Adoption is F*cked Up and it's Time we Reckon with it

1. Introduction

The recent Dobbs decision was a crippling blow to reproductive rights in the U.S. It was shocking but not surprising, if one had been following the lead up to it. As a person capable of becoming pregnant *and* as an adopted, I could not help but pay close attention to the way adoption was levied as a talking point used to sway public opinion about the need or lack thereof for basic medical care, which is what abortion is. One might assume that this is a notorious conservative or anti-choice talking point, namely, that abortion should be outlawed because adoption is an option. Indeed, in Amy Coney Barrett's remarks during the hearings, it is clear what the conservative viewpoint is. Abortion is not necessary because adoption exists. As she notes, we now have safe haven laws that allow folks who have had a baby to deposit the child in a box at a fire station and thus divest themselves of their role as a parent. Problem solved!

Progressives, on the other hand, typically champion reproductive rights. Nevertheless, when we examine the pro-choice arguments, especially in the wake of the Dobbs decision, there is a tendency to use adoption as leverage in attacking the anti-choice movement – it's just presented in a different way. For example, it is common to hear, as a clapback to anti-choice arguments, the question: oh yeah? How many kids have *you* adopted? Or, you might hear, "I hope you plan to adopt all those fetuses you are saving by protesting against abortion." The intent behind these arguments seems to be noble – to point out the hypocrisy of the conservative mindset regarding reproductive rights. And to be fair, these remarks are in no way as disturbing as seeing the signs from anti-choice zealots that read "we will adopt your baby" or a recent viral tweet from a man who says "if anyone is considering an abortion and you're not quite feeling right about it, we will adopt your baby. We're older, no kids, I have cancer, so traditional adoption and fostering have not panned out for us. We would love a few kids." Talk about fucked up.

But, congealed in the remarks by progressives, whose logic is something like "fine, outlaw abortion, but *now all conservatives must adopt all the babies!"* the use of adoption as a talking point is problematic and harmful. What is assumed in statements like these – both from anti- and pro-choice proponents – is that 1. adoption is a viable alternative to abortion (i.e. that it involves *choosing* to relinquish a child for adoption as opposed to choosing to abort, and therefore 2. adoption is a reproductive choice.

In this paper, I dispel these assumptions. My aim is not, however, to defend a person's right to choose abortion. This is something I wholeheartedly support, but it is not the focus of my arguments here. Instead, I will focus on the flawed logic of the pro-choice rejoinders because I think they are actually *fueling* anti-choice rhetoric. The paper proceeds as follows: first, I examine the ways both conservatives and progressives mistakenly assume that adoption is an alternative to abortion, thereby short-circuiting any genuine discussion about the medical benefits of abortion and the drawbacks to adoption. Another assumption lodged within the adoption-alternative rhetoric is that that adoption is an overwhelmingly positive practice. This is

perhaps the most entrenched ideology of all because it is lauded on both sides of the political aisle as a beautiful way to build a family, a means of rescuing poor orphans around the globe, or even as a way to save the planet from its environmental crises. There are even philosophers who claim we have a *moral obligation* to adopt rather than procreate. This dominant narrative of adoption as a loving choice is, I argue, propaganda. Here, I draw on my own experiences as an adopted person to highlight just a few of the ways adoptees are disenfranchised by the very system that supposedly rescued us from eminent death or abuse. I draw on feminist epistemology to suggest ways in which we need to reconsider how adoptees are marginalized and silenced in the name of perpetuating what is in reality a harmful system. More importantly, the adoption positive rhetoric that pervades U.S. politics conceals the true nature of what is really a multi-billion dollar industry that makes its money by needlessly tearing families apart, and in particular, already disenfranchised families. When we examine the intersections of the adoption industry with other so called "child welfare" systems, what we find are the same carceral logics that underpin policing generally in this country. Thus, the idea that adoption should be praised by the left, a political movement that positions itself as intersectional, anti-racist, and progressive, needs serious reexamination. Adoption is fucked and abolitionist philosophy provides a way – the *only way*, I will argue – to unfuck it.

2. The Conflation of Abortion and Adoption:

As the introduction notes, it is not difficult to find, when examining both sides of the abortion debate, a strange conflation between adoption and abortion. When a pro-choice proponent says I hope you plan to adopt all those babies, it's not that dissimilar from "let us adopt your baby," because both these statements pander to the misguided idea that if someone is pregnant and does not wish to be so, they can always just put the baby up for adoption.

Adoption, however, does not divest a person of a pregnancy. It divests them from their children. I am talking here, of course, about the gestational parent who relinquishes a child for adoption. They do not escape the nine months of having one's body hijacked, with all the health risks associated with pregnancy and birth. It is also worth noting that for a highly developed country, the U.S. is terrible at keeping pregnant people alive throughout their pregnancies and during childbirth, especially if they are persons of color. Let us also not forget that the postpartum period can be a nightmare, with the American College of Obstetrics and Gynecology recognizing that roughly half of new parents experience some form of depression, and it can take up to a year to fully recover from giving birth.

The persons who undoubtedly benefit from adoption are the adoptive parents – fulfilling their wishes to experience parenthood. But before this happens, a person must go through a pregnancy and then a family must be permanently and irrevocably dismembered. I will say more about how all this tends to play out in a moment. But for now, the simple idea is that adoption is not an alternative to pregnancy, it is an alternative to parenting.

A caveat here: the type of adoption I am referring to throughout this paper is *plenary adoption.* Sometimes also referred to as "subtractive adoption," plenary adoption, unlike informal forms

of guardianship, such as a grandparent caring for their grandchild, involves the legal transfer of parental rights to the adoptive parents, as well as the permanent termination of rights by the genetic parents. Unlike fostering, guardianship, or informal kinship arrangements, plenary adoption is irrevocable and cannot be annulled, even by the adopted person when they reach adulthood. Thus, plenary adoption encompasses both open and closed adoptions, i.e. adoptions that allow for contact with or information about the genetic family versus those that do not.

Amy Coney Barrett does bring up the idea that adoption does not free a person from pregnancy, shoots it down as unimportant, by saying pregnancy is a small price to pay to get out of parenting if you can relinquish for adoption, or dump your baby in a box somewhere. Her privilege here is glaring, considering that she has biological children she was permitted to parent, along with adopted children from Haiti. Later, I will discuss the problematic nature of her statements, given that she displaced Haitian children from their culture, but let's first think about how she likely views her role as adoptive parent, because, as I will argue, it is representative of how both conservatives and progressives see adoption generally, namely, as a beautiful practice.

3. Myth: Adoption is Always Wonderful

The myth that adoption is an unequivocal good contains within itself a variety of misconceptions. These misconceptions are often accompanied by or founded in problematic ideologies, but they can also stem from what Kristie Dotson refers to as pernicious ignorance. "Pernicious ignorance should be understood to refer to any reliable ignorance that, in a given context, harms another person (or set of persons)." As this section of the paper proceeds, I will examine how adopted people might be harmed specifically in their capacities as knowers, but it's also easy to see the logic of this argument on its face. If folks are reliably ignorant about the ways adoption is harmful, there are easily imaginable situations in which this ignorance could lead to even more harm to adopted people. So let's examine some myths that I argue constitute the pernicious ignorance of society generally, when it comes to adoption.

Perhaps the most dominant adoption myth is that adoption provides children in need of families with loving people who desperately want to become parents. Straight away there is a problem with this thinking when we consider that nearly all adopted children *do have families*. It is not as if they dropped from the sky delivered by the stork. The orphan mythos, however, is pervasive in adoption rhetoric, where it is often imagined that a child has no living parents or that their parents tossed them into a trash bin. In reality, many parents who relinquish are simply poor and see money as a barrier to properly caring for their child. When interviewed later in life, these parents overwhelming express regret and claim never once did they *want* to relinquish.

As Kathryn Joyce details in her book, "The Child Catchers," orphan fever is particularly common in international adoptions to the U.S. which are almost always marked by scandal and ethical violations. Take Haiti, e.g., the country from which Justice Barrett adopted children. After the

massive earthquake of 2010, which left thousands homeless, there was an adoption boom in the country. Orphanages were full of children and many Americans took it upon themselves to adopt these children. The problem is that orphanages in other countries are not necessarily places children go when they are bereft of living parents. In fact, many of the children in orphanages all over the world are there temporarily, while their parents find ways to support their families better. Joyce tells the story of a child in Ethiopia in this exact situation whose mother had died, but whose father was still alive. He placed the child in an orphanage while he got back on his feet, then went to retrieve his child only to find she'd been taken to the United States. A couple had come to tour the orphanage, were told by an agency the child was an "orphan", which to the American couple meant "has no living parents," and that was it. The dad was told nothing more and would not find his child for decades. Stories like this seem like wild outliers, certainly not commonplace in adoption, and yet, even cursory research will show that entire agencies, such as Bethany, have been forced to shut down their international adoption wing due to seemingly nonstop scandals such as these. The term "paper orphan" is used in adoptee communities to describe the way our identities are manufactured to fit this "all-adoptees-are-orphans" narrative. Quite the contrary – hardly any of us are.

Likewise, it is not hard to see the cultural imperialism that undergirds these practices. With zero regard for cultural difference in family structure, disparities in governmental aid, or language dissimilarities, Americans have a bad habit of assuming their way is the only way, and thus, another myth baked into adoption is that of *rescue*. Examining adoption patterns, there is an overwhelming trend for children to be moved from poorer countries to wealthier ones, darker skinned children tend to be adopted by white parents. The Coney Barretts of the country are typical adoptive parents – white, often evangelical Christians, and upper middle class or wealthier. And when you read their blogs or view their Instagram photos, the narrative is always the same: their child was saved from poverty and destitution, or from crackhead birthparents. Dorothy Roberts has been examining the racism inherent in this rescue mythology for decades. Black families are far more likely to face investigations by Child Protective Services (CPS), largely in part because they are disproportionately poor compared to white families. Poverty is equated with neglect and thus, the effect of all these structural inequalities is that black children are permanently taken from otherwise loving homes and placed with white families, a tradition, she argues, that has its roots in slavery.

We can see from this brief discussion so far that in many cases, the idea that a parent would willingly give their child up for adoption is the real outlier, as most underprivileged parents have their children either taken into custody or, in international adoption cases, parents are often conned into relinquishing, as Joyce details in *The Child Catchers*. But what about the those parents in the U.S. who really do make an informed choice to put their child – especially a newborn infant – up for adoption? They might be poor or battling a drug addiction, let's say. Or even more germane to the topic here, they might be those parents who could not access or did not want to access an abortion. These are the parents for whom it is supposed that adoption will provide a viable solution. This is yet another pervasive myth surrounding adoption, or better, relinquishment: the myth of the loving birth parent who selflessly gives their child away for a "better life." The sociologist Gretchen Sisson, however, has demonstrated that this far from

the standard case. Nearly all women[1] who relinquish for adoption never even considered abortion. Likewise women who were denied access to an abortion or who considered it but decided against it almost never relinquish. It's just not true that when faced with an unplanned pregnancy, most women think to themselves, I've either got to have an abortion or relinquish a baby for adoption.

Moreover, the claim that a birth parent selflessly chooses to relinquish is an oversimplification at best and definitely an example of pernicious ignorance. In *The Girls Who Went Away* by Anne Fessler, she details the many ways birth mothers are coerced into relinquishing – being told by agencies, for instance, that they are selfish if they don't, bribed with monetary rewards such as birthing and related healthcare costs being covered, then threatened with the bill if they change their mind, and above all, not being given any reasonable alternatives. For example, in Sisson's work, she finds that money was the number one reason birthmothers cite for relinquishing. If they had been given even 1000 extra dollars to help get them going after birth, they claim they would not have made that decision. Meanwhile, agencies pull in anywhere from 40 to 80k for an infant adoption. This is clearly fucked. What if instead, we reframed what we meant by adoption to include caring for entire *families*, helping them feel empowered to parent their own children, rather than being forced to make a decision out of desperation or due to oppressive conditions. This is a core tenet of abolitionism with regards to adoption and child welfare.

As an adopted person, I internalized these myths as I grew up. My parents loved me so much they gave me away. That alone is a head trip. Imagine being taught to equate love with being permanently given away to strangers when you are at your most vulnerable and infantile state. My birth parents were young, too poor, chose life for me instead of abortion, and so I should be grateful. Mine was a closed adoption so I had zero knowledge of my genetic family, not even any health records, save from a scant few items about my mom that have turned out largely to be untrue. It would not be until well into my 30s that I was able to locate my biological dad, along with his brother, my uncle, and some cousins. I learned that my paternal grandmother wanted very much to parent me but had no rights to do so. She encouraged my dad to step up and do it and he was on the fence about it so much that it was not until the day I was born that the decision was made. He even had chosen a name for me, and wrote on my birth certificate his name and contact info in case I ever wanted to find him. What he didn't know was that I would not be permitted to see that document about myself, the first official testament to my existence. To this day it remains under lock and key in the state of Florida. I found him because of commercial DNA testing, which I took because I wanted to know more about my health history. It is worth noting that there are all sorts of privacy concerns with submitting your info to one of these DNA places, not to mention the potential for police profiling, but it was important to me. I didn't find much interesting about my health from the genomic charts. That only came when I found my dad, and learned of an extensive family history of mental illness, suicide, heart disease, and drug addiction. These are complications that eventually found their way to take my dad's life only months after I found him.

[1] I use 'women' here and not 'parent', simply because this is the term Sisson uses and the people she interviews all identify as women. I recognize that 'parent' is the more inclusive term here.

My story is actually mundane in “adoptionland” compared with other adoptees and displaced persons’ narratives. Many of us go searching only to find graveyards or we experience secondary rejection – when our parents refuse to know us or deny our existence among our family of origin. These issues are not magically erased by open adoption either, which is far more common today than closed adoption. Adoption as it functions in the U.S. is almost always plenary, so the legal ties between a child and their genetic parents are permanently severed. Likewise, the child almost always gets a name change, and even when the child is grown, they have no rights to annul their adoption and rejoin their family of origin. In contrast, children raised by their biological parents are able to emancipate from them if they so choose later in life. All adoptees whether from closed or open adoption, are at risk for a variety of mental and physiological disorders. If you read the information on adoption on childwelfare.gov, they recognize adoption as a traumatic event, which explains at least in part why adoptees are overrepresented in mental healthcare settings, have more suicidal behaviors, eating disorders, and social anxiety, compared to the non-adopted population. In the case of transracial and intercountry adoptees, these problems tend to be compounded and interspersed with problems forming healthy racial and cultural identities, feeling a sense of belonging, both in their adoptive families and cultures of origin, and experiencing racism and microagressions, not least of which comes from their own adoptive parents.

I quickly began learning these things after meeting my dad, which was at first a personal journey for me, unpacking all the myths I had believed for so many years. Interrogating my own adoption narrative led me to examine the ways in which adoption itself is subtended by a host of unjust practices. For instance, I learned that there was a price tag placed on me – that my adoptive parents paid for me far more than what a person can expect to pay, even without insurance, for delivery at a hospital. They could have, I discovered, received a discount if they had purchased a Black baby or a child with special needs. This money does not go to the birthparents. If it did, they’d be able to raise their own kids in spades. Adoption fees line the pockets of the most powerful among the for-profit adoption agencies. No wonder then, that the footnote from the CDC that Alito cites in the SCOTUS decision claims that since the passing of Roe the domestic supply of adoptable infants has drastically dropped. We are literally commodities, and in a capitalist economy, if the demand outstrips the supply, it is simple: generate more supply, by whatever means necessary.

I have since found that when adopted/displaced people try to speak about any of this we are routinely silenced, as Ryan Gustafsson, a Korean adoptee, and I detail in a forthcoming chapter on adoptee disenfranchisement. We utilize several concepts from feminist epistemology to demonstrate how adoptees constitute a marginalized group because of the epistemic harms we face when attempting to provide testimony. We are devalued as knowers in exchanges where we are told by non-adopted people that we cannot have legitimate critiques of adoption because they know someone who had a great experience being adopted. In this instance, we are completely unheard, to use Dotson’s terminology. The interlocutor assumes we are merely describing a personal experience within a system and then admonishing us for thinking our bad experience is true of all other participants within that system, when in reality, it is precisely the

system we are critiquing. This silencing often comes from the interlocutor who dismisses adoptee testimony like this, but it often takes the form of what Dotson calls testimonial smothering, where we silence ourselves because we know we will be unheard or it is unsafe for us to speak. Another way adoptees are harmed as knowers, is by being testimonially throttled, a term Michael Calder uses to describe "a restriction of access to the pool of knowledge due to bias." As many adoptees attest to feeling like perpetual children in the eyes of non-adopted society at large, Ryan and I argue that this is one bias likely operating when adoptees are throttled. It is in our best interest, says the concerned "adult" that we don't know much about or biological family, or that we are not encouraged to form community with other adopted people as we grow up. All of these epistemic harms, we argue, relate back to the more primary injustice Fricker describes, "hermeneutic injustice," which "occurs when someone is rendered unable to understand or express some important aspect of their own experience due to a gap in the shared tools of social interpretation." This quote sums up nicely what it was like for me to come out of the fog, as many adopted folks call it, that is, to learn to interpret my experiences in an entirely different framework I had been denied my whole life due to hermeneutic injustice.

Ok, so we are at the point in the conversation I know all too well. It's the "not all" rejoinder. Surely, you might say, there are issues with adoption, but not all adoptions are bad, right? Related sidenote: another way I am often silenced, e.g. by friends I grew up with who hear my newfound take on adoption and say, "but you had such loving parents." And I did. I had and have a great life. And I'm glad I was granted the chance to live it. But I still think my birth mom should have had better options – better access to abortion services, better information regarding how to financially support herself and me, and above all, recognition that my dad and grandma should have some say in my future as well. But again, maybe my case is different, so what about those babies who are truly in need of loving homes? To be sure, there are some cases where parents are simply incapable of caring for their children, or they are abusive, and the child needs to be put in protective care. None of this, however, implies that adoption is the solution. First, there are almost always other biological relatives willing and able to care for the child. These options are rarely explored however, as it turns out, because the financial incentives are nearly zero for biological kin fostering. Meanwhile, complete strangers are paid a monthly salary to care for someone else's child. Even in cases where the only option is for the child to be raised by someone unrelated to them, there are other ways to ensure a child's safety besides adoption. As I have argued, legal guardianship solves all the problems regarding children who have no biological kin they can live with and comes with none of the fucked up baggage of plenary adoption.

Another fucked up question adoptees are so often asked when we speak out about adoption's systemic problems: "well, would you rather have been aborted." To be fair, that question usually comes from an anti-choice zealot, but I have heard it from so-called progressives as well. This is yet again another silencing technique, gaslighting us into believing the only two options are shut up and be happy you were rescued or wish you had never existed. And it would surprise you how many adopted people claim that yes, never having existed would be preferable to the life they have lived. It turns out not all adoptive parents are the saints ACB paints them to be. They abuse, neglect, and murder their adopted children at rates equal to and perhaps even higher

than genetically related families – it is hard to know for sure the numbers here because adoptive families are rarely if ever checked up on by welfare services and given that they are predominately white, CPS will unlikely ever pay them a visit. They also send us back – "rehoming" as it is called is really just retraumatizing. Again, adoptees are never allowed to annul their adoption but we can be canceled by our parents legally at any time. How very beautiful is that?

So, we have so far the idea that adoption is used as a talking point to try to win a debate about abortion. While this often comes from conservatives, progressives are no better at recognizing that they are using real lives as talking points to win an argument. By shouting at anti-choice activists "I hope you plan to adopt all those kids you are forcing into existence" they bulldoze over lived experiences of adopted people instead of stopping to think about how instead of assuming adoption is the only other option in a post-Roe world, perhaps we can restructure the systems that make it seem those are our only two options in the first place? It's also highly problematic to insist that a conservative, evangelical, homophobic, transphobic, and racist anti-choice advocate adopt babies. That's the last person on the planet who needs to be raising someone else's child. As an example, here is a so-called 'progressive' – a popular science educator on Twitter discussing this issue: "Dear entitled men and force birthers…if you want to have a baby, find a woman who wants to have a baby with you. If no one wants to have a baby with you, pay for a surrogate or adopt. The US has a lot of orphans. Go care about our post birth children." All I can say here is: for fuck's sake! Do you hear yourself?

That these so-called progressives also participate in silencing adoptees and ignoring the systemic injustices occurring within adoption, simply because they have benefitted from it or know someone who has, reveals quite a lot about just how progressive they really are. Praising an institution that literally capitalizes on other parents' vulnerability by selling their children away from them is not what progressivism is supposed to be about.

4. Conclusion: Exorcising the Ghosts of Conservativism Lurking in Leftist Pro-Adoption Propaganda

In this final section, I close with the suggestion that the uncritical assumption that adoption is a social good, made by both conservatives and leftists alike, actually contributes to the anti-choice side because it perpetuates all the other systemic injustices that underpin adoption and make it seem like an inevitability. Again, Dorothy Roberts' work is crucial here. She details how systems of family policing, aka "child welfare" are racist and classist in nature, and moreover, are ruled by the same carceral logic that undergirds policing and prison systems in this country, all of which have their roots in slavery. I would also add ableism to this list because mental health is often used as a weapon to separate families and mental healthcare in this country is absolutely founded in carceral logic. Adoption is a cog in this much larger machine of family policing, and not the happy fairytale society makes it out to be. It operates on the assumption that only *some* people – wealthy, white, able-bodied/minded – are worthy of parenting, and in so doing causes harm to entire groups of people, epistemically and materially. Again, there can be positive adoption stories, but these do not detract from the claim that

adoption qua system is unjust. Obviously, some women do not think gendered oppression is a problem because they have attained success or benefit in some way from institutional sexism. This in no way denies the existence of the systemic issues, much in the same way black police officers killing Tyre Nichols in no way diminishes the idea that the police force is a racist and violent institution. Hence, the calls to abolish or defund the police. In short, participation in an unjust system, even if accidentally or with good intentions, is still an injustice. As I argue in a recent piece published in the Nation, if we truly sought to redress the economic disparities, ablest ideologies, structural racism, and colonialist mindsets pervading this country right now, adoption would be a last resort, at best. My challenge to those who consider themselves progressive or think they are doing intersectional feminism therefore is to pause before using me or any other adopted/displaced person as a talking point and instead let us do the talking. You just might learn something that could lead to actual progress and substantial change for the better.

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