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**Politics of Colombian Adoption: State Formation,
Church Authority, Population Control, and the “Best
Interests of the Child”**

**A Final Paper
by
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Introduction

This project is a historical analysis of the politics of adoption in Colombia. It is understood via the State, the Catholic Church, population control, and the concept of the “best interests of the child” from the inquiry of transnational adoption. The thesis questions are: what is it about Colombian adoption that makes it unique and distinct in the world of transnational adoption? How did it get to be this way? What is it that a history of Colombian adoption can tell us? Within these pages the reader will find that this thesis is important and innovative to the larger discussion of transnational adoption. Whereas it is often cited that the Latin American adoption explosion happened in the 1980s, research finds that it had existed since the 1942 establishment of the first *casas privadas* (private adoption houses) in Colombia, *La Casa de la Madre y el Niño*. By 1974, *La Casa de la Madre y el Niño* had oversaw the adoptions of more than 100,000 children, most of which were often adopted from the U.S. or European countries.¹ Second, contrary to the waves of war-torn countries and transnational adoption, this project is a historical retelling of one of the first non-war related countries whose foundations of the understanding of plenary adoption was poverty-based. In addition, its understanding sprang directly from population control discourse. This is more astonishing to consider since plenary adoption would not enter into law until 1975.² Finally, notwithstanding the existence of Colombian transnational adoption of the 1940s and the Latin American adoption explosion of the 1980s, the precursor to the

¹ Gonzalo Castellanos, “Extranjeros quieren adoptar a más de cien niños caleños,” *El Tiempo*, 19 December 1974, and El Tiempo, “La adopción debe ser consciente e irrevocable,” *El Tiempo*, 25 June 1971

² *Ley 5 de 1975*, 28 January 1975, [retrieved 3 March 2013] www.alcaldiabogota.gov.co

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international recommended State central authority for transnational adoption would be established in the late 1960s.

To begin, much of the current scholarly work on transnational adoption is either sociologically or anthropologically based.³ Furthermore, as important as this type of scholarly work is, investigation and analysis are lacking in some ways. Many of the scholars are intrigued by the phenomenon of transnational adoption in its present manifestation. Signe Howell, for example, wants to investigate the movement of children across borders within a multifaceted exchange of cultural, national, racial, and social aspects and to what extent it is successful and what constitutes its success on a local level.⁴ Similarly, Heather Ahn-Redding and Rita Simon ask if transnational adoption works within the context of transracial exchanges. The authors argue that to understand the exchanges it is necessary to hear it from the voices of adoptees that have experienced this transracial adoption exchange.⁵ The larger question, then, is whether transnational adoption works across these broad exchanges and if so what is needed to possibly improve it in its present circumstance. However, scholarly research ignore important factors. The answers to the inquiries depend on the sum total of adoptees experiences. These experiences can vary greatly and although larger ideas and insights

³ See, for example, Signe Howell, *The Kinning of Foreigners: Transnational Adoption in a Global Perspective*, [New York: Berghahn Books, 2006], Jessaca B. Leinaweaver, *Circulation of Children: Kinship, Adoption, and Morality in Andean Peru*, [Durham, NC: Duke University Press, 2008], or Heather Ahn-Redding and Rita J. Simon, *Intercountry Adoptees Tell Their Stories*, [New York: Lexington Books, 2007]

⁴ Signe Howell, *The Kinning of Foreigners: Transnational Adoption in a Global Perspective*, [New York: Berghahn Books, 2006], p.4. Howell's main argument is that transnational adoption works because of the child being stripped of kinship. The child is "denude[d] of all kinship," essentially being in a state of an "autonomous individual" without kinship connection to anyone. This state of limbo facilitates the transfer to an international scale.

⁵ Heather Ahn-Redding and Rita J. Simon, *Intercountry Adoptees Tell Their Stories*, [New York: Lexington Books, 2007], p.vii.

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from the aggregate of adoptee's experiences might allow for a larger understanding of transnational adoption, it remains quite constrictive. First, it ignores the innumerable other contradictory and counterintuitive ways race, culture, and nationality interact in the lives of adopted children.⁶ Secondly, the lives of adopted children do not end with the onset of adolescence or adulthood. Adults who were adopted constantly introspect and contemplate their role within their adopted and biological family. In addition, one's experiences from childhood have a lasting effect, negative or positive, on the way they approach adulthood. Thirdly, it is also subjective as many of the published voices come from adoptive mothers in response one scholar asks, "where are the voices of adoptees and birth parents."⁷ Equally absent is a historical analysis of transnational adoption.

A historical context of transnational adoption may shed light on larger aspects of state formation or other social and political factors pertinent in understanding the politics of adoption in a particular country. And one may have a better understanding of transnational adoption in its present manifestation. In addition, a history may help the sociological and anthropological disciplines. A framework of the historical context of transnational adoption from a particular country may connect all three more intimately and provide a much more comprehensive transnational adoption framework. Laura Briggs's book, *Somebody's Children*, deserves mention as it contributes a historic analytical look at transnational adoption. She does recognize the recent efforts of

⁶ For example, from the author's personal experience and anecdotal experience such aspects may drastically affect someone in positive or negative ways different from ones own adopted siblings. These varied interactions are not static and fluctuate throughout the child's life into adulthood and may fluctuate in either direction.

⁷ Toby Alice Volkman, "Introduction: New Geographies of Kinship," In *Cultures of Transnational Adoption*, ed. Toby Alice Volkman, [Durham, NC: Duke University Press, 2005], p.18. This mention does not attempt to deviate or undervalue the contribution of scholars as adoptive parents. It only highlights a discussion that might shape direction of discourse and neglect other voices, unintentionally.

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scholars to provide “a more critical account of adoption” that moves beyond such complexities as “lived processes” and arrives at a discourse of the politics of “race and poverty, gender and sexuality,...international relations and economies.”⁸ Her book is an important part of the change in discourse, yet she acknowledges that it’s only the beginning and much is needed to expand such discussion.⁹ This project expands on that consideration.

Latin America to Colombia: A Consistent Anomaly

On a broad historical view of adoption, two paradigms dominate. The first is the so called “waves” of adoption. The second is the relationship between “sending” and “receiving” countries. Each paradigm synthesizes new understandings of transnational adoption and stimulates more exploration and inquiry into it. Transnational adoption waves refer to periods of high numbers of adoptions from a particular region. Data illustrates that the waves usually followed international conflict and the U.S. was the leading country to adopt.¹⁰ According to many scholars, the first wave originated at the

⁸ Laura Briggs, *Somebody's Children: The Politics of Transracial and Transnational Adoption*, [Durham, NC: Duke University Press, 2012], p.5.

⁹ It is clear that much of the book conversation takes place within the borders of the United States, where the impetus for transnational adoption began. Briggs posits an intriguing argument to illustrate how U.S. Americans attitudes changed from domestic adoption to international adoption and how it then expanded to incorporate different regions, leading ultimately to its modern form of transnational adoption.

¹⁰ Diana Marre and Laura Briggs, eds. *International Adoption....ibid.*, p.1

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end of World War II in Europe.¹¹ Subsequent waves took place after the Korean War, 1950-1953 and the Vietnam War.¹² Scholars cite the emergence of the transnational adoption wave in Latin America in the 1980s. Indeed, although data is scarce from the 1970s, statistics show that in the period from 1980-1989 six of the top ten sending countries were from Latin America (See Table 1.1, p.9). Questions emerge to make sense of the Latin American wave. Did military conflicts influence the Latin American wave similar to that of Korea and Vietnam? Is it valuable to view Latin America as a region in transnational discourse?

Similarly, the paradigm of “sending” and “receiving” countries invites more inquiry. Signe Howell notes that an analysis between “sending or donor countries” and “receiving countries” is a “two-way process...which is not necessarily balanced.”¹³ The interrelation between them reveals a movement of children from poorer countries to richer countries. It is the imbalance on the side of “sending” countries that became the impetus for this project. It spurred a myriad of queries to explore attributes that characterize a “sending” country as opposed to a “receiving” country. Why is there a

¹¹ See, Signe Howell, *The Kinning of Foreigners: Transnational Adoption in a Global Perspective*, [New York: Berghahn Books, 2006], Heather Ahn-Redding and Rita J. Simon, *Intercountry Adoptees Tell Their Stories*, [New York: Lexington Books, 2007], Karen Dubinsky, *Babies Without Borders: Adoption and Migration across the Americas*, [New York: New York University Press, 2010]. A further argument should be developed on its numerous synonyms. In the research material including scholarly works, newspapers, and journals, transnational adoption is synonymous with foreign, international, cross-boarder, intercountry adoption. There is more discussion on the connotations and meanings of the terms. This project does not seek to distinguish such terms, although the author invites discussion of the terms.

¹² Peter Selman, “The Movement of Children for International Adoption: Development and Trends in Receiving States and States of Origin, 1998-2004,” in *International Adoption: Global Inequalities and the Circulation of Children*, eds. Laura Briggs and Diana Marre, [New York/London: New York University Press, 2009], pp.32-51.

¹³ Signe Howell, *The Kinning of Foreigners: Transnational Adoption in a Global Perspective*, [New York: Berghahn Books, 2006], p.12. Donor or sending countries are countries in which children are adopted from, and receiving countries are those that the adopted child is reared.

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strong dichotomy between the two categories? Can attributes be shared among both? Why have certain countries persisted in their respective groups? Both paradigms demand and motivate for more in depth critical historical consideration.

Only recently has scholarship opened up toward “sending” countries, but still have maintained a sociological and anthropological perspective.¹⁴ In addition, scholars often refer to Latin America as a whole in the discussion of “sending countries.” This is not completely unjustified. Nevertheless, scholars must resist the temptation of regional classification in transnational adoption discourse. Regional classification assumes that similar processes in the evolution of adoption in a particular country is representative of the region. This could not be farther from the truth. For example, evidence shows that by the mid-1990s (Table 1.1) until the end of the decade only three Latin American nations remained in the top ten “sending” countries: Colombia, Brazil, and Guatemala, respectively. At the beginning of the twenty-first century, only Colombia and Guatemala remained and Haiti replaced Brazil.

¹⁴ See, Diana Marre and Laura Briggs, eds. *International Adoption: Global Inequalities and the Circulation of Children*, [New York: New York University Press, 2009]. Especially part two where several contributors discuss perspectives from sending countries which is also the name of the section. Also is Claudia Fonseca, “Inequality Near and Far: Adoption as Seen from the Brazilian Favelas,” in *Law & Society Review*, Vol. 36, No. 2, Special Issue on Nonbiological Parenting (2002), pp.397-432. And, Jessaca B. Leinaweaver, *Circulation of Children: Kinship, Adoption, and Morality in Andean Peru*, [Durham, NC: Duke University Press, 2008]. Françoise Lestage and María Eugenia Olavarría, eds., *Parentescos en un mundo desigual: Adopciones, lazos y abandonos en México y Colombia*, [Iztapalapa, México: Universidad Autónoma Metropolitana Unidad Iztapalapa, 2011]

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Table 1.1¹⁵

Countries Sending Most Children for Intercountry Adoption, 1980–2004

| 1980–1989 ^a | 1995 ^b | Rank | 1998 ^c | 2004 ^c |
|------------------------|-------------------|------|-------------------|-------------------|
| S. Korea | China | 1 | Russia | China |
| India | S. Korea | 2 | China | Russia |
| Colombia | Russia | 3 | Viet Nam | Guatemala |
| Brazil | Viet Nam | 4 | S. Korea | S. Korea |
| Sri Lanka | Colombia | 5 | Colombia | Ukraine |
| Chile | India | 6 | Guatemala | Colombia |
| Philippines | Brazil | 7 | India | Ethiopia |
| Guatemala | Guatemala | 8 | Romania | Haiti |
| Peru | Romania | 9 | Brazil | India |
| El Salvador | Philippines | 10 | Ethiopia | Kazakhstan |

^a Source: Kane 1993, children sent to 13 receiving states.

^b Source: Selman 2002, children sent to 10 receiving states.

^c Source: Selman 2006, children sent to 20 receiving states.

To posit a question base on Table 1.1: would it be safe to group Latin American countries as a single regional entity over the three decades? No, of course not because it does not account for the missing countries like Chile, Peru, or El Salvador, nor does it consider the consistent countries like Colombia and Guatemala. With the liberation from a constrictive regional classification, the transnational adoption discourse can embark on a more thorough investigation of individual Latin American countries.

The reliable Howell is correct when he says, “adoption is practically synonymous with transnational adoption.”¹⁶ Analogously, scholars, news outlets, and adoption organizations that speak of Latin American transnational adoption today allude to

¹⁵ Source: Peter Selman, “The Movement of Children for International Adoption: Developments and Trends in Receiving States and States of Origin, 1998-2004,” In *International Adoption: Global Inequalities and the Circulation of Children*, eds. Diana Marre and Laura Briggs, [New York: New York University Press, 2009], pp.36, Table 1.5. And Saralee Kane, “The Movement of Children for International Adoption: an epidemiological perspective,” in *The Social Science Journal*, 30-4:323-339.

¹⁶ Signe Howell, *The Kinning of Foreigners...ibid.*, p.4

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Guatemala.¹⁷ Guatemala in recent years had seen a surge of transnational adoption peaking in 2007 with 4,851 adoptions, and within three years adoptions dropped to 58 (Table 1.2). The drastic disparity in numbers suggest something considerably serious after the Latin American wave subsided at the end of the 1980s. There were harsh criticisms about Guatemala's adoption process. There were accusations that the law was inimical and rudimentarily defined. Reforms were defeated. Child trafficking was rampant, and Guatemalan lawyers were the primary offenders. They operated without impunity charging exorbitant prices which could be used to pay off kidnapers or the biological family and still leave the lawyer with a handsome profit.¹⁸ Finally, in a turn of events, international pressure from the Hague successively shut down the entire process.¹⁹

Despite all the attention that Guatemala garnered because of its vicissitudes, Guatemala was not the consistent Latin American country in transnational adoption. That fact belonged to Colombia. Colombia remained in the top six sending countries in the three decades (Table 1.1). In Table 1.2, Colombia remained consistent from

¹⁷ See, Laura Briggs, *Somebody's Children*; *New York Times* and the *Wall Street Journal*.

¹⁸ The Shuster Institute for Investigative Journalism, "Adoption Guatemala," *Brandeis University* [Waltham, MA: Brandeis University, 2008-2012], www.brandeis.edu/investigate/adoption/guatemala.html#history. Fees reached as high as US\$35,000. One reason potential adoptive families would pay such a high price is because the waiting period was not as long as other countries that had a more rigorous adoption process. *Also see*, Melissa Long, "Guatemala Passes Domestic Legislation to Implement Hague Adoption Convention; But Does it Help the Children?," in *Law and Business Review of the Americas*, Vol.15, May 2009.

¹⁹ In fact, the majority of pending adoptive families were from the United States and it was the U.S. via the Hague that effectively stopped the adoption process on the U.S. side, and effectively force the closure of Guatemala's adoption process. See alerts and notices, adoption.state.gov/country_information/country_specific_info.php?country-select=guatemala. Now, there is a backlash of pending families who argue that the real cruelty of Guatemala's adoption law is the subsequent shutdown of the adoption process because it is hindering abandoned children from their arrival into loving families, see Mary Anastasia O'Grady, "Guatemala's Inhumane Adoption Law: A U.S.-backed policy bars thousands of children from being given homes in America," In *Wall Street Journal*, 4 February 2013, p.A11, online.wsj.com/article/SB10001424127887324610504578276010310945682.html

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2003-2011 and peaked in 2010. Colombian discourse often quotes David Bushnell when he wrote, “Colombia is today the least studied of the major Latin American countries, and probably the least understood.”²⁰ Interest and intrigue have eluded Colombia. Its consistency seems normal and far removed from its aberrant regional counterparts. Simultaneously, it is exceptional. Colombia’s ability to remain below the radar even though it is clearly a major component of transnational adoption discussion is perhaps more impressive than Guatemala. Colombia remains a tenable Latin American country within transnational adoption discourse.²¹ How?

Table 1.2²²

| <i>Numbers are the positions among 16 sending nations</i> | 2003-11 Totals | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 |
|---|-----------------------|--------------|--------------|--------------|--------------|--------------|--------------|-------------|--------------------------|--------------|
| 4. Guatemala | 24,139 | 2,676 | 3,424 | 3,872 | 4,232 | 4,851 | 4,186 | 799 | 58 | 40 |
| 6. Colombia | 14,638 | 1,750 | 1,741 | 1,466 | 1,639 | 1,636 | 1,617 | 1,415 | 1,798 | 1,577 |
| 9. Haiti | 10,456 | 1,056 | 1,159 | 958 | 1,096 | 783 | 1,368 | 1,238 | 2,601^a | 195 |
| 13. Brazil | 4,106 | 472 | 472 | 473 | 518 | 485 | 490 | 462 | 380 | 348 |

When, in 1998, Colombia ratified the 1993 *Hague Convention on Protection of Children and Co-Operation in Respect of Intercountry Adoption*, all the recommended safeguards for intercountry adoptions had been in place. The treaty recommended two safeguards. A central authority under state jurisdiction to oversee all adoptions and

²⁰ David Bushnell, *The Making of Modern Colombia: A Nation in Spite of Itself*, [Berkeley, CA: University of California Press, 1993], p.vii

²¹ Laura Briggs, *Somebody's Children: The Politics of Transracial and Transnational Adoption*, [Durham, NC: Duke University Press, 2012], pp.3-4. For more discussion on Haiti and adoption see Chantal Collard, “The Transnational Adoption of Related Child in Québec, Canada,” In *International Adoption: Global Inequalities and the Circulation of Children*, eds. Diana Marre and Laura Briggs, [New York: New York University Press, 2009], pp.119-134.

²² Source: Peter, Selman (2012) *Key Tables for Intercountry Adoption: Receiving States and States of Origin 2003-2011*, available on request from the author at pfselman@yahoo.co.uk Highlighted numbers are peak numbers for the years shown.

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regulate the accredited institutions. Second, accredited institutions that operated independently but are authorized to carry out intercountry adoptions. In fact, Colombia established state authority over children and family since the late 1960s. Colombia founded its central authority, the *Colombian Institute of Family Welfare (Instituto Colombiano Bienestar Familiar; ICBF)* in 1968 and at the end of the 1970s all eight accredited institutions were established. It appeared that Colombia's adoption process was well structured. This elicited a number of questions. How did the state authority over family arise? Did Colombia have the foresight to predict the transnational adoption phenomenon? Did the evolution of adoption discourse contribute to its consistency as a sending country? This thesis attempts to answer these questions.

Argument & Methodology

In the case of Colombia, an investigation into the origin of transnational adoption leads to a deeper exploration of a complex and interconnected history between the State and the Church all of which centered around population control. For all its modern circumstance and marvel, adoption and transnational adoption were epiphenomenal in their humble Colombian origins to the bigger discussion of the conflict between Church and State within population control discourse. Additionally, a further investigation revealed aspects that influence the State and Church separately. Finally, to come full circle, this led to a deeper discussion on the development of the concepts of childhood and *responsible parenthood* from the concept of the family that would directly influence the understanding of adoption in Colombia. Thus, to synthesize these concepts,

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conflicts, and events requires a fresh historical analysis on the politics of Colombian adoption.

The thesis is divided into three chapters. Each chapter uses the *Pan-American Assembly on Population* as the central focus of the historical reinterpretation. The first two chapters examine the entities of the State and the Church. The third chapter explores the evolution of the transnational adoption concept “best interests of the child” in relation to the State and Church dichotomy in Colombia. The *Assembly*, as the center of the project, has a dual role. First it acts as the public stage in which the conflicts of the State and the Church become tangible and play out in front of one another. Secondly, it takes on a metaphorical role. It acts similar to a connecting tube on an hourglass. In an hourglass, the connecting tube is simultaneously the point of entry and point of departure so that sand passes through from one glass bulb to the other. Similarly, the *Assembly* is the point of entry **and** the point of departure where the institutions, conflicts, and ideas amalgamate, crossover, and afterwards disband. Thus, the reader will gain a deeper understanding of the interconnectedness between the entities, conflicts, and concepts unique to the time.

Each chapter explores a subject or concept and retraces the path of its development, transformation, and adaptation. The first two chapters retrace the path of the State and the Church respectively. Chapter one retraces the Colombian state before, during, and after the *Assembly*. It argues that the State’s quest for legitimacy required an awareness of the faults of the oligarchy and of the population explosion. The *Assembly* was the State’s effort to reestablish legitimacy to a deficient democratic government. It shows that the *Assembly* was significant in the State’s creation of the

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ICBF as the central authority for family welfare and the protection of the child which predated the recommendations of the 1993 Hague Convention. The second chapter examines the Catholic Church in Colombia. It illustrates the historic struggle between state authority and religious authority before, during, and after the *Assembly*. It retraces the Church's rise, decline, and adaptation. It illustrates that the Church's urgency to defend itself in face of secularization and defend its authority over family will make contributions that will be paramount to the understanding of adoption in Colombia. It also argues that individual Catholics use the Church's doctrine to embrace adoption as a moral stance against the birth control programs of the State. The third and final chapter analyzes the concept of the "best interests of the child." It argues that Colombia's contemporary understanding of the "best interests of the child" derive from three aspects: 1.) the transformation of the child from an economic value to a sentimental value 2.) *responsible parenthood* and *irresponsible parenthood* 3.) state authority. It illustrates that the first aspect sprang from the consequences of the demographic explosion. It further argues the State, the upper and middle classes took the Church's novel concept of *responsible parenthood* and reinterpreted it to a more liberal understanding. The reinterpretation of *responsible parenthood* allowed the manifestation of its antithetical concept; *irresponsible parenthood*. The State incorporated these concepts to justify state authority's separation of the child from family as a method to protect the child. This resulted in the stigmatization of the parents of the poorer economic classes in Colombia. These ideas coalesced in Colombia's understanding of the "best interests of the child" which would govern policy for the next four decades.

Sources

This thesis relied on numerous primary and secondary sources. The bulk of primary sources came from two newspapers: the *New York Times* and *El Tiempo*. Both newspapers offered a plethora of articles on population growth and the *Pan-American Assembly*. It should be noted that the author's research of *El Tiempo* was an example of rigorous research and determination. *El Tiempo's* archives are not thoroughly digitalized. Thus, the author painstakingly and methodically searched for articles page by page from 1965 until 1970 with positive results. The most useful source on the *Assembly* was a volume of work in which the contributors's essays had been presented at the *Assembly*. It was an invaluable resource. Secondary sources relied on history books on Colombia. The books helped as a guide to draw out the ideas and concepts pertinent to the discussion of the Church and State conflict. Statistics on transnational adoption came from the email correspondence of the foremost scholar on statistical trends and developments in transnational adoption, Peter Selman. To develop the ideas surrounding the concept of the "best interests of the child," I relied on the works from Sociology. Finally, another important and significant source was the use of *Gapminder*. It is a website that is a non-profit and works in tandem with universities, public agencies, government organizations, and *NGOs*. The organization collects numerous statistics from a variety of official sources. However, there was one significant obstacle. Within the thesis, the discussion or use of demography statistics from the period of the *Assembly* did not accurately reflect modern statistics. One reason perhaps could be that

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older statistics came from different organizations and there was no general consensus on the credibility, validity, or accuracy of a particular organization. Another reason could be that the statistics were incorrect. During the research, the author found that although numbers varied, they did not vary to a great degree, and, from a broader perspective, they still reflected the pattern or paradigm significant to the particular period. The author tried to utilize the data from the particular sources relevant during the period of investigation, however some data was incomplete. It was either not available or not selected by the authors. In this case, the author used current data. Pains have been taken to ensure the accuracy on the most relevant and reliable data.

CHAPTER I State Formation

In city of Cali, 11 August 1965, Colombia hosted the *First Pan-American Assembly on Population*. The following day the *Assembly's* Chairman and former Colombian president, Alberto Lleras Camargo, ascended the dais and delivered the keynote speech. In front of a gathering of seventy-five delegates representing twenty countries and with another thirty international observers, Lleras Camargo uttered the words that would set the tone for the next three days. "For us, the human solution, the Christian solution, the economic and politically sound solution is birth control."²³ His words echoed a growing sentiment in Latin America and the developing world. Population growth was the next big dilemma, and third world countries that wanted a better economic and political future had to confront it. Over the next three days a series of speeches and workshops addressed the problem of population growth in Latin America. Lleras Camargo's words rang true for many of the delegates and international observers, but to what extent did it ring true for Colombia?

In the span of twenty years, 1945-1965, Colombia underwent a fundamental political, social, and demographic transformation. The political violence of *La Violencia* underscored the persistent sectarian conflict. The extensive rural to urban migration along with the demands of the popular classes for more rights and liberties proportionately increased with the unprecedented population explosion. By 1965, more

²³ J. Mayone Stycos and Jorge Arias, "Introduction," in *Population Dilemma in Latin America* [Washington, D.C.: Potomac Books, Inc. Publishers, 1966], p.xi. Also, Martínez, "Los Problemas Demográficos," *El Tiempo*, 11 August 1965.

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than half of the population was under 21 years of age, of which 45% were under 15 years of age.²⁴ Colombia was a country with a young and an ever increasing population which had numerous implications in economic, political, and social arenas.

Nevertheless, this could not be confronted without a resolution to Colombia's historical battle for legitimacy which remained at its core.

The attempt to restore legitimacy uncovers a historical paradigm of disjunction between stability and legitimacy in Colombia. Colombia constantly struggled for both. This owed to a long history of corruption, conflict, and violence between its two dominant political parties: Liberals and Conservatives. When both parties did settle disputes to restore stability and legitimacy, they improved the former only to default on the latter. This chapter illustrates the ways in which the imbalance between stability and legitimacy oscillated. It explores the State's frank attempt to assume accountability, maintain and expand authority, and, at the same time, guarantee the rights and liberties of the historically neglected popular classes. These classes suffered from severe poverty at the hands of an elite oligarchy and whose demands for social progress grew more intensely under Colombia's demographic explosion at the *Pan-American Assembly*. Furthermore, it shows that the State's subsequent actions behind Liberal president Carlos Lleras Restrepo, were a method to reclaim legitimacy, and would establish the state institution, the *Colombian Institution of Family Welfare (Instituto Colombiano de Bienestar Familiar, ICBF)* in response to the overwhelming young poor population and the demands of the popular classes. The *ICBF* would be the central

²⁴ Herbert L. Matthews, "Frankness on Birth Control in Latin America," *New York Times*, [23 August 1965] and Jorge A. Brea, "Population Dynamics in Latin America," *Population Bulletin* 58, no. 1 [Washington, D.C.: Population Reference Bureau, 2003], p.20.

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institution for the state authority's protection of children and family welfare. It eventually evolved into the central authority over transnational adoptions in Colombia.

SECTION I: Sectarian Conflict and Coalition

The main historical difference between Conservatives and Liberals was to what extent the Catholic Church played in the government, regions, and the lives of individuals.²⁵ Liberals, although members of the Catholic faith, saw the Church as a much too powerful institution that restricted Liberal ideals of economic progress and individual rights. They supported the separation of Church and State.²⁶ Conservatives, on the other hand, aligned with the Catholic Church's doctrine to preserve social and moral order in direct opposition to Liberals. Political violence between Liberals and Conservatives ebbed and flowed over the years. From the 1899 civil war until the mid-1960s, conflict trickled from the top down; elites to the poor rural and urban population. Author Mary Roldán notes that political affiliation for Colombians was unique in that it tended to root itself as an inextricable part of one's self-identity among the lower classes, and disagreements between lower class Liberals and Conservatives were no indication or necessarily connected to elite partisan disagreements.²⁷ Thus, sectarian violence often disguised the economic gap between the elite and popular classes.

²⁵ Marcos Palacios, *Between Legitimacy and Violence: A History of Colombia, 1875-2002*, trans. Richard Stoller, [Durham, NC: Duke University Press, 2006], p.1.

²⁶ Frank Safford and Marco Palacios, *Colombia: Fragmented Land, Divided Society*, [New York: Oxford University Press, 2002], p.156.

²⁷ Mary Roldán, *La Violencia in Antioquia, Colombia, 1946-1953*, [Durham, NC: Duke University Press, 2002], p.13.

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Notwithstanding cross-class party identification, by the mid-1940s the economic gap between the elite and popular classes began to emerge and enter into the popular classes's awareness. The arrival of the Liberal populist, Jorge Eliécer Gaitán in the 1940s appealed to Bogotá's lower classes and accrued disdain from the Liberal and Conservative elite. Gaitán was the new symbol of populism in Colombia. Gaitán attacked the elite. He dismantled the credibility of both Liberal and Conservative elites and called into question their control of government. He portrayed them as selfish, power hungry people, products of the "excesses of unrestrained capitalism and the links between private fortunes and state power."²⁸ He struggled for the increase in rights and liberties for the popular classes. The assassination of Gaitán in 1948 was the watershed moment for the successive twenty years of sectarian violence known as *La Violencia*.²⁹ Ultimately, the efforts at truces and coalitions among the political parties to stabilize Colombia and restore legitimacy suffered because severe political differences remained on how to create a legitimate government.³⁰ Furthermore, popular classes were continually neglected in favor of an exclusive oligarchic rule. Political violence stemmed from these conflicts and perpetuated Colombia's continued reach for legitimacy.

²⁸ Marco Palacios, *Between Legitimacy and Violence: A History of Colombia, 1875-2002*, trans. Richard Stoller, [Durham, NC: Duke University Press, 2006], p.140.

²⁹ La Violencia death estimates have reached 200,000 most in rural areas. In addition, many scholars argue that the assassination of Gaitán and el *Bogotazo* was not the beginning of *La Violencia* but came before that due to the ongoing conflict between conservatives and liberals. See, Forrest Hylton, *Evil Hour in Colombia*, [New York, NY: Verso, 2006], p.36. Others, establish a year, 1946, two years before the assassination of Gaitán. See, David Bushnell, *The Making of Modern Colombia: A Nation in Spite of Itself*, [Berkeley, CA: University of California Press, 1993], p.204, and Mary Roldán, *Blood and Fire: La Violencia in Antioquia, Colombia, 1946-1953*, [Durham, NC: Duke University Press, 2002], pp.1-41.

³⁰ The first entente was after the civil war, *War of a Thousand Days*, 1899-1903. It was followed by another coalition between the two parties in 1945 mediated by Alberto Lleras Camargo who would be known as the Great Conciliator. Unfortunately, this peace agreement lasted only for 3 years until Gaitán's assassination.

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El Frente Nacional, 1958-1972

The *National Front (Frente Nacional)* was a decisive coalition between Liberals and Conservatives that sought to quell the violence and reestablish democratic law and order. In 1953, failure to resolve political violence and reestablish stability, Conservative General Gustavo Rojas Pinilla led a military coup d'état with support by both elite Liberals and Conservatives. Political violence subsided and stability returned, albeit precariously. Regardless, both parties realized that Rojas Pinilla had usurped the executive. Once again behind the guise of stability legitimacy failed. Steadfast for democratic government, Liberals seized an opportunity for a coalition, and the two parties united and removed Rojas Pinilla from power in 1957. This agreement marked the beginning of the *National Front (Frente Nacional)* in 1958. Both parties consolidated power with the promise of a legitimate State for the next sixteen years. Stability tended to settle elite partisan squabbles in order to protect political and economic interests of both Liberal and Conservative elites. However, state reforms and economic windfall failed to reach the rest of the population. In turn, many accused the Colombian government of corruption which damaged any claims to legitimacy, and thereby, perpetuated conflict.

SECTION II: Pan-American Assembly on Population

Under this historical context of disjunction between political parties and State legitimacy, the *Assembly* served as a public stage in the State's attempt for accountability and to demonstrate that Colombia was experiencing a fundamental

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rupture in its history that was inextricably tied to the State's efforts for legitimacy: population explosion. The task at the *Assembly* was to alter existing beliefs and promote new perspectives and solutions to the population dilemma.

At the *Assembly*, demographers considered that for Colombia and other Latin American countries population growth was of little concern. A rising population was a challenge more than a burden.³¹ Population growth was necessary as it was a way to increase population density and fill unsettled areas. Indeed, in 1960, president of the *National Front*, Lleras Camargo, appealed to the U.S. for help. He issued a plea for “credit for development” in order to “settle people on unoccupied state lands and provide them with houses, roads, and tools.”³² The Colombian state embraced influential Argentine thinker, Juan Bautista Alberdi's dictum “to govern is to populate.” Large populations signified power in countries with low population density. A large population was a source of economic, national, political, and military power. Economically, it provided a large labor force and a large consumer market. Colombia welcomed its growing population as a step toward economic development and progress, however it had not understood the complete picture of population growth.³³ Prominent demographer, Frank W. Notestein outlined and refuted these arguments as overlooking a more significant problem. It was not “the size of population...[but] the rate of population growth.”³⁴

³¹ J. Mayone Stycos, “Demography and the Study of Population Problems in Latin America,” *Population Dilemma in Latin America*, [Washington D.C.: Potomac Books, Inc. Publishers, 1966], p.228.

³² Dana Adams Schmidt, “Colombian Urges Rise In Latin Aid,” *New York Times*, 7 April 1960.

³³ Frank W. Notestein, “Some Economic Aspects of Population Change in the Developing Countries,” in *Population Dilemma in Latin America*, [Washington D.C.: Potomac Books, Inc., Publishers, 1966], pp. 89-90.

³⁴ Frank W. Notestein, “Some Economic Aspects of Population Change...,” *ibid.*, p.93.

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Indeed, the high rate of growth reflected trends that embodied Colombia and condemned it to deep-seated poverty. Notable demographer, Carmen A. Miró illustrated that Latin American countries with a high rate of population growth exhibited a predominant young age structure and large rural to urban migration.³⁵ According to statistics, Colombia demonstrated all three characteristics: 2.9% rate of growth, cities doubled in size, and the 0-19 age group represented 52.8% of the population.³⁶ She further argued that the consequences of population trends created complex problems. Large urban migrations were a reflection of the aspirations for employment opportunities in cities and the dwindling agrarian economy. On the other hand, governments were ill-prepared to cope with large urban migrations. This led to the deterioration of public infrastructure and living conditions, while it increased unemployment. As a response, this led to the rise of social movements to improve poor urban conditions. Finally, a characteristic young population meant fewer people needed to produce more to support the young population and more investment was needed in education, housing, health, and nutrition to provide for the future workforce.³⁷

³⁵ Carmen A. Miró, "The Population of Twentieth Century Latin America," in *Population Dilemma in Latin America*, [Washington, D.C.: Potomac Books, Inc. Publishers, 1966], pp.1-32.

³⁶ Carmen A. Miró, "The Population"....*ibid.*, pp.1-32. Her statistics were based on a combination of the 1951 census and statistics up to 1960. Modern statistics have 1965 numbers as 2.9% rate of growth, 0-19 age group was 57% of the population (contrast this with the fact 1965 life expectancy was 59 years old, and the two oldest age groups 40-59 and 60+ were only 18.2% of the population). 52% of the population lived in the cities. Source: all age groups from UN Population Division; Population growth (annual %) and Urban Population (% of total) from World Bank through www.gapminder.org. Life expectancy, www.gapminder.org/data/

³⁷ This line of argument can also be found in United States Congress. Senate. Committee on Foreign Relations. *Survey of the Alliance for Progress: Compilation of Studies and Hearing of the Subcommittee on American Republic Affairs*. 91st Congress, 1st Session: Document No. 91-17, 29 April 1969. Washington, D.C.: U.S. Government Printing Office, 1969, p.13.

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In Colombia, the population trends and consequences collided with the State's struggle for legitimacy. The first two presidencies of the *National Front* failed to bring reform. Despite U.S. financial assistance via *USAID (United States Agency for International Development)* in 1962 that provided \$140 million in small interest loans between 1962-1964, the Colombian state used it to pay off debts and to cover the rising operation expenses of the government which left nothing for reforms.³⁸ In addition, in those eight years, Colombia had added another 4.018 million inhabitants to the population. This averaged to 502,000 per year.³⁹ Each year the growing population required more resources such as health, education, housing, infrastructure, food production which put strain on the government to find ways to provide them. By 1964, half of the population lived in the cities and continued to grow.⁴⁰ Urban slums grew due to the lack of employment in manufacturing and commerce. In the countryside, 3.6% of landowners owned 64.2% of farmland compared to that of the 56% that owned 4.2% of farmland, and of available peasant houses 92.6% lacked water and 95.8% lacked electricity.⁴¹ The oligarchic mentality persisted and severe poverty increased with the growing population. This was even more daunting to consider since Colombia depended on agricultural production for a third of its GDP and government represented

³⁸ United States Congress. Senate. Committee on Foreign Relations. *Survey of the Alliance for Progress: Compilation of Studies and Hearing of the Subcommittee on American Republic Affairs*. 91st Congress, 1st Session: Document No. 91-17, 29 April 1969. Washington, D.C.: U.S. Government Printing Office, 1969, p.675.

³⁹ Source: Total Population from www.gapminder.org/data/

⁴⁰ Source: Urban Population (% of total) from World Bank through www.gapminder.org

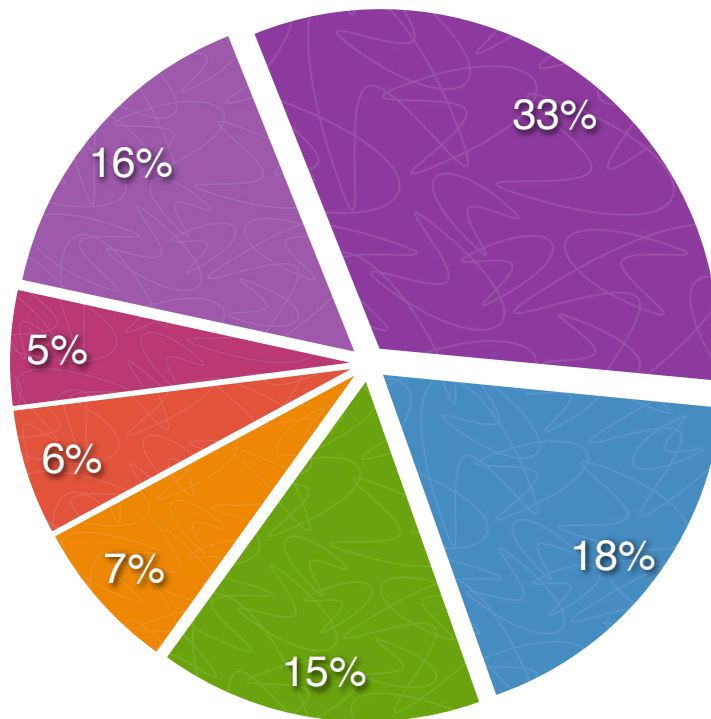
⁴¹ John Gerassi, "Introduction: Camilo Torres and the Revolutionary Church," in *Revolutionary Priest: The Complete Writings and Messages of Camilo Torres*, ed. John Gerassi [Harmondsworth, Middlesex, England: Penguin Books Ltd., 1971], p.33, cited in *Report of the Bank of the Republic*, Bogotá, Nov. 1966; *El Financiamiento Externo de América Latina*, United Nations Report, New York, 1964.

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an insignificant portion of the GDP in the years of unprecedented urban migration between 1957-1966 (See Graph 1.1).⁴²

- Agriculture
- Commerce
- Transportation
- Housing, Mining, Constr., Finance, Utilities, Communic.
- Manufacturing
- Personal Sevices
- Gov't

Graph 1.1: Colombia's GDP, Average of 1957, 1961, & 1966



The arguments and facts revealed Colombia's problems in context of the demographic explosion. The State's neglect of the majority of the population worsened the already extreme poverty and increased the gap between the elite and popular classes.

⁴² United States Congress. Senate. Committee on Foreign Relations. *Survey of the Alliance for Progress: Compilation of Studies and Hearing of the Subcommittee on American Republic Affairs*. 91st Congress, 1st Session: Document No. 91-17, 29 April 1969. Washington, D.C.: U.S. Government Printing Office, 1969, p.778.

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The growing gap between the elite oligarchy of Liberals and Conservatives and the popular classes could not be ignored forever nor placated with inadequate reforms. The emergence of the Left and the Right as response to the State's exclusivity further underscored the elite's expendability.⁴³ Thus, the old oligarchic mentality of trivial quarrels, self-serving alliances and reforms for their own economic and political interests were useless. Nevertheless, the ruling oligarchy had to grasp the concept that Colombia's population was undergoing a significant change. They had to be cognizant of the potential political and social implications and urgency of the issue if they wanted to hold onto the already deficient state power and restore what legitimacy was left. The solution, therefore, was birth control. Birth control was the favorable method because the decline of the mortality rate was "desirable and likely," and the "only remaining avenue of attack" was to slow the fertility rate.⁴⁴ A slower rate of growth allowed the State to redirect resources toward economic development and progress in the long-term, rather than to expend resources continuously in the short-term that would impede modernization.⁴⁵

State Authority: The Elite and the Popular Classes

Beyond the birth control solution was another overarching idea: the State's justification for the expansion of its authority over the popular classes in relation to its

⁴³ A discussion of the rise of the Left and the Right in the context of the Cold War is beyond the scope of this paper, although it does merit mention. The insurgency and counterinsurgency were critical to the direction of Colombia. The Left and Right firmly denounced population control as a Yankee Imperialist means of control.

⁴⁴ J. Mayone Stycos and Jorge Arias, "Introduction," *ibid.*, p.xi.

⁴⁵ Frank W. Notestein, "Some Economic Aspects...", *ibid.*, pp.93-95.

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historical lack of legitimacy. In her analysis of population growth's implications, Miró underlined the growing belief among popular classes in their individual rights and liberties. Popular classes favored the "generalized acceptance" of the claim for basic needs like employment, housing, education, health, and nutrition.⁴⁶ The popular classes looked to the State to provide these. Moreover, the State welcomed innovations that improved these "basic needs." Thus, it was a reciprocal relationship between the State and the popular classes that necessitated the inclusivity of Liberal ideals in Colombia not solely to the elite but to all classes. Under pressure to listen to the popular classes's demands, the State felt justified in its expansion of its authority over family. The demographic explosion was "inescapable" and fearful that "social unrest will lead to bloody revolutions," education and "deliberate use of birth control" was necessary to "visualize" the intimate connection between family and national development and encourage a "new appreciation of the family quality, rather than quantity."⁴⁷ At the end of the *Assembly*, 15 August 1965, the resolution agreed upon basic reforms and population control. This did not set a limit to populations, nor did it say countries should stop growing, but declared a goal of moderate population growth. More importantly, population control would not abandon the focus on much needed economic and social reforms that demographers and the Church emphasized.⁴⁸ However, the burden was on

⁴⁶ Carmen A. Miró, "The Population of Twentieth Century Latin America," in *Population Dilemma in Latin America*, [Washington, D.C.: Potomac Books, Inc. Publishers, 1966], pp.22-23.

⁴⁷ Ramiro Delgado García, "Perspectives of Family Planning Programs in Latin America," in *Population Dilemma in Latin America*, [Washington, D.C.: Potomac Books, Inc., Publishers, 1966], pp.214-218. Delgado García was a prominent leader of Colombia's population studies. He was president of three organizations including Population Studies, Colombian Association of Medical Schools and an important member of a number of academic committees on population. See, *Population Dilemma...*, *ibid.*, p.249

⁴⁸ H.J. Maidenberg, "Population Talks Hailed As Success," *New York Times*, 16 August 1965, and Martínez, "Adoptar Control fue la Conclusión," *El Tiempo*, 15 August 1965.

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the State to prove that subsequent efforts were indicative of a legitimate government. No one understood this more than the leaders of the Liberal delegation that represented the State, especially, Carlos Lleras Restrepo.

SECTION III: Carlos Lleras Restrepo and Social Progress Under the State

The *Assembly* highlighted the emergence of a small number of Liberal elite politicians that synthesized both the historical paradigm and the acute dilemma of Colombia's population growth in the attempt to restore legitimacy and preserve the elite's power. It was Lleras Restrepo who took the initiative to rectify and inaugurate reforms. Lleras Restrepo's presence at the *Assembly* marked a personal change. He had been a staunch Liberal and a fierce opponent of Gaitán in the 1940s. His intransigent attitude toward Conservatives was well known. His enmity had seethed so much that "he even forbade members of his party to greet Conservatives with 'Good morning.'"⁴⁹ At the *Assembly*, he strengthened his resolve as a proponent for population control and a new direction for Colombia. Lleras Restrepo declared the need for "social change, economic development, and fundamental renovation" in a country that had suffered social and economic anguish.⁵⁰ It was a complete reversal. He was to be the next president for the *National Front* in 1966. However skepticism remained. Some Conservatives objected to his nomination. They remarked that he was not the best liberal candidate to represent the bipartisan *National Front* because of his past.⁵¹ Other

⁴⁹ New York Times, "Winner in Colombia: Carlos Lleras Restrepo," *New York Times*, 3 May 1966.

⁵⁰ García, "Movimiento de Opinión sobre Tesis de Lleras," *El Tiempo*, 11 August 1965.

⁵¹ New York Times, "Winner in Colombia: Carlos Lleras Restrepo," *New York Times*, 3 May 1966.

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people asked how they could vote for someone like him who had changed his stance from “working for the system for more than 30 years” to being for social progress.⁵²

His victory in May 1966 granted him the opportunity to enact the goals from the *Assembly*. Although voters did not show up to the polls on election day, Lleras Restrepo acknowledged that this “[a]pathy and general disgust [were] justified.” The dominant parties had lost connection “with the people,” and it was necessary to “offer great changes....and [give] Colombians a new feeling of hope...”⁵³ He christened his presidency as the *National Transformation (Transformación Nacional)*, an era of social progress. One historian noted that “his diligence in creating public institutions that would meet new needs of the country” separated him from other Colombian presidents.⁵⁴ He created no less than twenty-nine institutions. One of which, the *ICBF*, materialized directly from the *Assembly*.⁵⁵

⁵² New York Times, “Winner in Colombia”, *ibid*.

⁵³ Alfonso Monsalve Solórzano, *Legitimidad y soberanía en Colombia, 1958-2003*, [Medellín: Editorial Universidad Pontificia Bolivariana, 2004], p.56. Table 2b and H.J. Maidenberg, “Vote In Colombia Satisfies Lleras,” *New York Times*, 23 March 1966.

⁵⁴ Gabriel Poveda Ramos, *Historia Económica de Colombia en el Siglo XX*, [Medellín, Colombia: Editorial Pontificia Bolivariana, 2005], pp.528-531.

⁵⁵ *ProFamilia* was another institution. Although it was *ProFamilia* that developed birth control programs it falls out of the scope of this project. *ProFamilia* started out as a private foundation to offer contraception to the poorer classes of Colombia and began to receive funding from the Government and developed into one of the most successful birth control/family planning centers in Colombia. For a great account of the history of *ProFamilia* see, Judith Seltzer and Fernando Gomez, “Family Planning and Population Programs in Colombia 1965 to 1997,” *POPTECH* Report No. 97-114-062, May 1998, [Arlington, VA: Population Technical Assistance Project, 1998] and Alan B. Simmons and Ramiro Cardona G., *Family Planning in Colombia: Changes in Attitude and Acceptance, 1964-69*, [Ottawa, Canada: International Development Research Centre, 1973]

Illegitimacy and the Protection of the Child

The State's efforts, led by the Lleras Restrepo's presidency, toward population control changed its focus in 1967. The State initially backed population control programs at the *Assembly* and tied it directly with national goals of economic development and progress.⁵⁶ But, opponents like the Church, the Left and the Right denounced these efforts. The Church criticized them as limiting the Church's role among family and condemning birth control as a symbol of decadence (discussed more in Chapter 2).⁵⁷ The Left and the Right condemned it, citing an imperialistic tactic by the United States.⁵⁸ The change, therefore, centered on birth control as a method to protect children and solve the prevalent social problems of childhood.⁵⁹ Abortion, abandonment, and *gamines* (street children) were the widespread social ills of the day. It was illegitimacy that was the source of these social ills in Colombia.

Illegitimacy was a social problem that had its origins steeped in history, too. The Church's strict doctrine on the sacrament of marriage influenced the State's *Civil Code* on child inheritance and left many children unaccounted for. It combined with cultural gender roles that consigned masculinity to *machismo* and femininity to idealization,

⁵⁶ El Tiempo, "Alberto Lleras Propone Control de la Natalidad," *El Tiempo*, 12 August 1965.

⁵⁷ El Tiempo, "La Iglesia Reprueba Control Familiar," *El Tiempo* 12 March 1967.

⁵⁸ H.J. Maidenberg, "Colombians Get Aid on Family Planning," *New York Times*, 15 July 1970

⁵⁹ El Tiempo, "El Gobierno Fija Posición," *El Tiempo*, 9 February 1967.

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which protracted illegitimacy.⁶⁰ Within this context, it is no wonder that by the twentieth century, Colombia's capital, Bogotá, reported that more than half of all births were illegitimate.⁶¹ Many attributed the phenomenon of the *gamin* to illegitimacy.⁶² In addition, the demographic explosion exacerbated illegitimacy and the *gamin* as more children year after year entered into the populace in the poor rural and urban areas. By the mid-1960s, illegitimacy was a national issue among the middle and upper classes. At the same time, the issues of abortion and abandonment became part of the discussion and the notion of *responsible parenthood* added to the mixture.

Abortion came into the fray as preliminary statistics in Latin America astonished much of the *Assembly* on how prevalent it was.⁶³ Sociologist, Lewis Aptekar, noted that "abandoned" did not apply to *gamines* until after *La Violencia*.⁶⁴ Both arrived as the notions of children and childhood transformed into a new role of sentimental value or the protection of the child (discussed more in chapter 3). Finally, the notion of *responsible parenthood*, introduced at the *Assembly*, gave parents the freedom and

⁶⁰ *Machismo's* conjugal dominance, sexual independence, and frequent procreation defined men, while feminine standards of fecundity, motherhood, and child-rearing restricted women to dependency and submissiveness. See, Father Gustavo Pérez Ramírez, "The Catholic Church and Family Planning-Current Perspectives," in *Population Dilemma in Latin America*, [Washington, D.C.: Potomac Books, Inc., Publishers, 1966], p.199, and Lewis Aptekar, "Are Colombian Street Children Neglected? The Contributions of Ethnographic and Ethnohistorical Approaches to the Study of Children," in *Anthropology & Education Quarterly*, Vol.22, No.4 (Dec 1991), pp.334-346.

⁶¹ Marco Palacios, *Between Legitimacy and Violence...*, *ibid.*, p.74.

⁶² The term *gamin* dates back to the 1870s and is peculiar to Colombia. Although poverty was a necessary condition for the *gamin* it was not sufficient to explain everything. For instance, some street children lived in the streets rather than working long days as child labor with their parents. For an in depth analysis, see Lewis Aptekar, "Are Colombian Street Children..." *ibid.* pp.326-349.

⁶³ H.J. Maidenberg, "Latin Birth Rate Stirs Rising Concern," *New York Times*, 22 August 1965, and H.J. Maidenberg, "Colombians Map Birth Curb Plan," *New York Times*, 9 August 1965.

⁶⁴ Lewis Aptekar, "Are Colombian Street Children..." *ibid.*, p.333. Whereas there is a dispute on the time frame of *La Violencia*, it is difficult to narrow down what year Aptekar refers to as after *La Violencia*. Aptekar might refer to 1958 or 1966. Although research suggests during the 1960s.

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liberty to decide on family planning but equally framed the lack of parental responsibility as the definitive source of social problems (chapter 3). These new notions and understandings thrust children into the consciousness of the middle and upper classes. It became the social responsibility of middle and upper class Colombians to protect children from the irresponsible parents that led to abortion, abandonment, and *gamines* in order to preserve their sentimental value.⁶⁵ It also became the responsibility of the State. It allowed the State to adjust the focus on the child and child protection, thereby, increased support for its family planning programs as a method against abortion.⁶⁶ Furthermore, the *ICBF* would be another extension of state authority over the family to confront illegitimacy and define parental responsibility.

Instituto Colombiano de Bienestar Familiar

In 1968, Lleras Restrepo proclaimed bigger changes for Colombia. One of which was the campaign for family welfare and the protection of the child that “will rise to the forefront of national concerns.”⁶⁷ Lleras Restrepo signed *Ley 75* and established the *ICBF* on 30 December 1968. Journalists reported that *Ley 75*, as the law of *responsible parenthood*, “will open up new fields for youth” via the *ICBF*.⁶⁸ The *ICBF* attempted to

⁶⁵ Juan Antonio Gómez, “Causas y Efectos: Nuestros Niños, los Olvidados por la Ley,” *El Tiempo*, 21 March 1967, and Alvaro López Pardo, “Temas Médicos y Sociales: El Niño Colombiano, un Desconocido,” *El Tiempo*, 7 April 1967.

⁶⁶ Daniel Samper P., “Demografía en Colombia: Control natal, medio para atacar el aborto,” *El Tiempo*, 9 December 1970.

⁶⁷ Carlos Lleras Restrepo, “Mensaje del año nuevo del presidente Lleras,” *El Tiempo*, 2 January 1968, “la campaña de bienestar familiar y protección del niño ascenderá al primer plano de las preocupaciones nacionales...”

⁶⁸ Carlos Lleras Restrepo, “1968 fue un Buen Año para el País,” *El Tiempo*, 2 January 1969, “la ley sobre la paternidad responsable, que permitirá abrir nuevos campos a la juventud a través del Instituto Colombiano del Bienestar Familiar.”

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rectify the issues of illegitimacy and to outline the social responsibilities for the protection of the child by the State. The *ICBF* circumscribed three aspects. The first dealt with illegitimacy and *responsible parenthood*. Laws attempted to handle illegitimacy and mitigate the change of illegitimate children into legitimate vis-a-vis court ordered methods including paternity tests and extending laws of legitimacy to all “natural children” and holding parents responsible for the protection of the child.⁶⁹ Secondly, it undertook a “national plan of nutrition” to support better diets for children throughout the country.⁷⁰ Thirdly, above all, the *ICBF* was representative of state authority over family and children, specifically among the popular classes. The *ICBF* was a product of a mixture of historically complex factors among them the State’s claim to legitimacy via social progress in a period of an exceptional demographic explosion and deep-seated poverty. At that time, jurisdiction over adoption was vague and inchoate. Adoption was still a revocable contract and not an institution and would remain as such until 1975. The State considered *casas privadas* as a part of Catholic and Liberal rehabilitation homes and child care centers that dotted the cities. So, its main role as the central authority on transnational adoption in later years evolved over time.

Conclusion

The *ICBF* was an state institution of family welfare to protect the child. Its creation did not originate directly from transnational adoption. Rather, it is an institution that sprang from numerous historical factors in the State’s struggle for legitimacy. Sectarian conflict,

⁶⁹ *Ley 75 de 1968*, Chapter I, Article 1-39. www.alcaldiabogota.gov.co [retrieved 25 February 2013].

⁷⁰ *Ley 75 de 1968*, Chapter III, Article 50-52. www.alcaldiabogota.gov.co [retrieved 25 February 2013].

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oligarchic rule, and demographic explosion contrasted an ineffective political paradigm with the consequences of economic development and progress that arose under liberal ideals, namely rapid population growth. The *Assembly* was a moment in which the direction changed, and the State seized the opportunity to alter its situation and take the steps to reclaim legitimacy. In those steps, the State extended its authority behind the protection of children to solve prevalent social problems of the day that had its source in the extreme poverty of the popular classes. The *ICBF* was a product of these factors. However, the State was not the only entity that developed what would be the foundations for transnational adoption in Colombia. The Church would play an important role as well.

CHAPTER II

The Colombian Catholic Church

On Sunday, 12 March 1967, the Colombian Archbishop Luis Concha Córdoba reproached the State's declaration that a proposed population policy was in accordance with the Church. All Colombian congregations throughout the country heard his pastoral announcement at mass that day.

*"Every contraceptive method that tends directly to prevent the next generation whether it be pills, drugs, mechanical devices, are unlawful and those who employ them commit mortal sin. No one may suggest that parents should use contraception condemned by the Catholic Church under the false pretext that it has been left to the freedom of parents to use or not use them. It is expressly noted that it is not true that any birth control planning has been in accordance with ecclesiastical authority. Authority in the Church lies in the Supreme Pontiff and the bishops. Priests who do not have a special delegation can not be considered organs of ecclesiastical authorities."*⁷¹

Concha Córdoba spoke of three aspects: birth control, parental responsibility, and Church hierarchy. These aspects characterized its authority in face of secularization in the last half of the 1960s. They defined and called into question the Church's relevance in a modern world, a far cry from its historical grip on power in Colombia.

This chapter illustrates the Church's historic struggle to maintain authority. Its struggle led to incipient ideas and actions that contributed to the adoption discourse in Colombia. The complex history of the Catholic Church in Colombia exemplified an ideological change from Conservative to progressive to radical that accompanied a

⁷¹ El Tiempo, "La Iglesia Reprueba Control Familiar," in *El Tiempo*, 12 March 1967. "Todo método anticonceptivo que tienda directamente a impedir la generación, píldoras, drogas, instrumentos mecánicos, son ilícitos y quienes los empleen cometen pecado mortal. A nadie es lícito proponer a los padres el uso de los métodos anticonceptivos condenados por la Iglesia Católica con el falso pretexto de que se ha dejado a la libertad de los padres el usarlos o no usarlos. Queda constancia expresa de que no es cierto que en la planeación del control de la natalidad se haya obrado de acuerdo con la autoridad eclesiástica. La autoridad en la Iglesia reside en el Sumo Pontífice y en los Obispos. Los sacerdotes que no tengan una delegación especial no pueden considerarse como órganos de la autoridad eclesiástica."

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gradual loss of power in government. The change, however, was not monolithic in character. Colombian Catholics were scattered throughout the spectrum. There were Conservatives, Liberals, Progressives, and Radicals, but all Catholics. The Church's one consistency was that it fought to remain influential in Colombian society. It pushed back against the State to maintain its authority in the lives of families. It argued that its authority protected the social and moral order of society, especially among the popular classes where it had greater influence. Ultimately, the Church's uncontested power was now consigned to authority over family life, but continued to stand against encroachment of state authority over family. However, its untenability in face of Liberalism strengthened the Colombian government. The Church relied upon its own congregation to sustain its relevance and expand its doctrine that would support adoption in its incipient understanding as a solution against birth control programs.

SECTION I: The Church, 1886-1965: Rise and Decline of Church Authority

Prior to the *Pan-American Assembly*, the Church's power dynamic had reached its zenith and begun its diminuendo by the 1930s. Its authority, buttressed against two nineteenth century documents, experienced opposition with the rise of Liberals and liberal principles. Conflict with the Liberals manifested into State conflict in 1930 upon commencement of *Liberal Rule*. With a loss of power the Church quickly adapted to the needs of the popular classes. Soon its doctrine to protect moral and social order collided with the popular classes's demand for increase individual rights and liberties. Vatican II's *aggiornamento* attempted to reconcile its doctrine and the demands of the popular classes within a modern world and just in time for the *Assembly*.

Church Authority and the Threat of Liberalism

The Church's power from 1886 until the 1930s was a demonstration in the authoritative reach a religious institution could have within a state. Two documents established the Church's power with Colombia in the nineteenth century: the 1886 *Colombian Constitution* and the 1887 *Concordato*. Whereas the constitution gave powers to the Church and regarded it as an equal to foster "spiritual authority" without discretion, the *Concordato* linked the State and the Vatican and allowed the Vatican to exercise those powers toward the "comprehensive development [for] the national community."⁷² The ideals and goals of the Church were to preserve the moral and social order vis-à-vis education while the State endorsed *progressive conservatism*. This allowed for limited liberal and capitalist endeavors as long as it did not impede upon the Church's authority.⁷³ The relationship between the Church and State provided the foundation for the Conservative party and established Church authority in Colombia that endured for the next forty-four years. The Church exercised its authority in all aspects of government. It had gained enough power to select presidential candidates and alter government policy.⁷⁴ It also regulated the education curriculum in Colombia to foster

⁷² Constitución Política De La República De Colombia, 1886, Título III, Artículos 38 & 41; Título IV, Artículos 53-56. www.inap.mx/portal/images/pdf/lat/colombia/constitucion_politica_colombia_1886.pdf, [retrieved April 2013], and *Concordato de 1887 de Colombia*, [retrieved 25 May 2013], "El Estado, en atención al tradicional sentimiento católico de la Nación Colombiana, considera la Religión Católica, Apostólica y Romana como elemento fundamental del bien común y del desarrollo integral de la comunidad nacional."

⁷³ Michael J. LaRosa, *De la Derecha a la Izquierda...*, *ibid.*, pp.44-47. Marco Palacios, *Between Legitimacy and Violence...*, *ibid.*, p.69.

⁷⁴ Marcos Palacios, *Between Legitimacy and Violence...*, *ibid.*, p.72.

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moral and social order to the popular classes and extended all the way to the family unit. The Church's one threat was Liberalism.

1905 marked a new defense of Liberalism in Colombia. Liberals supported solutions to economic, political, and social problems from principles of liberty and freedom.⁷⁵ The rise of Liberalism sparked an invective fueled rhetoric from the Church. The Church saw Liberals as the decline of social and moral order in Colombian society. The Bishop of Pasto, Ezequiel Moreno Díaz declared, "Liberalism is the great enemy of the Church and of society...a system full of errors and absurdities, it is clear that it is necessary and useful to preach against it."⁷⁶ Such diatribes instigated violence toward Liberals. Pope Leo XIII's council of Latin American Bishops in 1898 obliged them to abide by the first Vatican Council (Council of Trent) which explicitly rejected, "liberalism, naturalism, socialism, and rationalism."⁷⁷ However, divisions among the Church and the Conservative party led to the election of a Liberal president. In the era of *Liberal Rule*, 1930-1946, Liberals secured government majority and secularized the government. From government policy to education, both Liberals and Conservative allies loosened the Church's grip from state power.⁷⁸ Thus, the change from Church authority to state authority in Colombia began.

⁷⁵ Michael J. LaRosa, *De la Derecha a la Izquierda...*, *ibid.*, p.49.

⁷⁶ Ezequiel Moreno Díaz, *Instrucciones del Illmo. Sr. Obispo de Pasto al clero de su diócesis*, [Digital copy retrieved from the Biblioteca Luis Ángel Arango del Banco de la República, Colombia, 25 May 2013, Barcelona, España: 1903], pp. 12 & 18. "Es el Liberalismo el gran enemigo de la Iglesia y de la sociedad," and "un sistema lleno de errores los más absurdos, es claro que es necesario y útil predicar contra él."

⁷⁷ See, Marcos Palacios, *Between Legitimacy and Violence...*, *ibid.*, p.73.

⁷⁸ In the early 1900s Conservatives wanted compulsory education. The Church refused because of fear of the so called educated masses. By 1936 Liberal led constitutional reform dissolved the church's authority on education. See, Marcos Palacios, *Between Legitimacy and Violence...*, *ibid.*, pp.75-79, and David Bushnell, *The Making of Modern Colombia...*, *ibid.*, p.189.

Decline and Adaptation

From the 1930s until 1965, the Church adopted a more moderate stance against Liberalism and expanded its progressive influence on the local level. At the same time, individual Colombian Catholics helped spark its revitalization on a local level, as well. A group of twelve youths founded *Catholic Youth Workers (Juventud Obrera Católica; JOC)* and the Jesuits initiated the *National Agrarian Federation (Federación Agraria Nacional, FANAL)*. All echoed liberal ideas with a Catholic foundation of moral order to confront economic and social problems. However, Catholic organizations needed the Church's support to reach a wider audience and came under its authority. Eventually, any effort to become autonomous entities and divert from Church authority was short-lived.⁷⁹ The Church, simultaneously, preserved its religious influence and authority among both urban and rural popular classes and also retained links with the Conservative political elites during this transition, but not without a cost.

With the appearance of populist, Jorge Eliécer Gaitán, there was a stark contrast between him and the Church. Gaitán criticized both Liberal and Conservative elites. This was representative of the popular classes's growing consciousness of their individual rights and liberties. For them it was the government's obligation to guarantee their individual rights and liberties were it to have a claim to legitimacy. For Gaitán and his followers moral and social order paled in comparison to the demands for housing,

⁷⁹ See Michael J. LaRosa, *De la Derecha a la Izquierda...*, *ibid.*, p.94. The Church stopped supporting JOC for two reasons. The first, it was competition against the AC, and secondly, the JOC demanded independence from the Church. The Church saw this as a possible threat against itself and the elites which might jeopardize their connections. The Church withdrew support and JOC dissolved soon after. FANAL's conflict with the Church harked back to the division between the dioceses and religious orders. Dioceses were under the rule of the bishops whereas religious orders were autonomous. See also, Ana María Bidegain de Urán, *Iglesia, pueblo y política: un estudio de conflicto de intereses, Colombia 1930-1955*, Bogotá, 1985 and Marco Palacios, *Between Legitimacy and Violence...*, *ibid.*, p.72

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employment, health, and education to a growing rural population, and an increasing crowded urban population constantly neglected by the elite. Thus, Gaitán and his followers wanted institutional or political change to meet the growing demands of the popular classes. The Church, on the other hand, avoided such change. It argued for change in only an economic sense so as not to upset the social and moral order to guard its ties with the Conservative elite.⁸⁰ It endeavored for social progress with the temperance of religious authority. It could not see the common thread between social, political, and economic problems among the popular classes that beckoned for the change Gaitán called for. By the time of Gaitán's assassination and *La Violencia* the Church was blind to its role and interpreted such violence as an example of Communist corruption of Colombia's social and moral order rather than its own intransigency. Scholar Michael LaRosa was correct to say, "There is no doubt that urban violence sparked by the assassination of Gaitán was directed largely against the Church."⁸¹

However, the second Vatican Council's arrival in 1962 marked a new direction for the Church. Pope John XXIII's declared, "Where the underdeveloped countries are concerned, the Church presents herself as she is,...and especially as the Church of the poor"⁸² The Vatican endorsed an *aggiornamento* or modernization which obliged the Church to serve the underprivileged population and adapt the Church to the times. In addition, the subsequent 1963 encyclical *Pacem in Terris* connected individual rights

⁸⁰ The UTC was an example of this. Strong ties to Conservative and industrial interests under religious authority against Communism and anti-patriotic sentiment compromised its comprehension of worker's demands. Religious authority stymied any potential significant labor reforms. See Michael J. LaRosa, *De la Derecha a la Izquierda...*, *ibid.*, pp100-114

⁸¹ Michael J. LaRosa, *De la Derecha a la Izquierda...*, *ibid.*, p.106

⁸² David Tombs, *Latin American liberation theology*, [Boston: Brill Academic Publishers, Inc., 2002], p.78 cited in Hebblethwaite, *John XXIII*, pp.423-444.

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with Catholic doctrine.⁸³ For the first time, it seemed, Church authority finally arrived at a balance between its conservative doctrine and its progressive stance toward the protection of the popular classes in face of the State's struggle toward economic development. The question, then, was: how would the historically irreconcilable ideas of individual rights and liberties and moral and social order, brought together by *aggiornamento* play out at the *Pan-American Assembly*?

SECTION II: 1965 Pan-American Assembly: Liberal Dominance and

Aggiornamento

The *Pan-American Assembly* would put *aggiornamento* to the test. The *Assembly* represented the public stage on which the power struggle between state and Church authority over family played out. Although the State did not underestimate the Church, it assumed the offensive and vigorously attacked the Church and its authority of intensifying the population explosion and impeding economic development. The Church employed *aggiornamento* and defended its authority. Moreover, it contributed ideas that would, unintentionally, serve only to strengthen the State's position and play a bigger role in the understanding of adoption.

The Liberal delegation challenged the Church's claim of its authority with regard to family and birth control in contrast to the predicament of the period: demographic explosion. Backed with experts and leaders in the field of demographics, the *Assembly* brought the population dilemma to the Church's awareness with "speeches sharply

⁸³ Pope John XXIII, *Pacem in Terris*, 11 April 1963 paragraph 11. www.vatican.va/holy_father/john_xxiii/encyclicals/documents/hf_j-xxiii_enc_11041963_pacem_en.html [retrieved 25 May 2013].

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attacking” the Church’s doctrine on birth control.⁸⁴ Chairman of the *Assembly*, Lleras Camargo remarked, “The Catholic Church has failed to prevent, with all its stubborn moral rigidity, millions of Latin Americans from living in non-traditional families, not blessed by [the Church’s] sacraments, and millions of children born into illegitimacy, and it would therefore be unreasonable to blame them that it was their fault or that their [economic] position has caused this crisis.”⁸⁵ According to Lleras Camargo, the Church would err if they were to blame the families for violating the Church’s doctrine. Furthermore, the State argued that regardless of the Church’s doctrine of social and moral order, Catholic women violated doctrine to practice some form of birth control.⁸⁶ Thus, Church authority over family became extraneous and anachronistic, and therefore, the Church needed to reassess their position on birth control and the family, or defer authority to the State.

Indeed, the Liberal delegation also emphasized that this was not a matter of moral and social order but of economics and social conditions. Restriction of birth control for sake of social and moral order hindered solutions to Colombia’s demographic explosion and frustrated larger objectives for economic and social progress.⁸⁷ The

⁸⁴ H.J. Maidenberg, “Latin Birth Rate Stirs Rising Concern,” *The New York Times*, 22 August 1965.

⁸⁵ El Tiempo, “Alberto Lleras Propone Control de la Natalidad,” *El Tiempo*, 12 August 1965, “La Iglesia Católica no podido impedir, con toda la rigidez de su adusta moral, que millones de latinoamericanos vivan en familias irregulares, no bendecidas por sus sacramentos, y que millones de niños nazcan en la ilegitimidad, y sería, por consiguiente excesivo atribuirle que por su culpa o por su posición se haya conformado esta crisis.”

⁸⁶ See, Father Gustavo Pérez Ramírez, “The Catholic Church and Family Planning--Current Perspectives,” and Ramiro Delgado García, “Perspectives of Family Planning in Latin America,” in *Population Dilemma in Latin America*, [Washington, D.C.: Potomac Books, Inc. Publishers, 1966], pp. 196-227. Additionally, it should be noted that the term “birth control” today includes the pill, intrauterine devices, and abortion. At that time, the pill was novel and abortion was taboo.

⁸⁷ See, El Tiempo, “Alberto Lleras Propone...,” *ibid.*, and J. Mayone Stycos and Jorge Arias, “Introduction,” in *Population Dilemma in Latin America*, [Washington, D.C.: Potomac Books, Inc. Publishers, 1966], p.ix-xiii.

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guarantee of individual rights and liberties was a mark of social and economic progress. To guarantee such rights and liberties required state authority. Thus, according to the Liberals, the Church needed to relinquish its authority over the family unit or allow for anti-contraceptives. The burden of proof rested in the hands of the Church. It seemed that *aggiornamento* would play into the hands of the state. In its defense the Church replied that *aggiornamento* would allow the Church to investigate the “divorce between religion and science.” Father Gustavo Pérez Ramírez remarked, “[t]he concepts of natural law, authority, religious liberty, the place of the Church in the world...are now confronted with the findings of science...in a demand for a reinterpretation of the ‘Message of Salvation,’ which meets the needs of a world in the process of change.”⁸⁸ In addition, Pérez Ramírez admitted that the Church’s conservative position allowed it to separate itself from the field of science.⁸⁹ This meant that Church authority spurned the connection between science and religion and the *aggiornamento* would welcome the connection. In addition, the Church acknowledged the deviation from traditional norms and that certain “reproductive folkways and mores of the common man have varied more in relation to the conditions of his life than with reference to religious or philosophical doctrine,” but did not admit that this justified a change in its doctrine, nor require greater state authority. Essentially, the Church failed to provide a definitive answer population control proponents wanted.⁹⁰ The Church continued to see itself as

⁸⁸ Father Gustavo Pérez Ramírez, “The Catholic Church and Family Planning-Current Perspectives,” in *Population Dilemma in Latin America*, [Washington, D.C.: Potomac Books, Inc. Publishers, 1966], p.196.

⁸⁹ Father Gustavo Pérez Ramírez, “The Catholic Church...,” *ibid.*, p.200

⁹⁰ Father Gustavo Pérez Ramírez, “The Catholic Church...,” *ibid.*, p.201 quoted from Kingsley Davis, “Values, Population and the Supernatural: A Critique,” in William Peterson and David Matza, eds., *Social Controversy*, [Belmont: Wadsworth, 1963].

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the only authority that could reach a solution in the unification of science and religion. It did not relinquish its authority but provided its own solution to the issue.

Church Ideas and Influence

The Church added three points to the discussion. First it offered the new terms “family planning” or “family protection” as alternatives to “birth control” because the terms were more positive. Birth control, on the other hand, had a negative connotation. “Birth control” suggested corruption and coercion by an outside third party who oversaw it. As well as, a means to an end rather than an end in of itself.⁹¹ Second, it asserted the issue of family planning should not be an isolated effort but part of a larger solution for economic and social progress, and many expert demographers agreed with them.⁹² The third and most critical was the concept of *responsible parenthood*.

This concept declared that family planning should be left to the decision of the families. In the sacrament of matrimony self-restraint and love were the impetus for judgement in family planning. In other words, *responsible parenthood* required natural law for any family planning to be moral. In reference to the demographic explosion, as values and norms change so to will families in order to make the right decisions to reflect the change in society.⁹³ The State would adopt this concept, but tweak it for its own interests.

⁹¹ Monsignor Uribe Urdaneta, “La Regulación Voluntaria de Nacimiento no es Reprobable si al Finalidad es Justa,” *El Tiempo*, 15 August 1965.

⁹² See, H.J. Maidenberg, “Colombians Map Birth Curb Plan,” *The New York Times*, 9 August 1965, Father Gustavo Pérez Ramírez, “The Catholic Church...,” *ibid.*, p.206, and notably, the demographer, Carmen A. Miró, “The Population of Twentieth Century Latin America,” in *Population Dilemma in Latin America*, [Washington, D.C.: Potomac Books, Inc. Publishers, 1966], pp. 22-23.

⁹³ Father Gustavo Pérez Ramírez, “The Catholic Church...,” *ibid.*, pp.206-208.

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In the *Assembly's* resolution, it was the responsibility of the State, according to the conditions of their country, to develop a broad policy that utilizes relevant data and analysis of the demographic situation in a particular country, to develop and improve the methods of how the data is collected, and use such information to educate and in order to encourage *responsible parenthood*. In addition, families express desire for family planning/birth control thus governments need to make family planning/birth control available. The State, therefore, should offer a variety of options so the ultimate decision rests with the family to freely choose without coercion.⁹⁴ The State integrated the Church's ideas to strengthen its own authority. Equally, this concept would significantly influence the understanding of the family and pave the way for adoption advocacy.

At the *Assembly's* conclusion, the resolution combined both the concerns of the Liberal and Catholic delegations. The New York times reported the Catholic delegation agreed in principle to it and lauded the *Assembly* as a success, but the resolution clearly illustrated state authority superseded Church authority in regard to family.⁹⁵ Although the resolution displayed unification between Church and State, the struggle between religious and state authority had not been resolved and regardless of the final resolution, according to the *Concordato*, the Vatican had yet to respond.

SECTION III: Post-Pan American Assembly on Population, 1965-1972

The Vatican would not publish a decision for another two years. The State accepted the resolution and Church's participation as tacit approval to the state's

⁹⁴ Ramírez, "Adoptar Fue la Conclusion," *El Tiempo*, 15 August 1965 and H.J. Maidenberg, "Population Talks...", *ibid*.

⁹⁵ H.J. Maidenberg, "Population Talks Hailed As Success," *New York Times*, 16 August 1965.

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population control effort. The subsequent years showed a reciprocal battle between state and religious authority over birth control and the family. However, more importantly, there was a deeper division within the Church among the priests and the bishops. It was the division in the Church that became the impetus for individuals to reinvigorate the Church's doctrine of moral and social order toward the social problems of the period.

Church Division & Reinvigoration

The *Assembly* demonstrated Liberal dominance and a defense of Church authority over its last sanctuary of influence: the family. However, the Church's *aggiornamento* only worked in theory. The priests's papers on the unification of science and religion depended on the bishops's approval and ultimately the Vatican's, as one bishop replied, "[t]hose who want to go fast have an exaggerated view of things."⁹⁶ The Church still retained influence among the lower classes of Colombia. In fact of the 93% Catholics in Colombia, 62% claimed the Church as their first loyalty compared to 13% who claimed their country.⁹⁷ Regardless, the State constantly pushed for population policy legislation under the pretense it had the endorsement of the Church. The Church vigorously pushed back. Archbishop Luis Concha Córdoba's 1967 March pastoral letter, introduced at the beginning of the chapter, spoke firmly against birth control, the false

⁹⁶ Paul L. Montgomery, "Church in Colombia Is Beset by Liberal-Conservative Tensions," *The New York Times*, 25 August 1968.

⁹⁷ John Gerassi, "Introduction: Camilo Torres and the Revolutionary Church," in *Revolutionary Priest: The Complete Writings and Messages of Camilo Torres*, ed. John Gerassi, [Harmondsworth, Middlesex, England: Penguin Books Ltd, 1971], p.15 cited from John P. Fowell, *Organizing Colombian Peasants*, [Cambridge, MA: Center for Rural Development, 1968]

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claims of the State, and defended the family's rights to decide based on natural law. However, it also alluded to a rift among the hierarchy of the Church.

The rift highlighted the different interpretations of the Second Vatican Council between priests and bishops. On the one hand, the priests who often worked directly with the congregations experienced the needs of poor Catholics that bishops tended not to experience. In the view of one priest, "[the bishops] are incapable of understanding poverty." On the other hand, bishops did not think the Vatican Council II changed anything.⁹⁸ Either way, the rigid adherence to Catholic doctrine by the bishops ultimately led to the weakening of its authority. It did not only weaken in face of state authority but it weakened with thousands of Colombian Catholics. These Catholics, Father Pérez Ramírez expressed, want to conform to the doctrine but violate it because of the dictates of social realities and the rigidity of religious norms.⁹⁹

The Church's formal response to birth control arrived with Pope Paul VI's cyclical on 25 July 1968. Titled *Humanae Vitae*, it denounced any type of artificial birth control. Many Colombian Catholics from different economic classes embraced it, and it seemed to restrengthen the Church's authority. However, a year later, the State succeeded in the approval of a population policy with foreign and domestic financial support, and since has been cited as one of the most successful family planning programs in South America.¹⁰⁰ The Church was a shadow of its former self and depended much more in the coming years on individual Catholics, similar to the individuals who had begun

⁹⁸ Paul L. Montgomery, "Church in Colombia...", *ibid.*

⁹⁹ Father Gustavo Pérez Ramírez, "The Catholic Church...", *ibid.*, p.202.

¹⁰⁰ Warren C. Robinson and John A. Ross, eds. *The Global Family Planning Revolution: Three Decades of Population Policies and Programs*, [Washington, D.C.: The World Bank, 2007], pp.121-135.

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Catholic youth and worker groups during Colombia's *Liberal Rule* when the Church first lost its political grip.

The ideas of *responsible parenthood* and the protection of the child gained foothold in Colombia. The State utilized these concepts to garner support for its family planning programs against the social ills of illegitimacy, abortion, abandonment, and *gamines*. The State endorsed birth control as a method against abortion.¹⁰¹ Likewise, middle and upper classes focused on social problems of illegitimacy, *gamines*, and abortion that reflected Colombia's growing young population. In light of Colombia's social problems and the Vatican's dictates against birth control, the author suggests that for Colombian Catholics adoption was a morally correct solution that was compatible with *responsible parenthood* and the protection of the child. It is important to note that adoption at this time was not a legal institution but a contract that was revocable. Despite the lack of hard evidence, the author suggests that among the spectrum of Catholics from conservative to radical embraced the ethos of the Church's doctrine for moral and social order. Catholics used these ideas, reinterpreted by the State and Colombians, to support adoption. Many saw adoption as an alternative to abortion and therefore a method against birth control, too. For Colombian Catholics from the Left and the Right, it became a method to reestablish the Church's mission to protect the moral and social order as a pillar of Colombian society, to solve the social ills of the period and a challenge to the State and its family planning programs. For many Catholics, it is

¹⁰¹ Daniel Samper P., "Demografía en Colombia: Control natal, medio para atacar el aborto," *El Tiempo*, 9 December 1970.

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possible that involvement with the *ICBF* and Liberal *casas privadas* were the logical solution and expressed their religious freedom under the State authority.¹⁰²

Conclusion

The path of Church authority in Colombia from its acme to the gradual loss of power, its adaptation on a local level, the irreconcilable Church doctrine with individual rights and liberties, a revitalization in Vatican II and the continued rift within the hierarchy created a unique dynamic in its struggle with the State. Furthermore, despite its decline the Church's faithful were the ones that led to its reinvigoration on the local level. Regardless, the *Assembly* represented the Church's last stand. The Church struggled to defend its relevancy in a changing world and hold on to its last sanctuary which was the family. The unintended consequences of its contributions at the *Assembly* were unpredictable. Yet, those contributions would be instrumental in the discourse of adoption and shape the understanding of a future controversial idea within transnational adoption: "the best interests of the child."

¹⁰² In anecdotal evidence, informal discussions with colleagues that have interned at *casas privadas* always illicit responses of the secrecy of *casas privadas* and their tendency to be vary Catholic.

CHAPTER III The Best Interests of the Child

The two previous chapters reinterpreted and explicated the power struggle paradigm of the State and the Church: the State's attempt to reestablish legitimacy and extend its authority over the people and the Church's gradual and stubborn decline of its religious authority and how the State's actions led to the establishment of a central authority which would become the central pillar in regulating transnational adoptions. The Church's actions, on the other hand, led to the support of adoption as proactive solution against government sponsored birth control programs and merged with existing adoption houses, *casas privadas*. This final chapter threads together two significant ideas taken from the State and Church conflict that shaped the concept; "to ensure the best interests of the child." A concept that cemented the understanding of adoption in Colombia and manifested in adoption law.

In August of 2012, a member of the house of representatives and a *Green Party* (*Partido Verde*) leader, Ángela Robledo, made serious accusations against the central authority of adoptions, the *ICBF*.¹⁰³ Robledo, a leader and supporter in the rights of children, youth, and women, contended that the *ICBF* authorizes the relinquishment of an annual average of 1,800 children into adoption. This fact violated national and

¹⁰³ The Partido Verde founded in 2007, is a progressive political party originally formed as the Partido Opción Centro (Party Center Option) in 2005, an off-shoot of the Alianza Democrática M-19 (Democratic Alliance M-19), a former revolutionary guerrilla organization turned political party in 1991 during Colombia's period of constitutional reform. Partido Verde is an inclusive multiethnic, democratically based political party that supports participatory democracy, environmental awareness, and social justice. See, www.partidoverde.org.co and www.angelarobledo.com.

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international adoption policy.¹⁰⁴ At the podium, she asserted that the State excluded biological families from their children. “[A]doption policy does not allow the country’s poorest families to safeguard their children nor allow Colombian families access to the adoption process.”¹⁰⁵ The focus, she argued, should not just be in the children themselves but include the biological families as part of the equation. “I consider that we are doing the easy homework: relinquishing children for adoption. However, we have yet to assume the greater responsibility that the State has to have an efficient Comprehensive Protection System of children and families.”¹⁰⁶ Essentially, she urged the State to alter the country’s understanding of its adoption policy. She pushed to re-prioritize two of three principles from the Hague Convention on Intercountry Adoption in 1993. The two were:

1. Intercountry adoption may offer the advantage of a permanent family to a child for whom a suitable family cannot be found in his or her State of origin.
2. Each State should take, as a matter of priority, appropriate measures to enable the child to remain in the care of his or her family or origin.¹⁰⁷

She wanted to re-prioritize the second principle above the first. The switch from the second to the first entailed a new understanding of the third principle, “to ensure the

¹⁰⁴ Colombia ratified the treaty of the *International Hague Convention of 1993* in 1998. *El Código de la Infancia y la Adolescencia*, also known as *Ley 1098 de 2006*, combined the treaty and previous adoption laws. Previous laws were the *Decreto 1137 de 1999*, *Decreto Numero 2737 de 1989* known as the *Código del Menor*, *Ley 7 de 1979*, *Ley 5 de 1975*, and *Ley 140 de 1960*.

¹⁰⁵ *Elespectador.com*, “Colombia da en adopción 1.800 niños en promedio cada año,” *Elespectador.com*, 21 August 2012. <http://www.elespectador.com/noticias/politica/articulo-369094-colombia-da-adopcion-1800-ninos-promedio-cada-ano>. “a las familias más pobres del país no se les permite conservar a sus hijos y a muchas familias colombianas, [sic] acceder de manera prioritaria a procesos de adopción.”

¹⁰⁶ *Elespectador.com*, “Colombia...,” *ibid.* “Considero que estamos haciendo la tarea fácil: entregar a los niños en adopción. Al contrario no hemos asumido la mayor responsabilidad que tiene el Estado de contar con un Sistema de Protección Integral de la niñez y las familias, eficaz.”

¹⁰⁷ “Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption,” Concluded 29 May 1993, *Hague Conference on Private International Law*.

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best interests of the child” which had been the most contentious among countries, policy makers, lawyers, adoptive and biological parents within the discourse of intercountry adoption.¹⁰⁸

Colombia’s reexamination of the principle, “to ensure the best interests of the child,” revealed Colombia’s historical understanding of the principle. According to the *2006 Code on Infancy and Adolescence (Código de la Infancia y la Adolescencia)*, children were guaranteed rights and liberties to a “harmonious development within the family and community.”¹⁰⁹ *Parental responsibility* obligated parents to ensure those rights, however, exercising *parental responsibility* may lead to “physical violence or psychological acts” that prevented the child’s rights.¹¹⁰ Thereby, the State was the ultimate authority to ensure and guarantee children’s rights. Thus, families were under state authority, and state authority could separate children from family due to lack of parental responsibility and adoption was the best means to protect the child. Adoption was and as many Colombian lawyers endorsed it, a “legal institution and method of protection par excellence.”¹¹¹ Robledo, therefore, wanted to reestablish as one entity

¹⁰⁸ See, Craig Juntunen, “Courage in the Adoption Waiting Game,” *Huffington Post Online*, posted 1 May 2012, [retrieved 16 February 2013], www.huffingtonpost.com/craig-juntunen/courage-in-the-adoption-w_b_1464366.html, Elizabeth Bartholet, “International Adoption: The Human Rights Position,” *Global Policy* Volume 1 Issue 1 January 2010, and “International Adoption Under Siege?” www.huffingtonpost.com/philip-n-cohen/international-adoption-un-b-488432.html

¹⁰⁹ *Ley 1098 de 2006 Código de la Infancia y la Adolescencia*, Diario oficial No. 46.446 de 8 noviembre, artículo 1.

¹¹⁰ *Ley 1098 de 2006 Código de la Infancia y la Adolescencia*, Diario oficial No. 46.446 de 8 noviembre, artículo 14 .

¹¹¹ *Ley 1098 de 2006, ibid.*, artículo 61. Juan Armando Miranda Corrales, *La Adopción como institución jurídica y Medida de Protección Por Excelencia*, tesis de Grado para optar al título de Abogado, [Bogotá: Pontificia Universidad Javeriana, 1999]. See also, Jaime Buenahora Febres-Cordero, *La adopción: implicaciones jurídicas y sociológicas*, [Bogotá: 1977], and Gustavo Dajer Chadid, *La Adopción: Su Historia, Derecho Comparado, Análisis Jurídico en el Derecho Colombiano, Aspecto Social*, [Bogotá: 1968]

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the child and the family. Rights still would be guaranteed for both. And adoption would cease to be a method for protection par excellence and instead be the last stalwart. State authority, therefore, would ensure and guarantee the family's right; to protect the family is to protect the child. It was a landmark mark statement.

Concept of Family

Notable family and childhood historian, Philippe Ariès, remarked, "the concept of the family...is inseparable from the concept of childhood. The interest taken in childhood...is only one form, one particular expression of this more general concept-- that of the family."¹¹² Nevertheless, Colombian adoption policy, i.e., plenary adoption, consisted of the state authorized separation of children from families to be legally joined to an adoptive family where biological familial ties ceased and reestablished with the adoptive parents and these familial ties were binding. Thus, the concepts of childhood and family were discernible. It remained, then, that the interest in childhood took an exception over the general concept of the family.

In the case of Colombia, the discernibility of the two concepts arose out of an already existing conflict between two groups. The State and the Church represented the particular groups that engaged in a power struggle over the reach of authority among the popular classes. Historical, economic, political, and social aspects helped shape the understanding of childhood and family. However, each understanding was subject to the interests and motivations of a particular group.

¹¹² Philippe Ariès, *Centuries of Childhood* [New York: Vintage, 1962], p.353, quoted in Viviana A. Zelizer, *Pricing The Priceless Child: The Changing Social Value of Children*, [New York: Basic Books, Inc., Publishers, 1985], p.8.

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The main conflict encompassed the rapidly growing population and the efforts to bring it under control. The State, eager to reestablish legitimacy, argued for a broad birth control policy. The Church, who's once powerful authority fused with the State's, now debilitated, objected and defended its authority over its last sanctuary of Colombian society: the family. It was at the *Pan-American Assembly on Population* that the power struggle between religious authority and state authority cemented the understanding of the concepts of childhood and family in relation to population control. It was these interpretations that secured the foundation for adoption policy.

Childhood: “Object of Utility” & “Object of Sentiment”

Scholar Viviana Zelizer wrote on the change of value of children in U.S. culture from a priced economic value to a priceless sentimental value. She asserted, “the shift in children’s value from ‘object of utility’ to object of sentiment is indisputable.”¹¹³ Similarly, this shift in children’s value took place in Colombia, too. However, children kept their economic value on a State level, while on the social level, the sentimental value of the child spanned across classes. Additionally, U.S. and international organizations influenced this new concept of childhood and Colombia’s demographic explosion launched it. Interestingly, the Church played a neutral role and did not weigh in on the matter only until the *Pan-American Assembly on Population* in Cali, Colombia.

¹¹³ Viviana A. Zelizer, *Pricing The Priceless Child: The Changing Social Value of Children*, [New York: Basic Books, Inc., Publishers, 1985], p.7.

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On the social level, Colombia's demographic explosion altered the traditional social norms of children among popular classes.¹¹⁴ Traditional social norms of pre-industrial States focused on the survival of life. The high levels of infant mortality required high levels of birth. Death became an integral part of life and more births meant a better chance for survival. Prior to the urbanization, most Colombian families endured on subsistence farming. As an "object of utility" children were an "economic asset," another laborer that increased the family's chances of survival.¹¹⁵ In the 1930s, gradual economic development slowly improved the standard of living such as sanitation, nutrition, and overall health. This caused a drop in mortality rates among infants, and increased the likelihood of maturation for children. However, traditional norms of childbirth persisted and birth rates remained high. This pattern started the population explosion in Colombia and in many other developing countries.¹¹⁶ With the increase of children, the focus on the survival of life changed to the protection of life. Protection of life brought a consciousness to families to better themselves and revitalized family

¹¹⁴ See, Frank W. Notestein and Father Gustavo Pérez Ramírez, in *Population Dilemma in Latin America*, [Washington, D.C.: Potomac Books, Inc., Publishers, 1966]. This is the consistent argument of demographers, although social norms might vary to particular cultures. Father Pérez Ramírez explores more of the social implications particular to Latin America.

¹¹⁵ See, United States Congress. Senate. Committee on Foreign Relations. *Survey of the Alliance for Progress: Compilation of Studies and Hearing of the Subcommittee on American Republic Affairs*. 91st Congress, 1st Session: Document No. 91-17, 29 April 1969. Washington, D.C.: U.S. Government Printing Office, 1969, p.17, and Frank W. Notestein, "Some Economic Aspects of Population Change in the Developing Countries," in *Population Dilemma in Latin America*, [Washington, D.C.: Potomac Books, Inc., Publishers, 1966], pp.86-87.

¹¹⁶ Crude birth rate (births per 1,000 population), Crude death rate (deaths per 1,000 population) source: UN Population Division; Population growth (annual %) source: World Bank; Total population, source: Various Sources through www.gapminder.com and Carmen A. Miró, "The Population of Twentieth Century Latin America, in *Population Dilemma in Latin America*, [Washington, D.C.: Potomac Books, Inc., Publishers, 1966], pp.1-32.

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aspirations.¹¹⁷ By the 1940s nascent industrial economy spurred growth in cities, it enticed families with better opportunities for employment, education, health, and housing. Combined with the limitations of rural living and the *La Violencia* that gripped the countryside, Colombia experienced an unprecedented urban migration. These new social realities altered traditional social norms and the relationship between children and family changed from child as “object of utility” to “object of sentiment.” Families looked to protect their lives rather than only ensure their survival. However, as economic development stagnated many of these aspirations to embrace their children as “object as sentiment” were only accessible to the middle and upper classes. In the cities, there was not enough employment for the unskilled, nor housing, and slums grew in number, while whole families were relegated to the superfluous service sector.¹¹⁸ The lower economic classes had no choice but to consider their aspirations as dreams deferred.¹¹⁹

An additional social aspect upon the transformation of the child was the influence of U.S. and international organizations. Colombia’s admiration for the U.S. manifested in media, radio, and politics. Upper and middle classes encouraged it in the late 19th century. Politicians emulated U.S. political figures and maintained a strong economic

¹¹⁷ Carmen A. Miró, “The Population of Twentieth Century Latin America,” in *Population Dilemma in Latin America*, [Washington, D.C.: Potomac Books, Inc., Publishers, 1966], p.21, and Camilo Torres, “The Standard of Living in Bogotá,” in *Revolutionary Priest: The Complete Writings and Messages of Camilo Torres*, ed. John Gerassi, [Harmondsworth, Middlesex, England: Penguin Books Ltd., 1971], pp.76-101.

¹¹⁸ Camilo Torres, “The Standard of Living in Bogotá,” in *Revolutionary Priest: The Complete Writing and Messages of Camilo Torres*, ed. John Gerassi, [Harmondsworth, Middlesex, England: Penguin Books Ltd, 1971], pp.76-101, and Richard Eder, “Colombia Seeks To Spur Growth,” *New York Times*, 12 April 1964.

¹¹⁹ Richard Eder, “Colombia Seeks To Spur Growth,” *New York Times*, 12 April 1964.

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bilateral relationship.¹²⁰ Newspapers published articles on the latest from fashion to politics. At the start of the twentieth century, the sentimental value of children in the U.S. was well established, and the desire to help children internationally emerged prior to World War II, and flourished at its end with the arrival of the United Nations, and the start of the Cold War.¹²¹ U.S. and international organizations, like *WAIF (World Adoption International Fund)*, *IUCW (International Union for Child Welfare)*, and *UNICEF (United Nations Child Fund)* encouraged the sentimental value of children and awoke Colombia's upper classes to the sentimental value of their own children, too.¹²² It would be difficult to deny the influence of U.S. and international organizations in its role endorsing the sentimental value of children throughout the world.

On the State level, the interest in childhood was a reaction to the population explosion. Although, population increased in the 1950s, the State was not aware of it until the 1960s.¹²³ Leading demographers urged government leaders to take action and adopt population control policies or risk strain on resources that would compound

¹²⁰ At the time of the first World War, then president Marco Fidel Suárez admired and felt an affinity to Abraham Lincoln. Both had similar backgrounds. Suárez, also adopted the "Doctrine of the Polar Star" as a guide for a better economy and government. The Polar Star represented the U.S. Final example, was the large Colombian force that fought in the Korean War and the only one from Latin America. See, David Bushnell, *The Making of Modern Colombia: A Nation in Spite of Itself*, [Berkeley/L.A./Oxford: University of California Press, 1993], p.165, 212-213.

¹²¹ Viviana A. Zelizer, *Pricing the Priceless Child....*, *ibid.*, pp.3-21, and Laura Briggs, *Somebody's Children: The Politics of Transracial and Transnational Adoption*, [Durham/London: Duke University Press, 2012], pp.129-159. Zelizer argues that the indisputable change of children from object of utility to sentiment had numerous cultural factors and not only economic and family factors. Briggs argues that images of the waif and single destitute mothers, she terms madonnas, taught U.S. Americans to feel a certain way about foreign children and adoption.

¹²² See, Laura Briggs, *Somebody's Children*, *ibid.*, pp.144-159, and The New York Times, "WAIF Elects Helen Hays," *New York Times*, 18 May 1958, and Dorothy Barclay, "Foreign Adoptions Made Easier," *New York Times*, 5 April 1952, and Richard Eder, "Colombia Seeks To Spur Growth," *New York Times*, 12 April 1964.

¹²³ El Tiempo, "Alberto Lleras Propone Control de la Natalidad," *El Tiempo*, 12 August 1965.

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already existing problems of political instability and possibly lead to failed governments. This caused fear at the state level. Ramiro Delgado García, president of the *Division of Population Studies* in Colombia, commented that such population growth may lower standards of living “to a level where social unrest will lead to bloody revolutions with their sequelae of death, hunger, and misery.”¹²⁴ Another State concern was that by the mid-1960s children and adolescences accounted for more than half the population and was expected to grow even more. Any programs to aid the State’s goals of economic development needed to be redirected to that particular demographic. This included investment in education, health and nutrition, housing and employment. The State considered children economically as a potential burden and blessing. Lleras Camargo remarked, “if we keep multiplying ourselves in ever shorter periods, we condemn our children and our grandchildren, and many more successive generations to very bitter days...we destroy our successive hopes of takeoff toward economic development and social welfare.”¹²⁵ As the demographic explosion ushered in the transformation of children as “object of sentiment” on a social level, the State also understood children as an “object of utility” to serve economic and political goals.

¹²⁴ Ramiro Delgado García, “Perspectives of Family Planning Programs in Latin America,” in *Population Dilemma in Latin America*, [Washington, D.C.: Potomac Books, Inc. Publishers, 1966], pp.214 & 249. It should be noted that an asterisk marked Delgado García’s essay and said, “The views expressed in this paper are the writer’s and do not necessarily reflect those of the Institutions he represents.”

¹²⁵ El Tiempo, “La Asamblea Demográfica de Cali: Alberto Lleras Propone Control de la Natalidad,” *El Tiempo*, 12 August 1965. “si seguimos multiplicándonos en períodos cada vez más cortos, les esperan a nuestros hijos y a nuestros nietos, y a muchas generaciones sucesivas, días muy amargos.”

Pan-American Assembly & Responsible Parenthood¹²⁶

At the *Assembly*, the State, led by a Liberal delegation, utilized both connotations of the concept of the child. It coalesced them and illustrated that if patterns of population growth continued, then the child population would ultimately create “large loads of young dependents” that the State lack the resources to support.¹²⁷ Population control would reduce the strain on governments and maximize the young population’s potential for future economic development. The ultimate goal of modernization was to “create conditions in which the population...can satisfy certain minimum necessities and nourish certain legitimate aspirations [like] housing, children’s education, a nutritious diet for the family, health, and a longer and better life.”¹²⁸ Therefore, state authority over the family was necessary. The child as “object of utility” justified state authority, and, in turn, state authority would create the framework for the securement of the child as “object of sentiment.” The State, then, accused the Church’s strict doctrine toward illegitimacy and its ban on artificial contraceptives of exacerbating the former and disrupting the latter. The Church remained composed and imperturbable.

In its defense the Church proposed the argument for *responsible parenthood*. *Responsible parenthood* was a novel concept that said, within the sacred act of marriage the natural law of God endowed “intelligence and will” on both man and

¹²⁶ In this section, the original Spanish from the resolution at the *Pan-American Assembly* is written as “paternidad responsable,” later the term changed to “responsabilidad parental.” I have chosen to use the former as my argument refers to the introduction of the term at the *Assembly*. In addition, the concept of responsibility had been expressed in Pope John XXIII’s *Pacem In Terris*. However, it was not until the *Assembly* that the Church explicitly applied it to family in Colombia. See, Pope John XXIII, *Pacem In Terris*, 11 April 1963, www.vatican.va, articles 16 & 34.

¹²⁷ Frank W. Notestein, “Economics of Population Change in Developing Countries,” in *Population Dilemma in Latin America*, [Washington, D.C.: Potomac Books, Inc., Publishers, 1966], pp.94-95.

¹²⁸ El Tiempo, “Alberto Lleras Propone Control de la Natalidad,” *El Tiempo*, 12 August 1965.

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woman, so that procreation was not only a sexual act, but a free, willing, conscious, and prudent act of love. Thereby, a child's birth was an altruistic and responsible decision between a woman and man in matrimony.¹²⁹ It was a very religiously elegant way to say parents had the exclusive right to decide the number of children they wanted, based on the resources available to raise and provide for the children within their current living conditions.¹³⁰ Therefore, for the Church, the decision of birth control or family planning should be left to the parents, and the State should not impose it on the family.

As for the charges in regard to the two concepts of the child, the Church cleverly countered against the State in its argument for *responsible parenthood*. The Church applied the liberal principles of right and liberty to the parents. If the State were to impose upon the parents, in regard to birth control, then it would be violating its own principles. Thus, the concept of "object of utility" was not compatible with the State's claims for state authority over family. Secondly, if it was the parents right to decide, then, as a principle, the parents would consciously and prudently observe the sentimental value of the child, and therefore, the parents procured the sentimental value of the child and not the State.

Overall, the concept of *responsible parenthood* allowed the Church to preserve its authority and doctrine. If moral and social order came from natural law, as did the parents's right and liberty, then it was left to the Church and its authority to guide them.

¹²⁹ Father Gustavo Pérez, "The Catholic Church and Family Planning--Current Perspectives," in *Population Dilemma in Latin America*, [Washington, D.C.: Potomac Books, Inc., Publishers, 1966], pp. 207-209, and El Tiempo, "La Iglesia Reprueba Control Familiar," *El Tiempo*, 12 March 1967, and Steven Brzezinski, "Church Versus State: Family Planning In Colombia, 1966-1972," in *Journal of Church and State*, 18:3 (1976:Autumn), pp.491-503, Pope John XXIII, *Humanae Vitae*, 25 July 1968.

¹³⁰ Steven Brzezinski, "Church versus State: Family Planning in Colombia, 1966-1972," *Journal of Church and State*, 18:3 (1976:Autumn), p.492.

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So, the only way *responsible parenthood* would function was with the guidance of the Church and not the laws of the State.

Despite the Church's argument, the fact remained the State outstripped the Church in power. To reclaim legitimacy the State's authority was obligatory. The *Assembly*, in many ways, was symbolic. It served as a public stage for the State to announce its revitalization. The Church was merely a hurdle for the State to overcome, although the State did not underestimate them. Nevertheless, the State continued to clash with the Church. Consequently, *responsible parenthood* became the compliment to the State's concept of the child that it needed to extend state authority over family.

Responsible and Irresponsible Parenthood

In its mission to protect the moral and social order of Colombian society, Church authority did not provide a sound solution to the urgency of the problem of population growth that the State accepted. Its doctrine was too restrictive to allow artificial birth control. Moreover, Church authority failed to account for or ignored significant problems in Colombian society. Ultimately, responsibility fell to the State, and the State was at risk of collapsing, and the oligarchy wanted to rectify the situation less they give up their position of power. Equipped with the concept of *responsible parenthood*, the State reinterpreted it to extend State authority and the middle and upper classes used it to establish boundaries between *responsible parenthood* and *irresponsible parenthood* which in turn would influence law reform.

The State accepted the Church's concept of *responsible parenthood* but under a different interpretation. The resolution of the *Assembly* illustrated this difference:

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“Governments should find ways to educate the community on issues of sex and family, in order to encourage responsible parenthood. This means that efforts should be made to reduce illegitimacy and encourage couples to take a number of children according to their own ideals, while compatible with the range of options available to provide the care, education and to the effect to which they are entitled.”¹³¹

Under this new interpretation, the State agreed that parents should have the right and liberty to decide. However, the State would educate, inform, and provide “maximum information” about family planning programs, so that parents’s could make a free, informed decision “according to their religious beliefs and their economic and social conditions.”¹³² It would not be left to Church authority. The modified *responsible parenthood* replaced natural law with State law and Church authority with state authority. This justified the state authority over the family. By 1967, the State changed its tactic over population control. Whereas, previously, it had argued for state authority over family at the *Assembly*. It had used the two concepts of the child, “object of utility” and “object of sentiment,” and appealed to the economic and social consequences of uncontrolled population growth. Under the reinterpreted concept of *responsible parenthood*, along with the child as “object of sentiment” or protection of the child, the State used logic similar to that of the Church. It took a moral authoritative stance. President Lleras Restrepo commented that “many births do not correspond to regular marital unions and, therefore, create for the single mother a serious social and moral situation, while the children do not have the guarantee of a regular family

¹³¹ Ramírez, “Adoptar Control fue la Conclusión,” *El Tiempo*, 15 August 1965. “Los gobiernos deberían buscar la manera de educar a la comunidad sobre aspectos de sexo y familia, con el propósito de estimular una paternidad responsable. Ello significa que deben hacerse esfuerzos por reducir la ilegitimidad y por alentar a las parejas a que tengan un número de hijos acorde con sus propios ideales, a la vez que compatible con las posibilidades de que dispongan para proporcionarles los ciudadanos, la educación y el afecto a que tienen derecho.”

¹³² *El Tiempo*, “La Planificación Familiar es una Necesidad Nacional,” *El Tiempo*, 15 February 1967.

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protection.”¹³³ The State deemed that the consequences of population growth were important moral issues concerning children that fell outside of the Church’s authority. Prevalent social issues such as illegitimacy, child abuse, and abandonment of children that led to *gamines*, as well as abortion due to the constraints of Church authority, obligated the State to action. “[T]he government attaches utmost importance to the moral aspects of population growth.”¹³⁴ Thus, government sponsored family programs were necessary as solutions to these problems as well as institutions.

The finest example was the inception of the *ICBF* under *Ley 75 de 1968*. This illustrated the first time when the concept of *responsible parenthood* and child as “object of sentiment” or the protection of the child appeared in law. The point of *Ley 75 de 1968* was to extend state authority into the lives of families. It sought to deal with problems of illegitimacy and *gamines* by outlining laws that created more methods to establish paternity and criminalizing irresponsible parenthood. It was the the middle and upper classes that defined *irresponsible parenthood*.

As family planning programs and the *ICBF* grew under the auspices of the State, middle and upper class Liberals spoke in support of the government’s efforts for children. They sought to protect the sentimental value of children, and they adjusted the focus towards *irresponsible parenthood*. Child abandonment, abortion, and illegitimacy had garnered a lot of attention in the media, as did the plight of the *gamines*. Induced

¹³³ El Tiempo, “El Gobierno Fija Posición,” *El Tiempo*, 9 February 1967. “muchos nacimientos no corresponden a uniones maritales regulares y, por lo tanto, crean para la madre soltera una grave situación social y moral, en tanto que los hijos no tienen la garantía de una tutela familiar.”

¹³⁴ El Tiempo, “El Gobierno Fija Posición,” *El Tiempo*, 9 February 1967. “el gobierno concede capital importancia a los aspectos morales del crecimiento demográfico.”

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abortion rates were high. In 1967, 71% of recorded abortions were self-induced.¹³⁵ Three years later, pregnancy related illness was the leading cause of death among women between 15-44 age group and induced abortions contributed to the rate.¹³⁶ Child abandonment became so common that one newspaper contributor remarked that it seemed more fashionable to abandon children than raise them.¹³⁷ Another article on the misunderstood *gamines* said irresponsible parenthood could be considered criminal.¹³⁸ The individual efforts gathered momentum, but there lacked a general consensus on the solution. Some thought the State should assume parental authority, others did not. But the one general consensus was the protection of the child from the irresponsibility of the parents. As one director and founder of an orphanage asserted, “[t]he solution for those children is to give them what they were denied at home: affection.”¹³⁹

With the focus on child protection in relation to parental irresponsibility, the discernibility between the concepts of the child and the family was possible within terms of *responsible parenthood* and *irresponsible parenthood*. By defining *irresponsible parenthood* the burden of proof rested on the shoulders of the biological parents. Sociologist, Lewis Apter made an important point when he noted that such definitions or labeling allowed judgement values. “Abandoned” and “irresponsible” are not neutral, but pejorative terms. “It calls for action against those who abandon and action for those who are abandoned. It gives the right to those who use the term to act against those to

¹³⁵ El Tiempo, “La Planificación Familiar....,” *ibid.*

¹³⁶ H.J. Maidenberg, “Colombians Get Aid on Family Planning,” *New York Times*, 15 July 1970.

¹³⁷ Amparo Gómez Palacio, “Hijos en realización, nueva moda,” *El Tiempo*, 6 June 1967.

¹³⁸ El Tiempo, “El País no Quiere Entender a los Niños,” *El Tiempo*, 7 May 1967.

¹³⁹ El Tiempo, “Hay Que Responder por los Hijos,” *El Tiempo*, 7 May 1967. “La solución para esos niños, es darles lo que se les negó en el hogar: afecto.”

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whom the term is applied.”¹⁴⁰ In the eyes of many upper class Colombians, *irresponsible parenthood* was the cause to Colombia’s social problems of abandonment, illegitimacy, *gamines* and abortion. This term was free from the constraints of other religious, economic, and cultural factors. The director and founder of one of the first liberal *casa privadas*,¹⁴¹ *La Casa de la Madre y el Niño* remarked that poor people rarely abandon their children due to misplaced honor, religious doctrine or economic position. These were misconceptions. Parental irresponsibility was the main factor.¹⁴² The immediate solution was substitute homes and adoption. The lasting solution required law reform to change adoption from a contract that could be broken to an institution in which adoption was irrevocable. As *La Casa de la Madre y el Niño*’s director and founder observed, “in France and Chile, they have already established *legitimación adoptiva* [plenary adoption] that grants the abandoned child all the rights of a legitimate child. It would be worthwhile to study and get the same principles procured in Colombia. This would constitute a definitive solution of incalculable benefit to the child in the future.”¹⁴³ Adoption reform would arrive four years later in 1975.

¹⁴⁰ Lewis Aptekar, “Are Colombian Street Children Neglected? The Contributions of Ethnographic and Ethnohistorical Approaches to the Study of Children,” in *Anthropology & Education Quarterly*, Vol.22, No.4 December 1991, pp.326-349.

¹⁴¹ The term “liberal *casa privada*,” specifically denotes that founding of adoption agencies under liberal principles, policies and conditions. *La Casa de la Madre y el Niño*’s founder María López de Escobar was the oldest daughter of former president Alfonso López Pumarejo who worked within the State law to establish the adoption house. Significantly, it was her father who had been influenced by Franklin D. Roosevelt and his New Deal, and also had commented that for the elite Liberals to continue to ignore the large, ignorant economic class would be morally wrong and dangerous; see, David Bushnell, *The Making of Modern Colombia: A Nation in Spite of Itself*, [Berkeley/Los Angeles/Oxford: University of California Press, 1993], p.185.

¹⁴² El Tiempo, “La Adopción debe ser consciente e irrevocable,” *El Tiempo*, 25 June 1971.

¹⁴³ El Tiempo, “La Adopción debe ser consciente e irrevocable,” *El Tiempo*, 25 June 1971. “en Francia y Chile, se ha establecido ya la legitimación adoptiva, que otorga al niño expósito todos los derechos del hijo legítimo. Valdría la pena estudiar y llegar a obtener que en Colombia se aplique estos mismos principios.”

Conclusion

The rupture between the concepts of the family and the child in Colombia were initially fought between the State and the Church over population control and family authority. It was individuals of the middle and upper class that redefined *irresponsible parenthood* to justify methods like adoption as the morally right solution to Colombia's ever present social problems following Colombia's demographic explosion and the incontrovertible transformation of the child from an economic value to a sentimental value.

Conclusion

The politics of adoption in Colombia illustrate that it is not so much that adoption, domestic or transnational, had existed but it is more about a country's understanding of the child and the family and its relation to the State. This understanding does not usually relate directly to the topic of transnational adoption, *per se*, but reveals a larger discussion on state formation, poverty, and country conflicts. Indeed, with the knowledge that in a span of thirty years, 1942-1971, one particular *casa privada* oversaw the adoption of 100,000 children in period before plenary adoption and the so called Latin American wave speaks volumes about the prevalence of adoption and how the understanding of adoption influenced the phenomenon.¹⁴⁴

In the case of Colombia, the existence of adoption had no bearing on the way the Colombian state understood its populace and viewed adoption. Each chapter illustrated a series of historical aspects that revolved around the social and political consequences of the demographic explosion. It is exceptional to consider that population explosion, an effect of an unanticipated consequence of modernization in the developing world, created an urgency for governments to find solutions to historical problems. What was unique to Colombia was that a child and adolescent population represented the majority. This majority influenced the State in its decisions on how to establish a legitimate government and altered the way in which the State viewed its historically neglected poor popular classes. It also showed how extreme poverty was in Colombia at the time and highlighted the deficiencies of oligarchic rule in an impoverished developing country. Finally, it illustrated the influential presence of the Church. Although

¹⁴⁴ Gonzalo Castellanos, "Extranjeros quieren adoptar a más de cien niños caleños," *El Tiempo*, 19 December 1974.

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the authority of the Church had diminished historically, it still remained an important factor in Colombia's social and political arenas.

Despite the larger discussions on state formation and the Church, Colombia's foundation for how it would understand and interpret adoption as an institution was cemented prior to the Latin American wave. This thesis as a historical analysis provides a deeper theoretical understanding on how political and social factors can establish a foundation for an unforeseen contingency like that of transnational adoption. In addition, it also illustrates on the importance of the relevancy and universality certain topics such as population explosion, illegitimacy, gamines, and birth control effects the country as a whole and influences the population to action.

During the writing of this thesis, the *ICBF* temporarily suspended new requests for all adoptions of children from newborns up until six years of age. The *ICBF* cited that from the *First Meeting of Central Authorities on the Matter of International Adoption*, there was an agreement that the suspension will offer the opportunity to better manage the adoption process and work more sensibly with biological parents during the process.¹⁴⁵ The *ICBF* director said that this decision was made to fulfill and protect the best interests of the child. This new step toward an new understanding of the "best interest of the child" in Colombia illustrates the importance of such a principle not only in transnational adoption, but also in the country's understanding of its citizens. The way in which countries understand and interpret the "best interests of the child" becomes indicative on how they approach transnational adoption. Furthermore, those same

¹⁴⁵ Camilo Gonzalez, "Colombia cerró la puerta a la adopción para extranjeros," *Radio Santa Fe*, www.radiosantafe.com/2013/05/30/colombia-cerro-la-puerta-a-la-adopcion-para-extranjeros/# [retrieved 1 June 2013]

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decisions reflect on other countries on an international stage. Nevertheless, the broad principle of the “best interest of the child” will continue to evolve in its understanding, and countries will reinterpret it over time, too. This project provided a starting point to one country’s historical understanding of that particular broad principle so that it may lead to further investigation of other countries not only in Latin American but in the world and link together the development and transformation of an ever evolving principle and allow for a greater understanding of the “best interests of the child.”

Bibliography

Primary Sources

Associated Press. "Pocos Progresos en Control de Natalidad." *El Tiempo*, 6 April 1967.

Buenahora Febres-Cordero, Jaime. *La adopción; implicaciones jurídicas y sociológicas*. Bogotá: 1977.

Barclay, Dorothy. "Foreign Adoptions To Be Made Easier." *New York Times*, 5 April 1952.

Castellanos, Gonzalo. "Extranjeros quieren adoptar a más de cien niños caleños." *El Tiempo*, 19 December 1974.

Chadid, Gustavo Dajer. *La Adopción: Su Historia, Derecho Comparado, Análisis Jurídico en el Derecho Colombiano, Aspecto Social*. Bogotá; 1968

Congreso de la República de Colombia. *Ley 1098 de 2006 Código de la Infancia y la Adolescencia*. Diario oficial, No.46-446 de 8 de noviembre. www.alcaldiabogota.gov.co [retrieved 22 February 2013].

Congreso de la República de Colombia. *Ley 5 de 1975*. Diario oficial, No.34.244, 28 enero 1975. www.alcaldiabogota.gov.co [retrieved 3 March 2013].

Congreso de la República de Colombia. *Ley 75 de 1968*. Diario oficial, 30 December 1968. www.alcaldiabogota.gov.co [retrieved 25 February 2013].

Congreso de la República de Colombia. *Código Civil*. 1887. www.alcaldiabogota.gov.co [retrieved 1 March 2013].

Constitución Política de la República de Colombia, 1886. www.inap.mx/portal/images/pdf/lat/colombia/constitucion_politica_colombia_1886.pdf. [retrieved April 2013].

Concordato de 1887 de Colombia. 190.24.134.121/webcsj/Documentos/Civil/Exequátur V. Final/instrumentos internacionales/COCORDATO ENTRE LA REPUBLICA DE COLOMBIA Y LA SANTA SEDE.pdf. [retrieved June 2013].

De Onis, Juan. "Bogota Widening Drive On Births." *New York Times*, 18 August 1968.

De Onis, Juan. "Colombians Open Birth-Curb Drive." *New York Times*, 14 Novemeber 1966.

De Onis, Juan. "Population Pressures Spurring Latin Birth Control Advances." *New York Times*, 21 September 1966.

Politics of Colombian Adoption

- Eder, Richard. "Colombia Seeks To Spur Growth." *New York Times*, 12 April 1964.
- El Espectador. "Colombia da en adopción 1.800 niños en promedio cada año." *El Espectador*, 21 August 2012. [retrieved 1/28/2013] www.elespectador.com
- El Presidente de la República de Colombia. *Decreto 2737 de 1989 el Código del Menor*. 27 noviembre 1989.
- El Presidente de la República de Colombia. *Ley 75 1968 el Instituto Colombiano de Bienestar Familiar*. Diario oficial, 31 diciembre 1968.
- El Tiempo. "Alberto Lleras Propone Control de la Natalidad." *El Tiempo* 12 August 1965.
- El Tiempo. "El Gobierno Fija Posición." *El Tiempo*, 9 February 1967.
- El Tiempo. "El Pais no Quiere Entender a los Niños." *El Tiempo*, 7 May 1967.
- El Tiempo. "Hay Que Responder por los Hijos." *El Tiempo*, 7 May 1967.
- El Tiempo. "La Adopción debe ser consciente e irrevocable." *El Tiempo*, 25 June 1971.
- El Tiempo. "La Iglesia Reprueba Control Familiar." *El Tiempo*, 12 March 1967.
- El Tiempo. "La Planificación Familiar es una Necesidad Nacional." *El Tiempo*, 15 February 1967.
- El Tiempo. "La Regulación Voluntaria de Nacimiento no es Reprobable si la Finalidad es Justa." *El Tiempo*, 15 August 1965.
- El Tiempo. "No Hay Crisis dentro de la Iglesia." *El Tiempo*, 21 May 1967.
- Hoge, Warren. "Ring in Columbia Kidnaps Children for Sale Abroad". *New York Times*. August 16th, 1981, Sunday, Late City Final Edition.
- Finney, John W. "Birth Control Now a Major Part of U.S. Aid." *New York Times*, 26 December 1965.
- Fowle, Farnsworth. "'Revolt' Is Hailed By A U.N. Founder." *New York Times*, 26 January 1965.
- García. "Movimiento de Opinión sobre Tesis de Lleras." *El Tiempo*, 11 August 1965.
- Gómez, Juan Antonio. "Causas y Efectos: Nuestros Niños, los Olvidados por la Ley." *El Tiempo*, 21 March 1967.

Politics of Colombian Adoption

Gómez Palacio, Amparo. "Hijos en realización, nueva moda." *El Tiempo*, 6 June 1967.

Gonzalez, Camilo. "Colombia cerró la puerta a la adopción para extranjeros." Radio Santa Fe.

www.radiosantafe.com/2013/05/30/colombia-cerro-la-puerta-a-la-adopcion-para-extranjeros/#

The Hague Conference On Private International Law. "Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption." Concluded 29 May 1993, *Hague Conference On Private International Law*.

Kane, Saralee. (1993) "The Movement of Children for International Adoption: an epidemiological perspective" *The Social Science Journal*, 30-4:323-339

Kennedy, Paul P. "U.S. Backs UNICEF Efforts in Family Planning." *New York Times*, 10 December 1966.

Lleras Restrepo, Carlos. "Carlos y Alberto Invitan a Votar." *El Tiempo*, 20 March 1966.

Lleras Restrepo, Carlos. "Mensaje del año nuevo del presidente Lleras." *El Tiempo*, January 2nd, 1968.

Lleras Restrepo, Carlos. "El Mensaje de fin de Año: 1968 Fue un Buen Año para el País, Dice el Presidente." *El Tiempo*, 2 January 1968

Lopez Pardo, Alvaro. "El Niño Colombiano, un Desconocido." *El Tiempo*, 7 April 1967.

Martínez. "Los Problemas Demográficos," *El Tiempo*, 11 August 1965.

Matthews, Herbert L. "Frankness on Birth Control in Latin America." *New York Times*, 23 August 1965.

Maidenberg, H.J. "Birth Curb Efforts in Americas Urged to Further the Economy." *New York Times*, 14 August 1965.

Maidenberg, H.J. "Colombians Get Aid on Family Planning." *New York Times*, 15 July 1970.

Maidenberg, H.J. "Colombians Map Birth Curb Plan." *New York Times*, 9 August 1965.

Maidenberg, H.J. "Latin Birth Rate Stirs Rising Concern." *New York Times*, 22 August 1965.

Maidenberg, H.J. "Population Talks Hailed As Success." *New York Times*, 16 August 1965.

Politics of Colombian Adoption

Maidenberg, H.J. "Vote In Colombia Satisfies Lleras," *New York Times*, 23 March 1966.

Miranda Corrales, Juan Armando. *La Adopción Como Institución Jurídica Y Medida Por Protección Por Excelencia*. Tesis de Grado para optar al título de Abogado. Santafé de Bogotá D.C.: Pontificia Universidad Javeriana, Facultad de Ciencias Jurídicas, Departamento de Derecho Privado, 1999.

Montgomery, Paul L. "Church in Colombia Is Beset by Liberal-Conservative Tensions." *The New York Times*, 25 August 1968.

Moreno Díaz, Ezequiel. *Instrucciones de Illmo. Sr. Obispo de Pasto al clero de su diócesis*. España: 1903. Digital copy retrieved from the Biblioteca Luis Ángel Arango del Banco de la República, Colombia 25 May 2013..

Monsignor Uribe Urdaneta. "La Regulación Voluntaria de nacimiento no es Reprobable si al Finalidad es Justa." *El Tiempo*, 15 August 1965.

New York Times. "Boost for Family Planning." *New York Times*, 16 July 1970.

New York Times. "Colombia's Conciliator: Alberto Lleras Camargo." *New York Times*, 6 May 1958.

New York Times. "Lleras Criticizes Church Over Births." *New York Times*, 13 August 1965.

New York Times. "Policy of Family Planning Is Proposed for Colombia." *New York Times*, 22 August 1966.

New York Times. "Waif Ball to Help." *New York Times*, 6 December 1970.

New York Times. "WAIF Elects Helen Hayes." *New York Times*, 18 May 1958.

New York Times. "Winner in Colombia: Carlos Lleras Restrepo." *New York Times*, 3 May 1966.

O'Grady, Mary Anastasia. "Guatemala's Inhumane Adoption Law: A U.S.-backed policy bars thousands of children from being given homes in America," In *Wall Street Journal*, 4 February 2013, p.A11, online.wsj.com/article/SB10001424127887324610504578276010310945682.html

Pan-American Assembly on Population (1965: Cali, Colombia). *Population Dilemma in Latin America*. Washington D.C.: Potomac Books, Inc. Publishers, 1966.

Politics of Colombian Adoption

Pizano, Daniel Samper. "Queremos control natal, pero no sabemos hacerlo." *El Tiempo*, 7 December 1970.

Poveda Ramos, Gabriel. *Historia Económica de Colombia en el Siglo XX*. Medellín, Colombia: Edtiroial Universidad Ponitificia Bolivariana, 2005.

Ramírez. "Adoptar Control fue la Conclusión," *El Tiempo*, 15 August 1965.

Samper P., Daniel. "Demografía en Colombia: Control natal, medio para atacar el aborto." *El Tiempo*, 9 December 1970.

Schmidt, Dana Adams. "Colombian Urges Rise In Latin Aid." *New York Times*, 7 April 1960.

Selman, P. (2012) *Key Tables for Intercountry Adoption: Receiving States and States of Origin 2003-2011*, available on request from the author at pfselman@yahoo.co.uk

Stokes, Bruce. "Birth Control: More People Are Turning to Sterilization." *New York Times*, 22 May 1977.

The Shuster Institute for Investigative Journalism. "Adoption: Guatemala." *Brandeis University* [Waltham, MA: Brandeis University, 2008-2012]. www.brandeis.edu/investigate/adoption/guatemala.html#history.

Torres, Camilo. *Plataforma del Frente Unido del Pueblo Colombiano-1965*. Archivo Chile. CEME, Centro de Estudios Miguel Enriquez: www.archivochile.com. [retrieved 20 April 2013].

United Press International (UPI). "Asesores Papales Apoyan Cierta Tipo de Control." *El Tiempo*, 18 April 1967.

United Press International (UPI). "EE.UU Iniciará Suministro Mundial de Anticonceptivos." *El Tiempo* 12 May 1967.

United States Congress. Senate. Committee on Foreign Relations. *Survey of the Alliance for Progress: Compilation of Studies and Hearing of the Subcommittee on American Republic Affairs*. 91st Congress, 1st Session: Document No. 91-17, 29 April 1969. Washington D.C.: U.S. Government Printing Office, 1969.

Secondary Sources

Ahn-Redding, Heather and Rita J. Simon. *Intercountry Adoptees Tell Their Stories*. New York: Lexington Books, 2007.

Politics of Colombian Adoption

- Aptekar, Lewis. "Are Colombian Street Children Neglected? The Contributions of Ethnographic and Ethnohistorical Approaches to the Study of Children." In *Anthropology & Education Quarterly*, Vol.22, No.4, December 1991, pp.326-349.
- Bartholet, Elizabeth. "International Adoption: The Human Rights Position." In *Global Policy*, Vol.1, Issue 1, January 2010.
- Briggs, Laura. *Somebody's Children: The Politics of Transracial and Transnational Adoption*. Durham and London: Duke University Press, 2012.
- Brea, Jorge A. "Population Dynamics in Latin America," *Population Bulletin* 58, no. 1. Washington, D.C.: Population Reference Bureau, 2003.
- Bushnell, David. *The Making of Modern Colombia: A Nation in Spite of Itself*. Berkeley/Los Angeles/Oxford: University of California Press, 1993.
- Brzezinski, Steven. "Church versus State: Family Planning in Colombia, 1966-1972." In *18 J. Church & St.* 491, 1976.
- Dubinsky, Karen. *Babies without Borders: Adoption and Migration across the Americas*. New York: New York University Press, 2010.
- Galeano, Eduardo. *Open Veins of Latin America: Five Centuries of the Pillage of a Continent*. Trans. Cedric Belfrage. New York: Monthly Review Press, 1971.
- Gerassi, John, ed. *Revolutionary Priest: The Complete Writings and Messages of Camilo Torres*. Harmondsworth, Middlesex, England: Penguin Books Ltd., 1971.
- Howell, Signe. *The Kinning of Foreigners: Transnational Adoption in a Global Perspective*. New York/Oxford: Berghahn Books, 2006.
- Huffington Post. "International Adoption Under Siege?" www.huffingtonpost.com.
- Hylton, Forrest. *Evil Hour in Colombia*. New York: Verso, 2006.
- Leinaweaver, Jessaca B. *Circulation of Children: Kinship, Adoption, and Morality in Andean Peru*. Durham, NC, USA: Duke University Press, 2008.
- LaRosa, Michael J. *De La Derecha A La Izquierda: La Iglesia Católica en la Colombia Contemporánea*. Trans. Juan Pablo Lombana. Bogotá, Colombia: Planeta Colombiana Editorial S. A., 2000.
- Juntunen, Craig. "Courage in the Adoption Waiting Game." In Huffington Post Online, posted 1 May 2012, [retrieved 16 February 2013], www.huffingtonpost.com.

Politics of Colombian Adoption

- Lestage Françoise and María Eugenia Olavarría, eds. *Parentescos en n mundo desigual: Adopciones, lazos y abandonos en México y Colombia*. Iztapalapa, Mexico: Univesidad Autónoma Metropolitana Unidad Iztapalapa, Departamento de Antropología, 2011
- Long Melissa. "Guatemala Passes Domestic Legislation to Implement Hague Adoption Convention; But Does it Help the Children?" *Law and Business Review of the Americas*, Vol.15, May 2009.
- Marre, Diana and Briggs, Laura. *International Adoption: Global Inequalities and the Circulation of Children*. New York University Press; New York 2009
- Mignolo, Walter D. *The Idea of Latin America*. Malden, MA: Blackwell Publishing, 2005.
- Moya, José. "Introduction: Latin America - The Limitations and Meaning of a Historical Category." In *The Oxford Handbook of Latin American History*. New York/Oxford: Oxford University Press, 2011.
- Monsalve Solórzano, Alfonso. *Legitimidad y soberanía en Colombia 1958-2003*. Medellín: Editorial Universida Pontificia Bolivariana, 2004.
- Palacios, Marco. *Between Legitimacy and Violence: A History of Colombia, 1875-2002*. Trans. Richard Stoller. Durham and London: Duke University Press, 2006.
- Pope John XXIII. *Humanae Vitae*. 26 July 1968. www.vatican.va [retrieved 29 June 2013]
- Pope John XXIII. *Pacem In Terris*. 11 April 1963. www.vatican.va [retrieved 1 June 2013]
- Poveda Ramos, Gabriel. *Historia Económica de Colombia en el Siglo XX*. Medellín, Colombia: Editorial Pontificia Bolivariana, 2005.
- Robinson, Warren C. and John A. Ross, eds. *The Global Family Planning Revolution: Three Decades of Population Policies and Programs*. Washington, D.C.: The International Bank for Reconstruction and Development/The World Bank, 2007. www.worldbank.org
- Roldán, Mary. *Blood and Fire: La Violencia in Antioquia, Colombia, 1946-1953*. Durham and London: Duke University Press, 2002.
- Safford, Frank and Marco Palacios. *Colombia: Fragmented Land, Divided Society*. New York/Oxford: Oxford University Press, 2002.

Politics of Colombian Adoption

Seltzer, Judith and Fernando Gomez. "Family Planning and Population Programs in Colombia 1965 to 1997." *POPTTECH Report* No. 97-114-062, May 1998. Arlington, VA: Population Technical Assistance Project.

Tombs, David. *Latin American Liberation Theology*. Boston, MA: Brill Academic Publishers, Inc., 2002.

Volkman, Toby Alice (Editor). *Cultures of Transnational Adoption*. Durham, NC, USA: Duke University Press, 2005.

Yngvesson, Barbara. *Belonging in an Adopted World: Race Identity, and Transnational Adoption*. Chicago/London: The University of Chicago Press, 2010.

Zelizer, Viviana A. *Pricing The Priceless Child: The Changing Social Value of Children*. New York: Basic Books, Inc., Publishers, 1985.