elderly white man who on hearing that she has never been to China exclaims—'But you HAVE to go to China. It's where your people are from!' She asks the readers—

Do I really NEED to go to China? My Mom grew up in Jamaica (yes, I omitted that from our conversation because I really didn't want to be talking to the man in the first place) and my father fled China in the 1950s. There are no close relatives in China that I know of. I don't speak Cantonese or Mandarin. I have nothing against China—I would love to walk on the Great Wall, to visit Shanghai, to see the Weigar population of Western China. But there are also places I'd love to go: Italy, Tibet, Costa Rica,

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Kenya, the Galapagos Islands, Great Britain. Do I owe China a top priority because I have an ethnic connection?

A Korean adoptee responds:

This question is one that I've seen a lot of Korean adoptees wrestle with as well—do we *need* to go to Korea because that is where we were born and where 'our people' supposedly are, even though we were adopted to the US, Canada, Sweden etcetera at very young ages? Obviously many adoptees *do* want to go to Korea, and quite a few move back there permanently.

But there are also other adoptees who have no desire to visit Korea, and even feel guilty because they think they *should* want to. I think that it can be very difficult to discern what we really want for ourselves, separate from all of the messages we get about what we *should* and *shouldn't* want.

This dialogue highlights the pervasive contemporary discourse which sees a return to one's 'roots' as necessary for the development of a 'healthy and positive' identity. Yet adoptees have diverse attitudes towards returning and searching as the following consideration of some of the journeys of adolescent Korean adoptees illustrates.

Korean journeys

Unlike the Vietnamese adoptees whose first taste of Vietnamese culture was usually on their first return visit to Vietnam as adults, the Korean adoptees in the study had experienced aspects of Korean culture at 'culture' camps, language schools, food festivals and other cultural events whilst growing up in Australia. By the 1990s, multiculturalism meant a greater acceptance of difference, official multiculturalism promoting a 'tolerance' towards the Other. Where cultural differences were once seen as threatening they were now portrayed in official rhetoric and the popular imagination as enriching Australian national culture.

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The Korean adolescents had varied motivations and responses about wishing or not wishing to travel to Korea. They ranged from 'because my parents dragged me' to 'my first priority (was) to learn about and experience Korea first hand'. Two of the adoptees, Jon, aged 14, and Linnea, aged 20, had applied for and received scholarships to learn about Korean language and culture. I describe their experiences a little further on in the discussion but commence here with a discussion of adoptee, Seong Hwa's experiences.

Seong Hwa, aged 19, lives on the South Coast of New South Wales with her adoptive parents and two younger non-adopted siblings. She visited South Korea with her family when she was 10. Here, she tells of her memories of that time.

The memories that stand out in my mind are how popular blonde hair is over there, the fact that people would speak to me in Korean and I wouldn't understand them. I remember the colourful traditional costumes, Hanbok, and the markets how they smelt like fish and the Koreans eating live octopus. One day we were in the markets we got to watch them cut the wriggling octopus up and dip it in sauce and serve it to their customers. I remember walking past a hotel, which had a similar name to my Korean name—Seong hwa. I also remember visiting the doctor that delivered me and meeting my foster parents. I remember pretty much everything as we documented our travels in a diary. I liked my entire trip to Korea especially the visit to Lotte world and the other theme parks. I thought it was strange how they sleep on the floor, how some hotels have heated floors. The bread tasted weird, really sweet.

I don't think I was old enough to understand what was going on—to me it was like a holiday. I didn't understand why mum and my foster mother cried so much. If I went back to Korea now I think it would be different to when we first went in 1996 it would be more emotional because I understand a lot more now. I think it was good to travel there during my adolescent years but it would be more meaningful to travel back there now.

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The meanings Seong Hwa attaches to her early experiences of Korea are reflected in some of the other young adoptee accounts. As adolescents they have all to some extent focussed on the holiday feeling of the trips—they talk about the food, the trips to theme parks, the markets and the ‘strangeness’ of some of the local customs. They mentioned that although they could not understand or speak the language, the local people assumed that they could because they ‘looked’ Korean. They travelled to their birth country as tourists, as ‘foreigners’, assessing their birth culture through a Westerner’s gaze. Korean adolescent adoptee, Jon, commented about how he felt at the Korean bathhouse, ‘I was a little bit embarrassed at the bathhouse because I thought people would watch me because I was a foreigner. They didn’t seem to notice, though’.

The young Korean adoptees are obviously aware that they are connected to Korea as no ‘foreigner’ could ever be, but there are feelings of ambivalence about the way other Koreans see them and the way they think they should behave in a country which is in some ways familiar and in other ways quite ‘strange’. However, there is also a level of innocence in their comments about their early trips which do not seem to be marked by the same emotionally-charged intensity as the stories from older adoptees who first returned as adults. The trips to Korea in their early years allowed the younger adoptees to experience and compare different ways of life and to imagine how ‘Korea’ may continue to influence what they will become. Jon’s experiences with his home-stay family, for example, allowed him to see how ongoing close connections with his birth country are not only possible, but also desirable.

One of the most memorable parts of my trip, though, was staying with my homestay family. They were very nice to me, they fed me anything I wanted and they taught me a lot about Korean families. I visited a bath house with my host father and his son. I found it very relaxing and I managed to get into the hottest bath.

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Staying with my homestay family was a really great aspect of my trip to Korea and I hope we can remain in contact.

This was an unforgettable trip. I now have a much better understanding of Korean culture, language and the Korean community. I am going to study Korean language and society when I get to university. I can't wait until I go back to Korea again.

—Jon, Korean-Australian adoptee, 14 years old

Jon had travelled to Korea with his adoptive mother when he was 11 and attempted to make contact with his birth mother at this time. He was concerned that she might be 'sad and worried' about him. However, although the adoption agency found his birth mother, she did not wish to meet him at this time. She had married and had other children and wanted to keep her past a secret from her new family. Jon said, 'I felt disappointed by her reaction' but 'I understood the position she was in'. Despite his disappointment, Jon seemed able to understand the gender inequalities and pressures on Korean women in general, and this understanding allowed him to place the behaviour of his birth mother in the wider socio-cultural Korean context. Jon's ongoing learning and experiences of Korean culture seems to have assisted him in coping with the knowledge of his relinquishment. His narratives about his trips to Korea, however, were not all about 'searching'—rather searching was just one aspect of his travel experiences.

In a recent Netherlands study on young adult international adoptees' searching for birth parents, Tieman *et al.* (2008, p. 678) concluded that 'searching is the product of natural curiosity influenced by external factors such as the divorce of adoptive parents and the options for searching'. What also needs to be added here is the impact of particular socio-cultural discourses on individual adoptees' opportunities to search. For example, the adolescent accounts of returning to their birth country contrast significantly with the Vietnamese adult adoptees, who returned much later in their lives, because of the intense involvement and support provided by the adolescents' adoptive parents. This is not

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to say that adoptees in the 'older' group did not have the support of their parents, but that all support needs to be viewed as subject to the socio-political structures and constraints of the time.

However, despite the changing cultural contexts, not all the young Korean adoptees in the study had the opportunity to visit Korea in their youth. Changing family circumstances sometimes prevented them from exploring Korean culture or travelling to Korea. As Tieman *et al.* suggest, divorce of adoptive parents may impact on an adoptee's access to Korean culture and ability to travel. Two of the Korean-Australian adoptees, Melody and Linnea, were both aged 20 at the time of our discussions and were studying in universities in different Australian cities. Both girls had experienced the separation and divorce of their adoptive parents; while Linnea's parents separated when she was quite young, Melody's parents divorced when she was an adolescent. Neither had travelled to Korea when we first spoke. However, although Linnea did not have the opportunity to travel with her parents in her youth, her interest in travelling to Korea grew while she was studying at university. She spoke about her decision to search for birth family.

I made the decision to search for my birth family around this time last year. However it was motivated less by a real desire to actually find them and more by some superficial reasons, like because other adoptees I knew had found theirs and my boyfriend at the time had suggested we travel to Korea together (another thing my heart wasn't really set on) and I had thought 'I might as well meet them if I'm there, what have I got to lose?' Even now, this is not something at the forefront of my thinking ... I would like to find them, but namely because I want to see what they look like—find out which physical characteristics and mannerisms I share with which parent. I guess, I would also like my birth mother to know that she did the right thing, that I'm OK and that I'm grateful to her. I think that it's unrealistic for me to expect a relationship to develop between us.

—Linnea, Korean-Australian adoptee, 20 years old

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Linnea's thoughts about searching were not unlike Jon's. She was curious to find out 'which characteristics and mannerisms I share with which parent' but also to tell her birth mother 'that she did the right thing'. Unlike Jon however, Linnea managed to meet her birth mother twice, but the meetings appeared to leave her feeling somewhat disoriented. As for other adoptees, the language and cultural barriers proved difficult to overcome. Her story of reunion illustrates well Barbara Yngvesson's ideas on the 'loss of bearings' associated with some adoptees' experiences of returning to one's birth country. While the compelling nature of the myth of the return suggests that the journey is necessary to achieve a sense of 'wholeness', stories such as Linnea's disrupt the idea that returning to one's roots will somehow result in 'completeness'. Rather, as Yngvesson's suggests, 'roots trips reveal the precariousness of *I am*, the simultaneous fascination and terror evoked by what might have been, and a longing for the safety of home' (Yngvesson 2003, p. 8).

Linnea's story has much in common with some of the older group of Vietnamese adoptees as she returned to Korea for the first time alone, without parental or other support and as she states on a 'quest for identity'. However, on her second visit to Korea a year later, Linnea spent more time with her birth family. At the time of our last correspondence in January 2006, Linnea was teaching English in Korea to elementary school students and enjoying her social life with expatriate Korean-American adoptees.

For all the adoptee groups discussed in this paper, travelling to birth countries allowed them to identify themselves as Asian-Australians—sometimes for the first time—to feel a sense of pride in their hybrid identities and to imagine how their birth country may continue to influence the people they will become. The younger adoptees who had the opportunity to travel to Korea as children, with the support of their adoptive parents, were able to experience the historical and contemporary cultures of their birth place before embarking on the intense emotional experiences of reunion.

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Some of the adolescent Korean adoptees, however, although they had the opportunity to search, did not wish to connect with birth relatives on their first journey back. Tieman *et al.* (2008, p. 684) suggest that, 'if they have no desire to search for birth parents—and this is quite a large group—they should not be forced. Non-searchers in our sample were generally well-adjusted, so searching does not seem to be a necessary development task'. Indeed the changing socio-cultural circumstances have allowed Korean adoptees to decide when, if or how they wish to connect with birth family and birth culture.

Conclusion

While I wish to promote the importance of transnational connections and 'homeland' visits, I think we also need to be wary of the pervasive discourse of 'search and reunion' which sees returning to one's 'roots' and connecting with birth family as necessary for a 'healthy' and 'positive' identity. This discourse may actually divert much needed attention away from other post-adoption services and support which are vital to an adoptee's identity construction. There is a need for more research on the services adoptees and their families may require in the very early days of family formation and as they develop. This may include attachment issues, health concerns, race issues, access to appropriate educational resources or other special needs. It may also include identifying the support they require to foster cross-cultural associations within local communities, and transnational connections with birth families and birth cultures.

Acknowledgements and notes on participants

The data is drawn from a qualitative study on a group of nine adult (aged 26–34) and 11 adolescent (aged 14–21) intercountry adoptees who reside in five states of Australia. The study uses

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multiple methods of social inquiry including in depth multiple interviews, spanning the years 2001–05, the use of anthologies, listservs, websites, newspapers, adoption magazines, television documentaries, radio programmes and analysis of government reports on intercountry adoption (Gray 2007, 2008). I gratefully acknowledge the generosity of all participants in this study.

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the celebrity adoptions
phenomenon: emerging critiques
from 'ordinary' adoptive parents

Indigo Williams Willing

Introduction

In recent times an intense amount of media attention has surrounded the intercountry adoption (ICA) of 'third-world' and non-white children by wealthy white celebrities such as Madonna and Angelina Jolie. Stories about these famous personalities' adoptions appear almost daily. They peer at us from magazines in the shopping aisle, the doctor's waiting room, the internet and television. Yet little is understood of what impact such reportage has on the lives of non-famous or 'ordinary' trans-nationally adoptive parents whose own presence in the practice is far less exposed yet far more common.

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Drawing on interviews with ten ICA parents in Australia, this chapter aims to explore the emerging critical perspectives that they have developed towards recent media stories about celebrity adoptions. Like the majority of adoptive parents in western societies who adopt from overseas, the individuals I interviewed are 'ordinary' insofar as they come from white, middle-class and mostly Christian-Judeo religious backgrounds. The countries they have adopted from include Ethiopia, India and South Korea. Thus, it is worth noting that the social, economic and cultural backgrounds of these adopters often stands in contrast with the backgrounds of the children they have adopted and their communities of birth. Nonetheless, the lives of the ordinary adoptive parents who contributed to my research are far removed from the wealthy lifestyles of celebrities and out of view of the media spot light.

The first part of my discussion will introduce key debates in the media that surround the adoptions of children from overseas by Madonna and Angelina Jolie, who are arguably the two most high profile celebrity adopters of the current era. This includes drawing attention to charges in the media that such celebrities 'buy' children to counter-claims that they are 'rescuing' them from sites of abject poverty.

In the second part I focus on the impact of the intense media attention on celebrity adopters on the lives of 'ordinary' adoptive parents I interviewed. All have been given pseudonyms and were asked through email correspondence to reflect on the following question—what are the positives and negatives of celebrity adoptions?

As shall be revealed, the responses of these ordinary adoptive parents not only sheds light on their views of the ethics and suitability of celebrity adoptive parents such as Madonna and Angelina Jolie, but also on a range of issues that they must grapple with in their own lives. This includes them reflexively evaluating the economic disparities between the sending and receiving countries of adopted children, official but lengthy adoption

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processes versus faster alternatives, and the role of adopted children's birth culture. In the final part of this chapter, I consider what ordinary adoptive parents' attitudes towards celebrity adoptions tell us about the moral and cultural complexities of adopting other people's children both within and outside the media spotlight.

Media representations of celebrity adoptions: Celebrity colonialism and other moral panics

The idea that love set the universe in motion was made famous by the philosopher Empedocles in 4th century BC. In more contemporary times love is said to 'make the world go round'. Most recently, Madonna (1986) would appropriate this idea for her pop-song *Love Makes the World Go Round* with lyrics that include the lines:

We've got to save the lives
Of every boy and girl
That grows up in this world.
There's hunger everywhere
We've got to take a stand
Reach out for someone's hand
Love makes the world go round

Few could imagine at the height of the song's popularity in 1986 that over 20 years later Madonna—the once self-confessed 'material girl'—would take her own stand by pursuing the adoption of David Banda. Banda is an infant whom Madonna first met in an orphanage in the small African nation of Malawi in 2006. Much criticism in the media arose over confusion about whether Yohane Banda, David's birth father, understood the adoption process and the permanency of his son's removal (*This London* 2006). There were also concerns that Madonna used her celebrity status to pressure Malawian officials into illegally 'fast-tracking' the adoption (Dubecki 2006; Ngueyn 2006).

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Madonna has also been more recently embroiled in further controversy following a second but failed attempt to adopt Mercy James, another Malawian orphan, in May 2009. Her application was reportedly rejected because authorities refused to grant her a second exemption from the Malawian law that states adopters must live in the country for up to two years. It is reported that Judge Esmie Chondo, who rejected the application, stated that breaching such laws 'could actually facilitate trafficking of children' and that 'it should be borne in mind that ICAs are not the only solution' (Singh 2009).

However, not all in the media agree that ICA is just one of many options that act in the best interest of Malawian 'orphans'. For example, in the wake of Madonna's adoption of Banda, various media commentators suggested that he would otherwise have perished if it were not for her 'celebrity intervention'. Put simply, Banda's adoption by Madonna was seen by many in the media as a noble act of rescue. This includes opinion columnist, Andrew Bolt (2006), who countered what he disparagingly called 'professional' concerns over Banda's relocation from Malawi to the United Kingdom by citing a report on the mortality rate in his orphanage. Bolt (2006, p. 64) also provocatively asked, 'Would leaving him there with his Malawian culture [*sic*] really have been kinder, whatever you think of Madonna's motives?'

Madonna has also been defended by fellow celebrities, such as the documentary maker Michael Moore who came to her defence in the media. The 'negative' adoption stories were for him, 'just one more reminder to me of just how dishonest so much of the media is in this country' (Gregory 2008). Madonna also publicly defended her adoption of Banda in an interview with Oprah Winfrey on 24 October 2006. In Madonna's view, the adoption was justified on the basis that since she met him at his orphanage:

No one from his extended family had visited him since the time he arrived. So from my perspective, there was no one looking

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after David's welfare. [The criticism] discourages other people ... [who] ... would like to open their home and give a life to a child living in an orphanage (US Magazine.Com 2006).

One of the problems with Madonna's statement is that she does not reflect on how she might assist Banda's surviving birth family, and particularly his birth father to be reunited. Madonna also fails to suggest any strategies that could be put in place so that Banda's birth family might be better able to look after his welfare. The voices and circumstances of these individuals are instead obscured by Madonna, so that her adoption of Banda seems like the only option he had. In addition, by claiming that criticisms of her unofficial adoption of Banda discourage others from 'rescuing' children from orphanages, Madonna is essentially condoning illegal practices in adoption.

In terms of what impact Madonna's adoption of Banda has had on the general public's perception of ICA, Nathalie Rothschild (2008) argues that the 'Madonna effect' on adoption is negative. She argues that it 'propagates a patronising view of the third-world as a basket case in need of rescuing by Western celebrities', while 'the celebrity scramble for babies bears an unpleasant resemblance to colonialist White Man's Burden missions'.

The latter claim is in reference to *White Man's Burden* by Rudyard Kipling (1899) which features the lines:

Take up the White Man's burden
The savage wars of peace
Fill full the mouth of Famine
And bid the sickness cease;
And when your goal is nearest
The end for others sought,
Watch sloth and heathen Folly
Bring all your hopes to nought.

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If placed in a present-day context, Madonna's pleas to 'save every boy and girl' in the whimsical pop song *Love Makes the World Go Round* has an uncomfortable resemblance to the colonial imagination displayed in *White Man's Burden*, albeit softened by sentimental pleas for world love.

That love has a central and important role in ICA is not under question. In the era of globalisation however, there is much cause to consider *exactly how love moves across borders, for whose benefit and with what consequences*. In other words, we need to look beyond the 'fairy-tale' version of adoption, where orphans simply appear to go from 'rags to riches' due to being 'rescued' by adoption and everyone lives happily ever after (Williams Willing 2004).

For example, upon a return trip to Malawi during Madonna's attempt to adopt Mercy James, it was widely reported that Banda was not able to recognise his own birth father (Clements 2009). And, although Banda's estrangement from his birth father may improve, he had to experience a significant disconnection from his pre-adoption past in front of an intense media gaze. From this perspective, the 'benefits' of David Banda's adoption has so far come at the expense of his relationship with his biological father, and his ability to regain any sense of connection in private. It is also worth considering what long-term effects Madonna's highly public and failed attempt to adopt Mercy James might have on that particular child.

Madonna is of course not the only celebrity adopter to attract media attention and be the subject of debates over the ethics of ICA. Madonna shares an all-white peer group of other celebrity adopters including Meg Ryan, Tom Cruise and Nicole Kidman, Hugh Jackman and his wife, Deborah-Lee Furness and Mia Farrow, who was one of the 'pioneer' celebrities to adopt children from overseas. Nonetheless it is Jolie's, and to a lesser degree, her partner Brad Pitt's entrée into the world of ICA that comes closest to rivalling the intense media interest in Madonna.

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Jolie and her partner Pitt are actors of white American background who have been acquiring what Jolie calls 'a rainbow family'. This includes Maddox who was adopted from Cambodia, Zahara who was adopted from Ethiopia, Pax Thien who was adopted from Vietnam, plus Shiloh Nouvel and twins Knox Leon and Vivienne Marcheline who are biologically related to Jolie and Pitt.

Critical comment about Jolie and Pitt's adoptions include Adam Elkus's (2006, p. 2) statement that their actions are nothing more than 'cultural colonialism masquerading as liberal multiculturalism'. Indeed, the term 'celebrity colonialism' was coined by Brendan O'Neill (2006) to refer to the extraordinary circumstances surrounding the birth of Shiloh Nouvel, which Jolie orchestrated to take place in Namibia under an intense amount of security. When explaining why she chose to give birth there, Jolie is reported to have stated that it was because it was 'the cradle of humankind' (O'Neill 2006, p. 1). It is interesting to note, however, that Jolie gave birth to her family's latest additions—twins Knox Leon and Vivienne Marcheline—in the unmistakably Western setting of France (Norman 2008).

Other criticism of Jolie in the media includes that she circumvented adoption laws when adopting Pax Thien from Vietnam (NW 2007a). The discrepancy exists due to Jolie's claims she was a single parent whilst living in a *de facto* relationship, the latter failing to meet Vietnam's criteria for suitable adoptive parents (Tauber and Green 2007). The main concerns were that Jolie used her celebrity status to process Pax Thien's adoption more quickly than ordinary adoptions (WD 2007).

Even so, some reportage in the media on Jolie has been positive, with many stories portraying her adoptions as a 'natural' extension of her humanitarian activism that includes her being an Ambassador for the United Nations High Commission for Refugees (NW 2007b; Van Meter 2007). A number of media stories have also presented her as a vanguard of multicultural awareness. For example, she has been praised for having, in the reported words of

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Jolie, 'ladies that work for us. One lady's a Vietnamese teacher. One is Congolese descent from Belgium. Another is from the States and does art programs' (Halfpenny 2008).

Here it is useful to consider feminist and sociologist Arlie Hochschild's (2002) study of trans-migrant women who work as nannies. Her analysis of waves of women—and particularly mothers from the developing world who migrate abroad to work as nannies in the developed world—is far from celebratory. In Hochschild's view, the demand for global nannies from the developing world is resulting in a 'care drain', as the women who take up these roles in the developed world almost always have to leave their own children and families behind.

In the case of ICA, it might be added, it is the wealthier developed world parents such as Jolie who direct their love and care to children of the developing world. These children, in turn, must leave the people and places of their past. Additionally, whilst Jolie clearly demonstrates a desire to recognise and embrace diversity, the terms upon which she does so fails to pose any real threat to her own sense of identity. She does not, for example, have to undergo an involuntary migration, relinquish her citizenship or familial relationship with her birth parents, nor be renamed.

Such troubling relationships of power and tensions of identity in ICAs are of course, not limited to celebrity adoptions, as the various studies throughout these chapters reveal. However, there is a paucity of studies that specifically aim to explore how 'ordinary' adoptive parents respond to the controversy surrounding celebrity adoptions. Accordingly, the next part of this chapter offers a window into some of the attitudes and perspectives towards the celebrity adoptions phenomenon.

'Ordinary' ICA parents on celebrity adoptions: Emerging ethical and cultural distinctions

This section reveals that most adoptive parents in this study positioned themselves as being separate to, and often strongly opposed to celebrity adoptions on the basis of three main

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assumptions. These are one, that celebrity adopters believe they are ‘rescuing’ the children they have adopted, two, celebrities disregard official adoption laws and practices and treat children as commodities and three, celebrity adopters are unlikely to foster ‘suitable’ multiculturalism in their diverse families.

The adoptive parents I interviewed were specifically focused on Madonna, Jolie and sometimes her partner Pitt. It is important to note, however, that their critical views of these celebrities are based on their response to media reports about them. In short, they did not have any actual contact or first hand knowledge of these celebrities themselves. Even so, the findings in my study illustrate that ordinary adoptive parents imagined a number of social and cultural cleavages exist between celebrities such as Madonna and Angelina Jolie and the children they adopt.

The ways that ordinary adoptive parents assess celebrity adoptions also sheds light on what types of moral and cultural frameworks they themselves bring to the practice. Thus, the significance of exploring ways that ordinary adoptive parents assess the legitimacy of celebrity adoptions lies not in what it tells us about celebrities *per se*. Rather, we are able to gain insight into the impact of media reportage about celebrity adoptions on the lives of ordinary adoptive parents.

Narratives of rescue

The idea that adoption ‘rescues’ children is particularly pervasive in discourses of adoption. For example, David Eng (2003, p. 9) observes that adoptive parents and adoption agencies regularly legitimise trans-national adoption through ‘generalised narratives of salvation—from poverty, disease, and the barbarianism of the Third World’. The problem, as Matthew Groenig (2002, p. 1) explains, is that such narratives promote the ‘attitude that ICA provides hope and homes for children otherwise destined for a life of poverty, with little cultural advantage to appreciate’. Tobias Hubinette (2003, p. 5) also adds that such attitudes also send out the message that, ‘Life in the West is best’.

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Interestingly, the adopters in this study attempted to challenge such notions by expressing their disapproval of the idea that celebrities have rescued the children they have adopted. Criticisms include the participant Reese's belief that Madonna's adoption of Banda was exploitative and would have a negative impact on his life. Reese felt for example that, 'Any child saved from being raised in an institution or much, much worse is a good thing but should they go from the frying pan into the fire because they are vulnerable?'

For Donna, it was not so much celebrities themselves but the media's reportage of their adoptions that promoted the overly simplistic belief that ICA was simply a matter of rescuing children from poverty.

The focus is not on the long-term needs of the child and the ability of the adoptive parent to meet those needs. Instead it often appears to simplify intercountry transracial adoption to an issue of material gain versus poverty.

Similarly, the participant Lucy was uncomfortable with the assumptions of rescue presented in a radio broadcast of two radio personalities who were discussing Madonna's adoption of Banda. Lucy explains that:

One of the guys said he didn't believe that maintaining the culture should be a priority as the country was so poor. Why would the child want to know about the poverty? He gave the impression that the culture was poverty; that the child should be glad to be out of the situation.

At the same time, the majority of adoptive parents who participated in this study also expressed the view that, at the very least, media stories on celebrity adopters were able to highlight the 'plight of orphans'. Typical comments included that celebrity adoption assisted with raising awareness about 'children left

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languishing in orphanages around the world', and gave children 'the opportunity to escape the poverty'. The problem with such comments is that they do not challenge, and can instead reinforce stereotypes about adopted children's backgrounds that could warrant acts of rescuing them.

Celebrity 'buying' power

The role of money has always been the elephant in the living room in ICA. From a critical perspective, Michael Serril (1991, p. 87) defines the contemporary popularity of foreign adoptions in the United States in economic terms stating the practice is, 'driven by classic causes: faltering domestic supply and rising demand'. The main problem over the link between contemporary ICA and 'market forces' is that it may encourage child trafficking in the sending countries (Freundlich 2000, p. 1).

The adoptive parents in this study were all uncomfortable with the influence that money and power can have in determining who adopts and how. Some raised their concerns in the form of accusations, such as the participant Lorraine's charge that, 'Angelina and Brad Pitt. It's like they're collecting pets,' and Ruth's comment that the celebrities appear 'to be more involved with gathering adornments'. Sue also feared that 'some of the negatives are that the average person thinks it is a wealthy person's option or money can get you a baby or get it faster. Children begin to look like a commodity'. In other words, these parents were worried that celebrity adopters treated adopted children as commodities, and that the public might interpret celebrity adoptions as acts of child buying.

At the same time, it appears that some ordinary adoptive parents can nonetheless envy celebrities' perceived ability to obtain children more quickly. Such envy is evident in Sue's claim that, 'the way the celebrities adopt does make the families waiting to adopt more angry at their waiting times, well, at least here in Australia'. Here, she reveals that non-celebrity adoptive parents can grapple with the tension between their own desires for faster

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adoptions and disapproval of celebrities who 'queue jump' and defy official adoption processes.

Celebrity adopters as unsuitable parents

Most adoptive parents in this study were also concerned that celebrities were not genuinely dedicated to raising adoptable children or accommodating their different cultural heritages. A number also felt that more simplistic media portrayals of celebrities building 'rainbow' families trivialised their own efforts to foster an inclusive environment for intercountry adoptees. For example, Lucy argues, 'the public might get the wrong idea about the reasons why ordinary people adopt children and the commitment we give to maintain cultural heritage'.

Reese also strongly doubted that the celebrities had adequate levels of commitment to their children's cultural heritage, asking, 'Do they know about the challenges ahead? Will their celebrity status deny these children access to birth culture and adoption culture—probably?' Reese also stated that:

I'm concerned for the adoptees with celebrity parents ... As for Madonna in particular, I think she is a poor role model. She's all about disrespect and shock value. I don't think any birth parent would choose a woman who acts out the crucifixion on stage (recently revived for current shows), asked J Leno on international TV to sniff her underwear and then proceeded to say the F-word as many times as possible, produced her own porn book and had a *lesbian* kiss at the MTV awards. [emphasis added]

Reese raises an important point in questioning what criteria birth mothers (and fathers) would wish for adoptive parents to be assessed by. However, her own criteria can be observed to exclude people who are non-heterosexual and who break with conservative values. Indeed, her critical judgement of celebrities like Madonna appears to mostly be due to this celebrity's perceived transgression of conservative, Christian and heterosexual life-styles.

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Interestingly, a number of other participants felt that the media attention on celebrity adoptions provided them with an opportunity to offer a 'correct' picture of what ICA entails and what constitutes 'best practice'. For example, the participant Bill claims, 'I feel like I've got a bit of duty to educate people a bit about what adoption is about'. Donna also believed that the increased attention on the celebrity adoptions 'brings the debate on the ethics of ICA to the fore'.

Thus, while these adoptive parents disapproved of their celebrity counterparts and the accompanying media attention on them, one of the positives for them was that it opened up doors for ordinary adopters to express their own views on adoption to a wider audience. At the same time, as Reese's discussion of Madonna demonstrates, the views of ordinary adoptive parents are far from objective. Instead, adoptive parents' critiques shed light on the extent and limitations of the moral and cultural frameworks that they themselves bring to the practice, which are shaped by their own constructions of identity and difference as white, heterosexual and middle-class subjects.

Conclusion

One of the major features of ICA that distinguishes it as an extraordinary twenty-first-century phenomenon is that it is no longer the 'quiet migration' (Weil 1984) it was 30 years ago. Instead it is a 'global phenomenon' (Selman 2002). It has also gravitated from well beyond the realms of social science journals and occasional reports on humanitarian or migration issues to the high distribution world of media reports. This high profile is almost entirely due to the rise of celebrity adoptions.

Without accessing the celebrities themselves and their families, it is impossible to provide any insight into the impact ICA has had on their own lives and how their children might be faring. However, I have now outlined how media reportage on celebrity adopters generally ranges from supportive stories of them 'rescuing' children to critical charges that they embody and reproduce 'celebrity colonialism'.

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This chapter has explored the impact of celebrity adoptions on the lives of ten 'ordinary' adoptive parents living in Australia. As highlighted, the discussion of celebrity adoptions by participants in this research demonstrate that they are sensitive to narratives of rescue in stories about celebrity adoption, as well as being concerned over whether celebrities could 'properly' ensure adopted children maintained a sense of connection with their cultural backgrounds.

Even so, the adoptive parents in my research still drew heavily on discourses of poverty when reflecting on the positives of celebrity adoptions, such as when discussing their humanitarian work. In doing so, they risk reinforcing negative stereotypes about adopted children's birth countries. Furthermore, the participants did not critically discuss how their own status as individuals of white, middle-class and heterosexual backgrounds contributes to and implicates them within the uneven relationships of power that currently shape how contemporary ICAs are practised.

In conclusion, it is useful to reflect on Emily Noonan's (2004, p. 146) proposal that it is only through an illustration of the ways 'in which adoption-related discourse both reproduces and challenges' what she sees as 'racist and neo-colonialist relations' in the practice, that adoptive parents can critically evaluate how they themselves approach the practice. Moreover, an illustration of the type of discourses that ordinary parents employ to discuss media stories about celebrities' adoptions, might also lead to a better understanding of famous and non-famous adopters alike, and their approach to the raising of 'other people's children' through ICA.

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well-being and identity of
adolescent and adult intercountry
adoptees and non-adopted
migrants in Western Australia

Trudy Rosenwald, Alison Garton and Moira O'Connor

Introduction

This chapter focuses on the well-being and identity of over half the population of 14- to 26-year-old intercountry adoptees in Western Australia (WA). The chapter describes and discusses the findings of a quantitative study that compared the adoptees with a group of non-adopted migrant peers and includes an examination of the influence of non-Caucasian physical features and minority group membership on well-being and identity.

The well-being and identity of intercountry adoptees in Australia are much debated subjects, but surprisingly little

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locally-based empirical research and evidence seems to exist. To address some of the gaps in local knowledge, a longitudinal study on the well-being of intercountry adoptees in WA was initiated in 1993, the first such study to be undertaken in Australia. The first stage of the study targeted the age group of four- to 16-year-olds for two reasons. First, over 80% of the estimated 432 intercountry adoptees in WA at that point in time were born between 1976 and 1990. Second, four- to 16-year-olds were the target group of the West Australian Child Health Survey (WACHS), a large epidemiological study that was taking place in WA around the same time (Zubrick *et al.* 1995). The WACHS offered the rare opportunity to compare the well-being of intercountry adoptees with that of a large group of non-adopted peers from the local general population and added to the robustness of the methodology of the intercountry adoption (ICA) study. At this first data collection point, nearly 200 adoptive parents reported on the health and well-being of 283 adoptees. The adoptees represented 80% of the estimated population of four- to 16-year-old intercountry adoptees in WA and had a mean age of 10 years. The overall findings indicated that parents considered the large majority of the adoptees to be happy, healthy in body and mind and functioning at least as well as their non-adopted peers in the WACHS (Rosenwald 1994).

In the second stage of the study, started in 2004 when the adoptees were aged 14 to 26 years, adoptive parents were again asked to report on the well-being of their ICA children. Their views were also sought on the adoptees' sense of identity. In addition, the adolescent and adult adoptees themselves, as well as a group of non-adopted migrant peers who had arrived in Australia at a young age with their biological parents, were asked to provide a self-report on their sense of well-being and identity. Migrant parents were also invited to report on their children's well-being and identity. The inclusion of a migrant comparison group is a first for ICA research in Australia.

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At this second point, data was collected on a wider range of physical, psychological and mental health aspects of well-being and examined in greater depth than in the first stage. An examination of identity was also added, addressing such aspects as adoption, migration, community, heritage, ethnicity, culture, race and nationality. The study of identity was added for several reasons, not the least of which was that identity is often closely linked to well-being in ICA and migration literature. This chapter presents evidence that relationships between the aspects of well-being and identity examined in the present study were mostly weak and non-significant for both the adoptees and migrants. The chapter also describes how the well-being and identity of the adoptees was more similar than different to those of the migrants before. Following this discussion, the chapter explores two of seven threats and risks to well-being and identity that were included in the study. The two threats—namely ‘problems created by looking different’ (from the majority of people in WA) and ‘perceiving the continuity of their minority group to be under threat’—were found to be the most powerful predictors of well-being and identity in adoptees and migrants alike. Notably, ‘looking different’ from their adoptive parents—by which we mean having different physical features from adoptive parents—had no significant influence on either of their well-being. The chapter concludes with a discussion of how, and how well, the two groups have negotiated *looking different* in the context of the socio-cultural-political environments they have grown up in, and how they have coped with the dynamic relationships between their physical appearance, their involuntary membership of ICA and migrant groups, and the perceived continuity of these groups. In the next sections, the spotlight will briefly rest on the small body of existing quantitative ICA research in Australia, before moving to the findings of the present study.

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Australian research on well-being and identity in ICA

Despite the fact that ICA to Australia has been formally practiced since the mid-1970s, research on the well-being of intercountry adoptees, both quantitative and qualitative, has rarely been undertaken and published in Australia. The few quantitative studies that were published over the years include the seminal work by social researcher and former lawyer Ian Harvey (1981) on the adjustment of the child victims of the Vietnam War who were adopted in the 1970s by families in New South Wales. Another salient study is that by New South Wales psychologist Juliet Harper (1986) on the well-being of intercountry adoptees who had arrived in Australia at an older age. A decade later saw the publication of a South Australian study on the emotional well-being of adolescent intercountry adoptees from Indonesia by psychiatrist Robert Goldney and colleagues (1996). In each of these studies the authors concluded that the majority of the adoptees were functioning as well as their non-adopted peers. Similar conclusions had been drawn in previous reviews of ICA research undertaken overseas (Tizard 1991) and in more recent meta-analyses of adoption studies from around the globe (Juffer and Van Ijzendoorn 2007).

The paucity of quantitative research on identity in intercountry adoptees in Australia is another surprise, considering that ethnicity and racial heritage, in particular, are frequently raised as critical aspects of identity perceived to profoundly influence adoptees' sense of well-being. The present study's thorough empirical examination of the relationship between the well-being and identity of intercountry adoptees and migrants builds on a rare exploration of the racial identity of intercountry adoptees in Australia by Juliet Harper and Helen Bonanno (1993). The authors found that an awareness of race, and being racially different from parents, developed in intercountry adoptees from as young as two years, particularly among the darker-skinned adoptees. The parent reports indicated that racist comments started earlier, and were more numerous, towards this group

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than those directed at the lighter-skinned children. These findings raised further questions about the long-term outcomes of ICA. Results from a recent North American study on adult intercountry adoptees have provided some answers. Using a measure of cultural and racial identities that was specifically developed by an intercountry adoptee for transracial adoptees, it emerged that transracial adoptees were able to develop a positive sense of self that included a broad range of cultural and racial identities without negatively affecting their well-being (Baden 2007). The same cultural-racial identity measure was used in the present study and appears to be validated by the striking resemblance of a graphic representation of the WA adoptees' identities to those reported in the Baden study. The weak associations found between these identities and well-being were also consistent with Baden's findings. The present study shows, in addition, previously unexplored differences between the cultural and racial identities of ICA and migrant families. These results are described in more detail following an overview of the demographic characteristics of the study's respondents.

Demographic profile of the adoption and migrant groups

The study's four groups of respondents consisted of 110 intercountry adoptees, 80 non-adopted migrant peers, 120 adoptive parents of 160 adoptees and 44 migrant parents of 56 migrants. The 'self' and parent reports provided data on 181 adoptees and 87 migrants. Both groups had a mean age of 20 years. The majority of adoptees were female adults from Korea, reflecting the fact that most intercountry adoptees in WA were of Korean origin. This predominance continues today and is similar to the demographic pattern found in ICA communities in other part of Australia and other receiving countries (Rosenwald 2007; Selman 2006). The remaining adoptees in the present study originated from other Asian countries such as India, the Philippines and Fiji. The control group of migrant peers and parents were drawn from the thousands of migrants who form part of WA's African, Asian, Eastern European

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and South and Central American ethnic communities. Attempts were made to match the adoptees and migrants on countries of origin, but several country-specific ethnic communities in WA were either too small—for example Korean and Mauritian—or absent, for example Hong Kong. This necessitated the use of continental categories instead. The small Korean community, in particular, lacked the large number of non-adopted migrant peers required. This resulted in significantly more responses from Korean adoptees than migrants, despite an almost 100% response rate from the target Korean migrant families.

Matching adoptees and migrants on age at arrival also proved more challenging than expected, mainly because migrants who had arrived at a young age did not readily identify as migrants. This only became evident during the course of data collection, and resulted in a sample of migrants with a mean age at arrival significantly older than that of the adoptees, namely six years compared to two years. Despite their younger age at arrival, adoptees had reportedly suffered pre-arrival adversity more frequently and at more severe levels than their migrant peers. Other differences were related to residency. Adoptees had lived longer in Australia than migrants, and more often outside the metropolitan area. They were also more likely to have completed 12 years of education, to be employed and to be living independently. Migrants, on the other hand, were more likely to still be attending school or studying.

The many similarities between the two groups included aspects of family structure. Both groups came predominantly from intact two-parent families with an average of three children. Ten per cent of both adoptees and migrants were only children. In each group, 15% were living with a partner although adoptees were more likely to have children. Many adoptive parents were migrants themselves, with 55% of adoptees having at least one parent who was born overseas. It was found that most of the differences in demographics highlighted above had little influence on the well-being and identity of the adoptees and migrants.

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Well-being

Using 13 different measures to assess well-being, both 'self' and parent reports indicated that the levels of well-being in adoptees and migrants were more similar than different. The large majority of both groups seemed to enjoy good to excellent physical and psychological health with most adoptees and migrants reporting high levels of self-esteem, self-efficacy, happiness, life satisfaction and satisfaction with their adoption or migration. The majority also reported normative levels of mental health in terms of competence, internalising and externalising problems, substance use and absence of psychiatric disorders. Although age and gender had little overall effects, the following three groups stood out.

First, adult female adoptees reported not only significantly higher levels of competence than the other adoptees and all migrants, but also higher levels of problem behaviours, including substance use. Second, adolescent and adult male migrants reported the highest level of internalising problems such as anxiety and depression. Third, adolescents rated themselves healthier, happier, more satisfied with life—adoption and migration—and to have fewer behavioural problems than adults. The decline in well-being of maturing adolescents became particularly evident in the reports from 17- to 23-year-old adoptees. However, this trend seemed to reverse with increasing maturity, because adult adoptees aged 24 to 26 years reported a significantly higher level of well-being than the 17- to 23-year-olds. A similar pattern of decline in well-being was reported by migrants, but at the older age of 24 to 26 years. This developmental difference could be partly explained by the migrants living at home longer and achieving independent-living status at an older age than the adoptees.

Another interesting and unexpected finding showed that adoptive and migrant parents generally rated their children's well-being more positively than the adoptees and migrants did themselves. It was furthermore expected that any differences between 'self' and parent reports on well-being would be smaller in migrant than adoptive families because the migrants reportedly

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lived at home longer. Surprisingly, the reverse was found to be the case with the adoptive families reporting higher levels of agreement than migrant families.

Identity

Identity was explored with seven measures covering aspects of biological and cultural heritage, identification with an adoptee or migrant group, ethnicity, culture and race and attachment to state and nation. The majority of adoptees and migrants preferred to describe themselves as students or by employment or professional role. Although few mentioned their adoptive or migrant status, their country of origin or their ethnicity as primary identity markers, almost all adoptees and migrants reported that they identified with other intercountry adoptees and migrant peers. About 20% of adoptees appeared to have regular contact with ICA peers while more than half of the migrants reportedly socialise regularly with other migrants.

Most adoptees and migrants expressed interest in their biological and cultural heritage. About a third of adoptees expressed interest in finding out more about their biological parents. Understandably, few migrants expressed such interest as all had arrived with at least one of their biological parents. Nevertheless, there was more interest among migrants to find out about extended biological family than among adoptees. This unexpected finding suggests that migrant families either refrain from talking openly about extended family members or have little or no information about them. The latter is usually the case for intercountry adoptees.

Although general interest in country and culture of origin was expressed by only 25% of the adoptees, 75% identified moderately to strongly with their country of origin. Among the migrants, 65% expressed interest in their country and culture of origin and almost all identified strongly with their country of origin. Those adoptees and migrants who expressed an interest in their cultural heritage reported stronger ethnic identities and

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seemed to identify more strongly with their adoption or migrant group and their country of origin. The large majority of adoptees and migrants reported an interest in, and involvement with, people from ethnic groups other than their own. These findings could be interpreted as adoptees feeling more comfortable with people from other ethnic groups than from their own—or that they were denying their ethnic identity—but this was not the case. Adoptees reported moderate to strong ethnic and racial identities at similar rates to those found among migrants.

In terms of cultural identity, most adoptees showed a strong orientation towards the cultures of their adoptive parents and their adoptive parents' racial groups. The same orientation was found among the migrants, suggesting the presence of family cultures and identities among both groups. The notion of a family culture and identity provides support for the basic assumptions of the cultural-racial identity model that children are knowledgeable about, competent within and comfortable with the culture of the parents who raise them (Baden and Steward 2007). The broad range of cultural and racial identities reported by the adoptees was also predicted by the model. Its sharp contrast to the narrow range of cultural and racial identities reported by the migrants, represents a significant new finding in this research which breaks new ground in the research on identities in ICA.

The same sharp contrast was found between the self-reported cultural and racial identities of the adoptive and migrant parents. Interestingly, the adoptees reported a stronger orientation towards the culture of their parents' racial group than adoptive parents reported for themselves. The opposite was found in the migrant group. When considered together with the fact that almost all of the adoptive parents belonged to WA's Caucasian majority group and the migrant parents mainly to WA's non-Caucasian minority groups, these findings suggest that adoptees and migrants are more assimilated into mainstream WA society than their parents—a phenomenon consistent with migration research findings in general.

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Almost all adoptive and migrant parents expressed interest in their children's cultures and countries of origin. The high frequency with which adoptive parents expressed this interest suggests an affirming rather than a negative or dismissing attitude towards their children's cultural and racial heritage. This conclusion is contrary to anecdotal evidence from first and other second generation intercountry adoptees in Australia who described adoptive parents as being focussed on assimilating adoptees into mainstream Australian society and neglectful in nurturing adoptees' ethnic identities (Armstrong and Slaytor 2001). A moderate to strong identification with Australia and WA was indeed found among almost all adoptees, but also among most migrants. Furthermore, this identification was found to have little influence on their ethnic and racial identities. As a final point on identity, few differences were found between the genders and between adolescents and adults. The latter was surprising in view of the understanding that identity is a dynamic developmental process over the life-span with particular salience in adolescence (Breakwell 1986).

Relationships between well-being, identity, threats and risks

Although a person's well-being and identity are generally believed to strongly influence each other, the relationships between the aspects of well-being and identity measured in the present study were mostly weak or negligible among both the adoptees and migrants. These included the negligible associations between their well-being and ethnic, cultural and racial identities. The few significant associations found, differed for adoptees and migrants. Those that emerged among adoptees related to their attachment to places, whereas those found among migrants related to ethnic community networking, particularly among the adults. A stronger sense of belonging to Australia and WA made adoptees feel happier, more satisfied with life and more in control of their life, but had little influence on these well-being aspects in migrants. A stronger identification with their own migrant community and

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other ethnic groups was related to higher levels of self-esteem and interaction with friends and lower risk of suffering from psychiatric disorders in migrants, but had little influence on these well-being aspects in adoptees.

The present study explored the influence of four threat and three risk factors identified from the literature, and examined which of these factors best predicted the well-being and identity of adoptees and migrants. The threat 'problems created by looking different' was taken from the Dutch longitudinal study on ICA (Tieman 2006), as were the three risk factors of age at arrival, pre-arrival adversity and parent socio-economic status (SES). The threats 'perceived racial discrimination', 'threat to group continuity' and 'discrimination for being an adoptee or migrant' were taken from a South African study on ethnic identity (Korf and Malan 2002).

The influence of age at arrival, pre-arrival adversity and parental SES on the well-being and identity of adoptees and migrants was found to be mostly weak and non-significant. An examination of whether these risks made adoptees and migrants more vulnerable to any negative effects of the threats showed different outcomes for the two groups. In the adoptee reports, no significant relationships were found between the risks and threats. It appears that adoptees who were over the age of two years at arrival, had experienced moderate to high levels of adversity prior to arrival, or had been placed in a higher SES family, and are not significantly more vulnerable to the negative effects of discrimination and threats to group continuity than adoptees without these risk factors. Migrants with adverse pre-arrival experiences and lower parental SES, on the other hand, seem to be more vulnerable to being affected by public stigma, prejudice and discrimination than adoptees. Less than 20% of adoptees and migrants reported to have experienced discrimination based on their adoptive or migrant status. The majority expressed pride in their status and about half agreed with the statement that their respective group would maintain its unique identity. However,

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when asked about how secure they felt about the future of their respective groups or communities, the majority of adoptees and nearly half the migrants indicated that they considered the continuity of their group to be under threat. More importantly, and unexpectedly, this perceived threat emerged as the strongest predictor of a weak identity among both adoptees and migrants, particularly in terms of identification with their respective reference group or community.

In regards to any threat their physical appearance may pose to well-being and identity, it was found that almost all adoptees and migrants had non-Caucasian physical features which made them stand out from the majority of people in WA. More adoptees than migrants reported being conscious of their different looks but most also indicated that they liked looking different. Despite this satisfaction with their uniqueness, a quarter of the adoptees and migrants believed that their different looks created problems for them. This belief was in turn related to a wish to look like an 'average Australian', expressed by nearly half the adoptees and 17% of the migrants. When asked where their different looks created the most problems for them, both adoptees and migrants pointed to public places. Migrants, in particular, reported that they considered their skin colour and other physical features to work against them in their pursuit of education, employment and intimate relationships. Although more than 80% of both groups also reported to have experienced racial discrimination, racism by itself was not found to be a strong predictor of either well-being or identity. This finding was as unexpected as the emergence of the threat 'problems created by looking different' as the strongest predictor of well-being, especially of internalising problems such as anxiety and depression. Adoptive parents largely agreed with their children about the potential negative effects of looking different in WA. Migrant parents, on the other hand, hardly agreed with their children and seemed to underrate the prevalence of the problems and seriousness of their negative effects. Despite these significant results, the question about which

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factors make well-being and identity in individuals deviate from the norm, remain largely unexplained by the study's findings.

Discussion

This chapter provides a brief summary of a 2004 study on the well-being and identity of 14- to 26-year-old intercountry adoptees and their non-adopted migrant peers in WA. It is the first quantitative study in Australia to thoroughly examine the association between adoptee well-being and identity. The results from 'self' and parent reports indicate that in 2004 the large majority of the adoptees and migrants were happy, healthy in body and mind and competent, with high levels of self-esteem and self-efficacy, moderate to high levels of ethnic, cultural and racial identities and a moderate to high degree of identification with adoptee and migrant groups, birth countries, Australia and WA. The results on well-being and identity are comparable with findings from recent research among young adult intercountry adoptees in other countries (Tieman 2006) and among immigrant youth in Australia and 12 other countries (Berry, Phinney, Sam and Vedder 2006).

The adoptees and migrants were found to be more similar than different in terms of demographic characteristics, well-being and identity. Differences were largely based on issues of culture and acculturation. One of these differences was alcohol consumption by adults. More adoptees than migrants reported drinking at levels considered risky, but still within the Australian norms reported by the Australian Institute of Health and Welfare (2007). The migrants' lower levels were consistent with the Australian Bureau of Statistics (2006) reporting of low alcohol intake by new migrants and increasing intake with increasing length of residence in Australia. This increase suggests an acculturation or assimilation effect on alcohol drinking habits which could, at least partly, explain the adoptees' drinking patterns.

Adoptees and migrants were found to be more similar than different in respect to the impact of threats, such as discrimination,

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on their well-being and identity. However, the assumption that Caucasian adoptive parents find it more difficult to acknowledge their non-Caucasian children's experiences of discrimination than non-Caucasian parents (Harper and Bonanno 1993; Lee 2003) were not supported. In fact, the evidence suggests that the opposite may be the case. The intercountry adoptees in this study were born between 1976 and 1990 and are considered to be part of the second generation of intercountry adoptees to come to Australia—the Vietnamese adoptees are generally seen as the first generation. The adoptees and most of their migrant peers grew up during a time that the public discourse in Australia included strong anti-Asian sentiments and objections to non-Caucasian immigrants, as well as calls to stop all forms of adoption—including transracial domestic and ICA. When the study's findings are placed in these historical contexts of Australian race relations, child welfare and adoption politics, it is clear that these discourses form part of the foundations of the adoptees' and migrants' perceptions of bias and discrimination against their status and their physical appearance. The strong public discourses may, however, also have promoted open communication between adoptees and parents, leading to their shared acknowledgement of the adoptees' experiences of bias and discrimination as indicated by the high level of agreement between the adoptees' 'self' and parent reports on these threats. Although migrant families may be less open to talk about these issues, reflected in the low level of agreement found between the migrants' 'self' and parent reports, both approaches are consistent with the different but equally valid and effective strategies that different groups use to cope with perceived threats. The high levels of self-esteem and self-efficacy, reported by the adoptees and migrants, seem to attest to the presence of resilience against threats in both groups.

Australia has previously been identified as an ethnically-diverse country where immigrant youth is at moderate to high risk of experiencing discrimination, despite a public policy of multiculturalism (Berry *et al.* 2006). According to Berry *et al.* (2006),

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perceived discrimination reflects the attitude in the larger society towards minority groups and their members. This is consistent with reports from the adoptees and migrants of a seemingly relentless questioning of, and about, their physical features and an implied questioning of the authenticity of their Australian identity. It thus seems that the earlier call by Harper and Bonanno (1993) to help increase positive attitudes in the next generation and reduce discrimination, seems as relevant today as it was then.

Despite the positive findings on the well-being and identity of the large majority of adoptees, their reported pessimism about the continuity of a distinct ICA community could well be a reflection of the longstanding stigma against adoption in Australia (House of Representatives Standing Committee on Family and Human Services 2005). Steps taken in recent years by the Attorney General's Department of the Australian Federal Government (2008), such as increasing responsibility of ICA programs in Australia and the establishment of the National Intercountry Adoption Advisory Group with intercountry adoptees among its membership, may go some way to address the existing stigma towards transracial and ICA. Future research is needed to assess if, and how, these socio-political changes impact on the well-being and identity of all ICA generations in Australia.

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