

## **“What’s Good in Adoptive Development? Ethical reflections to guide advocacy in adoption”**

### **Preliminary Remarks**

My friends in the American Adoption Congress, I’ve been asked by our program committee to speak to the question of *ethics in adoptive development*, to wonder with you about what is right and what is wrong in our national story of relinquishment and adoption. This is an interesting opportunity, a real privilege for me to spend some time with you, reflecting together on some of the ethical values that should guide credible relinquishment and adoption practice.

I’ve been involved with our American Adoption Congress for the past 15 years and I have observed how we have shifted in our own growth and development as an organization. In years gone by my experience of AAC was that it was primarily a therapeutic community that gathered each year for support and encouragement because there was so much pain in the room; human beings wounded deeply by painful legislated, in many ways *unethical* separation. Adoptees faced the injustice of the injury of abandonment and corresponding loss, confusion with identity, struggles with a deep sense of belonging to anybody, frustration with fantasies about longed for birth parents. For these first parents there has often been a profound paralysis, the experience of betrayal by their own parents, by social service agencies, and by the laws of the land that mandated permanent restraining orders when no crime had ever been committed - thanks to Rich Uhrlaub for that insight some years ago. Another AAC member emailed me to remind me that many adoptees and first parents are now stuck in an involuntary “witness protection program”, put away from viewing decisions of yesterday that compromised their lives. Some think of themselves as “prisoners of war”- a powerful metaphor of human rights taken away to describe the enduring results of wrong-headed *unethical* legislation.

Adoptive parents were most often outside the conversation and the community of support. When pain was the primary focus of AAC it was very difficult for adoptive parents to fit in, feel like this was a safe place, a home for them too in their own grief, their own sorrows about possible childlessness and struggles with adopted children who could not quite adopt them. And getting so close to the suffering of their own adopted children at AAC conferences was sometimes too overwhelming. Unfortunately adoptive parents have at times been seen as the enemy rather than people with hearts for children who needed a home. As we well know, the ethos and laws of American Society set up parents against parents, parents by birth against parents by adoption, pitted as adversaries who both claimed ties and lasting privileges to children they carried in their bodies and/or in their hearts.

Well, this has changed. AAC has widened its scope beyond the therapeutic role to that of national advocacy for the rights of all triad members. It is not that we are any less concerned about the collective pain in this room; you will always notice a good number of workshops that attend directly to the suffering sides of relinquishment and adoption. But it IS to say that we have set our sights, you might say focused our crosshairs, on the tragic and wrongful legal decisions that have served to make enemies out of friends of the same adoption community household. *Civil human rights have been*

*violated*. AAC has become an organization of national and state-by-state advocacy. Accordingly, to talk today about ethics, about sorting out right and wrong, and thereby notions of justice and injustice; this is a wise and necessary thing to do.

A conversation about ethics has been at times slow in coming. What would be the source of an agreed-upon standard of values? *What ethical values, beliefs about right and wrong, would inform our assessment of what is right and wrong in adoption practice?* Our beliefs about right and wrong come from our own family values, standards of community life, as well as from our religious and cultural traditions. It is a very mixed bag of ethical imperatives. Clearly, for our conversation today, the single source for relinquishment and adoption ethics must be the original founding document of the America country - The Declaration of Independence. One single phrase must stand out as foundational for our conversation about ethics: "Life, liberty, and the pursuit of happiness." For every American citizen, even the very young, even hours old, or the very disadvantaged, even unable to keep a child by birth, or the adoptive parent, seeking with difficulty to build a happy home; all of our citizens have this inalienable right to a life, liberty, and the pursuit of happiness. Let's consider how that plays with the good, the bad, and even the ugly in adoption practice.

Perhaps my biggest challenge today is to not simply sing to the choir, that is, tell you what you already know in your minds and hearts about what is right and wrong in relinquishment and adoption practice. What I hope to do to is present **some basic ways of talking** about these matters *so that we are articulate, competent, clear-minded advocates of people whose voices have been drowned out by other powers and other values in American society*. These reflections come in part from testifying before a senate committee in Michigan last April where we made another attempt to change adoption law and in part from the practice of relinquishment and adoption counseling.

## **Introduction**

Let me begin with a story. A 35-year-old adoptee came to see me for some counseling conversation because she was in the middle of a second affair that was troubling her. As some adoptees do report, she had what she considered a good marriage, three children she loved very much, and a job she enjoyed, teaching in a local college. All was well but not enough well. *For some reason there needed to be more*. This woman is intelligent, articulate, and well connected emotionally. But still, she cannot not rein herself in from this extramarital relationship she is having with a longed-for man.

On one occasion she told me the story of attending a wedding some towns away where her mother by birth and her family lived. Her reunion some nine years ago had gone very well. She was happily welcomed and accepted by her first mother and her subsequent children and often invited to family gatherings. This wedding was one of those occasions. But this time she drank too much. She surprised herself that day. She found herself very attracted to her 27-year-old first cousin by birth and asked this handsome young man to dance. She recalled being on the dance floor with him, buzzed, running her fingers through his hair and saying to herself out loud, "This is the Best!" She reported to me; "It felt so right!" Her comment caught me. "So right!"

Was it so “right”? Somehow it sounded unsettling, not quite “right”. I was reminded how upside down things can become when an infant loses her mother at birth. I was reminded of how crazy things become, how things like genetic attraction derail people, how painful and destructive dynamics are set in motion that confuse and trouble people, how **the many faces of adoption** turn from excited and hopeful to sad and angry and confused. Adoptees, first of all, whose rights in my mind should be primary as they begin life without voice. Adoptees who are challenged to put themselves together with differing identities and deeply felt heartaches that are sometimes hardly known but acted out in troublesome affairs. And parents by birth whose lives are usually altered in significant ways that they sometimes know deeply every day, especially on Mother’s Day, or other times never acknowledged, but nevertheless real. And parents by adoption whom society has trained in such a way that they struggle to understand the hearts of their children and see birth parents as enemies, potential threats that would take their children back rather than as partners in caring and raising children.

We in the American Adoption Congress know all too well about the “bad” and the “ugly” in adoptive development. We can quickly rehearse the nature of the injury, the “primal wound” of first parent loss that Nancy Verrier described for us so well years ago. We can rehearse the nature of the personal suffering when all three parties in the adoption triad are challenged to face painful realities that need acceptance and forgiveness because people have been hurt. In these ways we have at times been the American *Relinquishment* Congress; we have stood against the separation, the wall that American Society has imposed between people who do in fact matter to each other deeply. Call it relinquishment, call it surrender, call it the legal termination of rights as it sometimes is...everybody gets hurt...**the many faces of adoption** carry that sorrow...and AAC has named that suffering and attended to it vigorously and correctly.

But what would we say is the “good” in adoptive development? We *are* the American *Adoption* Congress and we take as our mandate to do all we can to make adoption practice in our country as good and honest and fair and as health-giving as it can be. Remember! Life, liberty, and the pursuit of happiness for all. So we might ask *what positive ethical values do we promote, advocate, argue for, fight for on behalf of all the many faces of adoption?*

Let me propose five ***basic ethical “goods” that inform healthy relinquishment and adoption practice.***

First, *it is an ethical good for adoptive parents to care for the ongoing needs of a relinquished/surrendered child.* This woman whom I mentioned had adoptive parents who tried very hard to love her. Adoption itself is a good thing; caring for a child in need is a wholesome value, much needed in today’s society. Our national problem is that adoption has not been done *ethically*; it has not been done honestly, it has not been done well. Each of our world’s children ought to have a shot at life and liberty and the pursuit of his or her personal happiness. And they can’t have that without a decent start in life, without food, without skin to touch, without freedom to learn about themselves, and, so importantly, without love. By love I mean deep solid connection to a caregiver. The backdrop for my comment is my daily awareness of what happens when children try to grow up without parents, without someone there to care for them and about them. Maturation just doesn’t happen without someone there. I

have been in orphanages in Eastern Europe where babies don't cry because they have learned that no one will pick them up. Those infants usually don't have a chance. They will never become persons if by persons we mean people who have the capacity for real relationship, for human intimacy. They may simply 'con' their way through life by gross manipulation. We call this disorder of attachment; adoption intends to prevent that. So we start with a positive comment about adoption as the intended provision of care for children in need of parents in a world so broken that such a need is always there. Societies are judged by how they care for their orphaned children. I am well aware that some here have been so hurt by the experience of relinquishment and adoption or the surrender of a child or wholesale rejection by an adopted child that such a positive statement about the ethical goodness of adoption almost stings. But that reality does not remove the importance of care for children whose hearts are so much at risk. Children need parents to grow up well. In this sense we acknowledge the value of adoptive parents, for what they have offered, a chance for a child at healthy living; life first of all, then liberty to become themselves, and the pursuit of their own happiness.

Parents by conception and birth have a piece of this same valuing of adoption which brings us to our second ethical value. It has to do with their part in adoption. It is this: *it is an ethical good for a baby's first parents, to take responsibility for conception and birth, lifelong responsibility.* It is a good thing to take responsibility for every child that one conceives. It is a good responsibility to give a child a name, an address, a history, a solid place in the universe. It is a bad thing not to do so. It may be legal to forget about the care of a relinquished child but it is never moral. The law may end parental rights but no law on Earth can end parental responsibility for the well-being of a child that begins with you. We must be accountable for the results of our sexual behavior. It may sound odd but I boldly state *that you should never offer your egg or your sperm without your name and address.* And not only is this about the importance of providing needed information; it is also about providing relationship, personal availability, as we now see in newer forms of more open adoption whereby first parents lend their minds and hearts as resources to the challenges that adoptive families face. First parents have a lifelong responsibility to do whatever is in the best interest of their relinquished children, at whatever time, whatever age. You may have decided not to parent, you may have relinquished as your own decision or you may have yielded to parental, societal pressure to surrender an infant, but you may never decide not to care. It's just wrong.

Here we would begin our list of things *that may be legal but are not ethical.* Anonymous egg or sperm donation, first of all, should simply never be allowed. It may be legal but it is never moral because it necessarily compromises the rights of the "snowflake" embryo/fetus/soon-to-be-born neonate to know its truth, its birth and parent story, its personal history, just as important as its medical history. Life, liberty, and the full pursuit of happiness will always be just beyond reach. It is simply wrong. It may be legal to walk away into anonymity but it is never moral. It may be legal to keep information hidden, sealed away, out of reach; but it is never moral. *With anonymous egg or sperm donation we are making the same mistake, the same moral lapse that we did in our American Society nearly a hundred years ago* when in 1917 we first closed records in Wisconsin to create a closed system of adoption practice. It may have been an understandable response to shame-based decision making in that day, but it was still wrong.

Our third ethical value is this: *it is an ethical good for society to protect people, especially young people, from any form of injustice.* This is hardly new to AAC; we know well about the righteous anger people sometimes feel when denied their civil human rights that the Constitution intends to protect. One is the right to *knowledge*. Not knowing whatever one does not know about one's self as an adoptee makes the pursuit of happiness more difficult. Adoptees are forced to invent themselves as much as discover themselves, invent themselves because they so often live with many unanswered questions. In open adoption as well in the more traditional closed adoption system and as well with regard to all the unknowns of international adoption, there is a continuing injustice at play. Adoptees have a right to know, to know whatever they need to know to construct themselves well, even with painful realities in focus. As delightful and as playful as imagination may be, [if there is ever a place that celebrates the joy of such playfulness it is certainly Disney World], you can't "do Disney" with relinquishment and adoption. Make-believe does not work in human development; you need to know your story. You have to know the facts, whatever those facts may be. *Even bad news is good news because it is real news. Here truth matters.* In any court of law a falsified document would be considered fraudulent. Compromising truthfulness always has a price. In this case, the right to know gets lost.

Another, for our conversation, is the corresponding right to *protection from unnecessary grieving*. I think about this a good deal because of many conversations around these issues is with adoptees and first parents who are stuck in grief. Know for one that I am angry that they have to hurt so much. And I am well aware that if they knew more about their stories or their children, several good things could happen. For one if they lose less, they grieve less. For another, if adoptees really understood the dilemmas of many first parents they might find it easier to accept and forgive their relinquishments. As it is adoptees, and first parents too, hidden from view have a greater load of mourning to accomplish. Parents by birth, especially, sometimes carry unending anger and enduring depression because of the secrecy and darkness in which relinquishment and adoption have been practiced. How many birth parents never have another child? Society can do more and society does not and that's wrong.

Consider also the right to *protection from confusion in intimate relationships*. Intimacy confuses all of us, but specifically the wounds of losing people have their toll in our stories of closeness. Adoptees sometimes arrange their love lives at their deepest levels around the experience of relinquishment, essentially working out an instant replay of hurt and rejection or a profound and tedious defense against it by being the eternally "good adoptee". Birth parents who seek to create a new and intimate future are sometimes unable to do so as they live in a profound paralysis, unable to move beyond their Mother's Day grieving. It becomes crazy-making to seek happiness when undone by the lingering difficulties of losing or surrendering a child. And adoptive parents also have a right to protection from confusion in their relationships with their children. We stay away from others when we must stay away from ourselves. When there is suffering around compromised attachment to adopted children, when adoptive parents face the challenge of feeling held hostage by adoptees who protest their adoptions, when these adoptive parents do NOT have access to their children's birth parents who could be important resources in helping these children face their painful realities, then and there adoptive parents are hampered in their capacity to be good parents, to help their children deal with the corners of

their hearts where they hurt to most. Then and there their own intimate relations as parents and persons may be compromised. So again, what may be legal may not be ethical. Protection from such unnecessary confusion must be on the list of the bill of rights that would then soften the edges of the adoption triad and move **the many faces in adoption** forward toward the softer-edged constellation or circle of adoption that would be much more just.

Also, allow me to add the right to *protection from spiritual risk*. The Constitution of the United States guarantees among many things the right of the freedom of religion, to practice one's faith however one sees fit. Unfortunately this basic human right has been corrupted into freedom **from** religion in such a way that conversation about the spiritual is seen as out of order in public discourse. And yet there is something profoundly spiritual involved in relinquishment and adoption. If being spiritual has to do with finding meaning in life, then the spiritual lives of triad members are sometimes at risk. Think here about the importance of human dignity. Dignity is the opposite of shame, and, unfortunately, shame is the strongest variable around which adoption practice has been constructed. How can a person feel valued by God, however God be thought of, when she or he carries shame. Shame stops wishing for life or liberty or the pursuit of happiness. Shame disqualifies, diminishes, condemns. For some this is a spiritual crisis, the crisis of finding little meaning in life at all. Why not die if your life doesn't mean much? And again, let us take note that in relinquishment and adoption we are tampering with the most important relationship on Earth, namely that between an infant and its mother. Such "muddling", as Donald Woods Winnicott called it, puts an infant at spiritual risk in that the very foundation for a meaningful life is necessarily shaken.

Our fourth ethical value for today's conversation is that *it is an ethical good for each of the triad members to advocate for self in the face of such injustice*. This may sound so obvious that it hardly needs expression. This has to do with the right to be heard. Those of us here in the AAC community know and practice this right to be heard as much as we are able to do, pushing for national understanding and for legislative change that would follow from fighting for each of these ethical values described thus far. But I want to make this clear, say it strongly, because there are **many faces of adoption** that are NOT represented here today. How many adoptees find themselves at odds with their own lives and don't know why? And they sometimes stumble along unaware of what they ought to be fighting for. How many birth parents believe that they have no rights? That they signed them away 30 years ago and now must live in self punishing silence? How many adoptive parents assign themselves to silent suffering because their relinquished and adopted children cannot find a way to adopt them, to love them? And they don't know where to look for help? How many graduate schools in America have as standard practice that of teaching psychiatrists, psychologists, therapists, social workers, and pastoral counselors the unique challenges that are part of adoptive development? There many faces still to come to the table to learn, to understand, to rewrite our national adoption story.

And, finally, our fifth ethical value for consideration, one that can never be legislated only invited, is this: *it is an ethical good for all triad members to accept and forgive what cannot be changed*. I use both words because they are different. Acceptance is finally facing reality and letting it be; forgiveness is taking your boot off someone's throat. The problem with the adoption triad, as I have

suggested, is that it has points. These points of reference keep tensions alive among those in the adoption triad. But let us wonder, what ethical values might we endorse, even as AAC, that would move us in the room this morning closer together? My suggestion, one that moves people forward in their pursuit of personal happiness, is the ethical good of accepting whatever reality we cannot change [I know this sounds like the mantra at an AA meeting] and forgiving those who have done us harm in our pursuits of personal happiness. Now let me be clear that forgiveness does not mean going soft on justice, not holding people and agencies and institutions accountable. Nor does forgiveness mean that we don't demand change wherever change can happen. Accountability is about justice and justice is critical. The issue I raise here as a good ethic is that it is right to face one's reality and to forgive, to take your boot off someone's throat. It is an ethical good to release ourselves from the grip our own irritations with people and institutions and society at large. Otherwise, we are held hostage by people and agencies and institutions that have hurt us and we become persons held hostage by our own bitterness. Living with a bitter taste of necessity compromises anyone's pursuit of happiness. Resentments kill joy.

So now, what about the 35-year-old woman who was trying so hard to reign herself in who for a moment thought that it was so "right" to be fussing with her first cousin by birth? Well, please wonder with me about a few things. What if the hole in her heart that she was seeking to fill was much smaller, that she was much less held hostage by nagging questions while she grew up? What if there never were a need for reunion because she knew her truth all along, who her first parents were, where they were, and how they were...for better or for worse? Her adoptive parents could have been much *more* helpful to her, nursing her along in her wonderings and honest disappointments, her sadness, her very human anger, her protest against both her relinquishment and her adoption, the lingering heartache that she carried. They could have loved her more because more of her was available to love. They could have helped her facilitate her lament and move developmentally forward toward letting things be. Knowing and truly accepting your own story, your history, your own ethnicity, your own culture-all these acceptances make people grown ups. And what if her first and second parents were all at peace with things, in calm communication about the issues of the day? What would it have been like if instead of getting buzzed and embarrassingly flirtatious, she had enjoyed her first family wedding celebration as one who knew herself well, full of life, enjoying the liberty of open access to her story and pursuing personal happiness with all these people, that day in that way? Well, my brothers and sisters in our AAC family, *good ethics would help get her there!*

Thank you!

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