

LAW, CULTURE AND ADOPTIVE TRADITION IN CONTEMPORARY BRAZIL

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Abstract

In this text we discuss questions linked to the right of family cohabitation and its relationship to the different forms of adoption that are carried out in Brazil. It is necessary to remember that the Brazilian Law makes it clear that the place that a child has is in his/her community, in the bosom of his/her family. Only in exceptional cases the minor will be placed in a substitute family (ECA, Art. 101, Sole Paragraph). It is interesting here to present different interpretations of this principle by the Brazilian society. In this sense, we are going to centre particularly on the way in which Brazilian families perceive the place of the minors and, above all, the use they make of adoption. We will develop four aspects. I From the interest of the couple to the interest of the child; II. The circulation of minors; III Adoption á la Brazil; IV The quick adoption.

I. From the interest of the couple to the interest of the child.

The present Brazilian legislation seeks to guarantee the "interest of the child", which amongst other things passes via family cohabitation. We remember that it was not always like that. Since 1916, when the formal right of adoption was instigated in the Civil Code (Arts 368 to 378) until 1979 (the year the Code for Minors came into force), the legislation in Brazil treated adoption within the sphere of private relationships. When someone wanted to adopt a Brazilian child, it was enough to go to the Notary to register the adoption. A mother could take her child to a notary and declare that the minor was going to be adopted by a third party. During the validity of the Civil Code, the principal beneficiary was not the minor but rather the family, the couple. In 1990 the ECA came into force, and the "interest of the minor predominated. The perspective changes. The main motive is the realisation of the personality of the adopted child, and his/her protection (ECA, Art. 43 – "The adoption will be attended when real advantages are present for the adopted child and fused in legitimate motives).

II. The circulation of minors

This concept refers to the informal practice of "Placing minors temporarily or permanently in houses that are not their progenitors'" (Fonseca, 1995). The main part of these transferences are orientated towards grandparents and uncles and aunts. When these relations are not available to receive the child, the mother may look among other people for someone who can keep her child. The transfer does not impede the biological mother's expectations of an eventual restitution of the child if her situation improves (the expectation can be expressed in the idea that "there is only one mother"). Expectations not always shared by the new mother (who tends to enter into the logic of "mother is who brings up"). This form of "adoption" is very

common in Brazil, completely outside the law, but totally integrated into our customs – especially in the poorer classes. This proves completely the understanding that part of our population has about the role of the biological parents in the maintenance of their children: on the one hand, they are responsible for their placement in substituted homes, and on the other, they ignore the services of the State as intermediaries in these strategies of survival.

III. Adoption á la Brazil

In Brazil, a large part of the adoptions were carried out (and are still) without the use of the Law by the adopter. In general, these adoptions are carried out as if they had happened naturally: the couple goes to the notary and registers the minor as a birth child. Although no document exists from the hospital, it is valid to take two testimonies. Among international jurists this practice is known as “adoption á la Brazil”. That circulation is done in a vertical way, from down up in the hierarchy of classes. They are always poor women who cede their children to richer women (or, at least with less problems of survival). Some parents collect the baby from the hospital and from there they go to the notary where the child is adopted as if it were the couple’s natural child. We are far from the law and justice. The implicated are going to tell, in a recurrent way that “they will save a child”, or even that “they will help a mother” (and this statement can be used both to designate the biological mother and the adoptive mother). The couples interviewed do not always tell the truth about this question since obviously to adopt like that is illegal and subject to possible punishment. An added complication is that, for all the effects there was no adoption. The child was the couple’s biological child! Therefore, it is not known how many children are adopted annually in Brazil using this kind of dossier. For some judges, the proportion varies between 90% and 80% of the total adoptions carried out. It seems obvious, therefore that an illegal practice is not told easily.

IV. The quick adoption

Another adoption door, this time legalised, is to be found in the Article 166 of ECA which gives the parents the possibility of abdicating to the Parental rights in favour of another. In this practice the candidate for adoption arrives at the Courts with a minor and says that “he was abandoned” , that on opening his door he found a “child in a gift box”, etc. Our investigations (Abreu, 2002) suggest that a large part of the adoptions by Brazilians are carried out this way. The testimony of a technician at the Courts gives an idea on the way the adoptions occur. “I could say that a great majority of adoptions here in the Courts are quick adoptions. A small number of candidates to be adoptive parents arrive here without a child.”. An adoptive mother relates how the adoption of her child took place: “I received this child from Mrs. Soandso. I did not manage to register him at the notary as a biological child. Mi brother in law who is a lawyer, one day came and brought a birth certificate in an envelope with the name of my son and my name. There is even a blank space for me to write in the name of the father if one day I get married.” The lawyer had carried out all the red tape so that she could assume the legal status as the mother.

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CAPACITY. APTITUDE AND ELIGIBILITY: A CHALLENGE FOR THE SPANISH LEGAL LEGISLATION

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Abstract

One of the sections of private Rights that has changed most in the past few years, with a marked increase in publication is the Right for protection of minors. This evolution has been especially relevant in adoption, making it essential for the public Administration to intervene in the process of constituting an adoptive relationship.

This intervention takes place at various times and in relation to different questions that can basically be summarised in three: the declaration of those who offer to adopt as being apt to do so, the declaration of adoptability of the child and the referral of the child to the selected adopters.

This work deals with the first question, the election and selection of the future adoptive parents. The responsibility of the public authorities in the election of those who are the future adopters is, in International Law and in Spanish Law, a relatively recent requirement, derived from one part of the Convention relating to the protection of children and the cooperation in matters of international adoption created in The Hague on May 29, 1993, although prior to that date, via Law 21/1987 the Spanish Law demanded the intervention by the Administration in the selection of adopters.

The determination of the aptitude of those who apply for adoption to finally be adoptive parents, requires in the Spanish judicial regulations, as occurs in the legal regulations around us, the existence of three conditions:

1.- To be considered capable conforming to the requirements of objective capacity foreseen in the Civil Code. The capacity to adopt whether one has it or not, is absolute on some cases or relative in relation to a particular minor and it is not necessary for anyone to declare this. The requisites foreseen in the civil Code that refer basically to the marital status, age, relationship that responds to the premise that the adoptive family is a family the same as a biological one and should also be so in its configuration.

2.- To be declared apt by the competent autonomous administration and based on the autonomous norm. The administration carries out a psycho-social study on the capable adopters to determine the degree of adequacy of their capacities, resources and adoption project to the reality of adoption. Not all the capable adopters are declared suitable. If the requisites for capacity are objective, those for suitability are not in every case and suppose an evaluation of determined subjective circumstances of those who apply to adopt.

3.- To be chosen. Of all those who apply to be adopters and who are considered capable and declared suitable, only those who adjust best to the needs of the particular children will be chosen to have the referral of the adoptable children. In many cases there are more adopters than adoptable children who are waiting for a family, and therefore the judicial systems establish criteria of preference or eligibility. On occasions the criteria is practically chronological with slight corrections, but fortunately in many other cases selection criteria are established. The establishment of these criteria does not imply discrimination contrary to the principle of equality consecrated in the constitution amongst potential adopters, but rather the legitimate election of those who, in the Administrations' opinion, best answer to the higher interests of the child.

And so, when the adoption is international, these three conditions or tests must be verified both according to Spanish Law and the Law of the country where the child comes from. Therefore the future adopters must be considered capable, suitable and eligible according to the norms and standards of the country of origin of their future child, but also must satisfy the requirements for capacity and suitability for the Spanish judicial system. This is what International Law calls "cumulo limitativo" for applicable norms: `the adoption can not be validly constituted if the future adopters do not fulfill the foreseen requirements both in their judicial legislation and that of the child. The use of this technique seeks to guarantee juridic security for the adoptive relationship thus created or the so called "international harmony of solutions" , which is to say the recognition of the full right of adoption as it is constituted in both countries. The practical verification that this "double guarantee" has been given is contemplated both in the Hague Convention of 1993 and in our internal legislation.

The work will explore two questions:

- The application and social acceptance of this new responsibility for the public administrations in a field that is as tricky and delicate as this one, together with the complex and territorial fragmentation for the definition of aptitude in Spain. The declaration of aptitude implies the evaluation of the family according to open criteria that are included in the autonomous legislation in different ways (although progressively more detailed) as the Civil Code demands, but does not define the aptitude. This progressive detail states another clear tendency: initially the accent was on objective elements of the family and little by little requirements were included that have to do with the capacities and personal attitudes of the future adopters. In this work the said autonomous norms and their differences are analysed centering fundamentally on the definition of criteria for aptitude and in some aspects of the procedure and the practical consequences of the same: time, cost, degree of "requirement". However, the complex definition of aptitude generates another problem derived from the different judicial interpretation in the cases of declarations of non-aptitude appealed against before the courts. The work analices over 40 recent sentences in provincial courts that denote a lack of homogeneous interpretation of the higher interest of the child in the approving the aptitude of the adopters for international adoption.

- The interiorisation of what in the cases of international adoption, in the election of the parents, two judicial and different cultural systems concur which cannot be ignored and should be mutually respected. The requisites for capacity, aptitude and eligibility foreseen in the judicial systems of the child, manifest a determined underlying family and social culture which although they are not necessarily shared in all their terms in the country where the adopters live, must unavoidably be respected, not only for anthropological and psychological reasons (respect and acceptance of the parents towards the culture of their child without intending to colonize it) but rather strictly judicial ones. The Convention of the UNO for Rights of Children of November 20, 1989 recalls in its article 20.3 on adoption that the ethnic, religious, cultural and linguistic origin of the child must be respected.

THE POST ADOPTION ATTENTION SERVICE OF CATALUNYA. A NEW PUBLIC SERVICE FOR NEW FAMILY NEEDS. THE INTERNATIONAL ADOPTION CHALLENGE

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Abstract

The spectacular increase in international adoptions in Catalunya in the past 5 years constitutes a new complex social challenge that needs to be born in mind and that demands a profound analysis. This is why the Administration, sensitive to the new emerging social demands, has assumed the commitment to be able to give an adequate reply to the present and future international adoption circumstances.

Via the Catalan Institute for Fostering and Adoption, as a competent organisation for adoption in the Catalan territory, a public consulting service and psychological and education orientation has been set up for all those adoptive families or adopted people who need it.

This new service, aware of the complexity of any adoption process (from the point of view of parent-child bonding) intends to offer a personalised attention to the adoptive families who need support and orientation to face the needs implied by the rearing and education of adoptive children, and also the relationship between these and the parents during the evolution of their process.

In this way, special attention will be paid to the crises that may occur within the adoption framework and tools, guidelines and orientation will be available to promote the growth and welfare of these families.

The Post Adoptive Service, started in June 2005, aims to offer:

- An area of assessment and orientation in the face of doubts and difficulties that arise both in an individual and family surrounding.
- An area for group reflexion and debate for parents and adopted children to deal with different topics, needs and difficulties that may appear during the post adoption period, promoting the exchange of experiences and mutual help amongst the adoption families and the adopted people.
- An area for psychological, social and legal accompaniment and assessment in the process of search for their origins for anyone who wishes this.
- An area to resolve consultations and orientation for professionals and social agents related to adopting (schools, medical services..) so that they can give a better response to the challenges presented by adoption, within their own field.

The Post Adoptive Service of Catalunya has been created with the aim of being a specialised public service that can respond to new family needs such as those implicated by adoption and in particular by international adoption. The complexity of international adoption with all its viewpoints: social, cultural biological, psychological and legal, creates the need for this kind of resource.

The creation of this new service is part of the awareness of the reality of international adoption in Catalunya which deserves special attention and which will determine its present and future characteristics. Only just over ten years ago the international adoption in Catalunya was practically non existent, and represented less than 100 adoptions a year.

Whereas, in the last 5 years (2001-2005) the international adoptions have increased in a unique, spectacular way, with this period representing a great boom of international adoption in our community.

In these past five years, over 6,665 adoptions have taken place, 8,854 Certificates of Aptitude have been given, 15 international adoption organisations have been authorised to handle the dossiers in over 25 countries, and finally 14 family associations have been created, the majority connected to the adopted child's country of origin.

This data situates Catalunya in the first place in the world in relation to its population as to the number of adoptions carried out with an index of 20 adoptions per 100,000 inhabitants during 2005. From our service we have tried to analyse some of the factors that have influenced the spectacular increase in adoptions in our country in the past few years.

INTERNACIONAL ADOPTION: SOLIDARITY WITH INFANCY OR ASSISTED REPRODUCTION?

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Introduction

In 2000, a well known brand of Swedish furniture presented a publicity campaign with the slogan "Adopt a child: redecorate your life" with the view, according to the advertising agency, to promoting solidarity, progressive values and open families. Despite the fact that the advert was withdrawn after pressure from Parent Associations, the message remained. Meanwhile, this very summer, the gossip magazines throughout Spain have informed us in great detail about the adoption of some twins whose genetic material, medical care during the pregnancy and birth had been carefully selected and prepared to give the mother two infants to care for. And the new message has remained printed on the retinas of the average Spaniard.

These two images help me to illustrate the two extremes in which the image of adoption has been created in Spain over the past ten years. On the one hand, adoption as a gesture of solidarity. On the other, a method of assisted reproduction as a means to having a child when biology and new fecundation techniques have failed. On the one hand an absolutely different experience of paternity which honours and fills someone with solidarity values, on the other an absolutely equal experience that must shorten the distance between having a biological or adopted child. The tension between both poles is summarized in one demand: **Why, if there are still children suffering injustice in the world they do not get quickly and cheaply a healthy child without traumas for me?**

This social vision on adoption is not the one shared by the majority of adopting families and, however, it is present in people's talk, the people who coexist with the families and with the children, at certain times of the adopters' lives; many who approach adoption and then take a step back and unfortunately many of those who also, but not in a pure state, in motivations and expectations of some of the families who end up adopting. Not in vain the general culture on paternity and adoption influences the attitudes and the ways of confrontation by the adopting families, and finally, the adaptation of the children that are adopted.

This so confused adoption culture, that mingles adoption as a solidarity gesture with the adoption as a reproductive technique is in part a consequence, but also a cause, of the most spectacular and irreflexive way in which the international adoption has evolved in Spain.

As we know, in less than ten years Spain has gone from considering international adoption as an option for "adventurous families" to considering the family-with-adopted-child as a model family in advertising (valid for advertising cars, sanitary towels, children's snacks or electrical appliances) a family that is desired and normal, by this meaning becoming the principal adopting power on the planet. However, this revolution that is known as the boom of international adoption has happened without sufficient knowledge

on the phenomena, its objectives its specifics and its risks and accompanied by this tense and hardly realistic adoption culture.

In Spain, as noted by Julio Iglesias de Ussel, it can be observed that all social changes (in family matters, incorporation of women in the labour market, civil society in general) have happened in a very short period of time with the additional disfunctions and generational changes that this entails.

However, in the European countries with more experience in the field of adoption, there are different processes and generations of parents that have passed before reaching the present conception of adoption. René Hoksbergen ¹ has studied these social changes defining these categories: the closed traditional generation (1950-1970), the optimist-idealist generation (1971-1981), the materialist-realist generation (1982-1992) and finally the optimist-demanding generation (since 1993) which would be the actual generation of adopting European parents.

The consumer generation

In Spain we could define the present generation of adopting parents as the consumer generation. In this we can observe many of the characteristics of the optimist-demanding generation, shared with the rest of Europeans, but at the same time continuing with some of the characteristics of the previous generations. This consumer generation in adoption would be defined by five basic influences that also configure their risks:

- 1.- The cultural definition on paternity and maternity and the social consideration of the children as commodities with the family life plan.
- 2.- The problems of infertility at a social level that have converted infertility into a customary problem and the adoption as another way to parenthood.
- 3.- Solidarity as a personal impulse within anybody's reach more than a structural commitment.
- 4.- The adopter as a consumer with rights and claims and the role of the network of adopters in the configuration of adoption services.
- 5.- The influence of the Media with their presentation of adoption as something desirable and a possible solution to the situation of a impoverished infancy.

Solidarity with infancy or assisted reproduction?

The tension between the solidarity with infancy and assisted reproduction should be resolved by separating both tendencies from their consumer tendencies and taking the positive part of both. From solidarity with infancy we should accept the commitment with the child that already exists and the empathy for its situation and respect for its rights; from assisted reproduction we should understand the importance of the wish to be parents as a principal motive for adoption and the only way of offering children who have been deprived of their families, what they really need: parents. In this way the adoption culture would be configured as a real resource for the protection of children.

¹ Hoksbergen, R. y Laak, J. (2005). Changing attitudes of adoptive parents in Northern European countries. En: D.M. Brodzinsky y J. Palacios (Eds.). *Psychological Issues in adoption: research and practice* (pp. 27-46). New York: Praeger.

AFTER BIOLOGY
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Abstract

In the context of medical assisted reproduction we can find two aspects of kinship: the more the reproduction is biologized, the more filiation depends on the intentionality. It is possible to define different roles in kinship: conception; gestation; endowing children with "birth-status" identity; and the nurture of children. All of these roles can be exercised by different persons or by the same person, but in medical assisted reproduction another difference is added and another person, the anonymous gamete's donors, who are, so to speak, anonymous genetic "mothers" and "fathers". In this paper, using narratives of women donors and recipients I ask myself about the donor as a new role in kinship, as well as the meaning of an anonymous gift. I ask also about the paradox of gamete's anonymous gift, a "free" gift, but also a gift with an economic compensation, as Spanish law allows it. Where is the debt of the gift? How to imagine an anonymous relation between donors and recipients?

The recipient's point of view

In the recipient's narratives one of the recurrent issues is how to introduce the gamete's gift into the own descent and family genealogy. The gift is anonymous, but it has a special status in the system of exchange and reciprocity. They are alienable objects from the subject who gives (the donor), but they are also inalienable of the giver because they transmit his DNA. They can be imagined as "free gifts" because altruism and humanitarian solidarity is the givers' main motivation – they "give life", isn't it?-, but they can also be imagined as goods distributed by clinics to prospective consumers. Recipient use the language of property in order to transform the gift in the "own child", but the gift change the exclusive meaning of property. The child will have two "mothers", one "genetic" and other "gestational". The "real" mother will be the gestational, changing the meaning of the biogenetic substances of euro-american kinship. It is possible forgetting the gift, because it is not appropriated as part of the genealogy of another person. However, the gift circulates as an extension of the anonymous giver and she is the third person who facilitates descent. Near the commodity and also "free gift", an alienable object, but also an inalienable subject, ova gift is a "hybrid" with different interests and intentionalities.

The donor's point of view

Donors imagine they give parts of their body. However, sharing "ova" or "genes" is not enough to create a descent relationship. The parts of their body, as far as they are anonymized, are not concrete substances of kinship. They are gifts in order to create a new kinship relation, but givers don't know anything about the results of their gift. They contribute to a kinship, which is defined as gestational and related to the intentionality of

recipients. Givers would like to know a bit more about the recipients, the results of their gifts as well also about the physical resemblance of the prospective children. Ova gift rouses ideas of resemblances with imagined children. It is not a kinship relation, but it is part of an imagined kinship with anonymous recipients. It can be expected as an alternative to their maternity and as a way to create an "anonymous" relation with the recipient. This "imagined kinship" with strangers narrated by ova givers is part of the debt of the gift and also a way to transform the passivity of their body, submitted to the clinic protocols to a productive body, into agents of their gifts and subjects of the parts of their body.

KEY ELEMENTS TO SUITABILITY: PREPARING AND EVALUATING PROSPECTIVE INTERNATIONAL ADOPTIVE PARENTS

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Abstract

A family's decision to adopt a child from a foreign country is the result of a process of personal reflection, shared or not with close family and social contacts. Starting from this evidence we understand that what we call the initiation of an adoption process starts in as diverse and heterogeneous way as are the applicants for international adoption and their circumstances, with the intervention of a series of factors that crystallise in the documented presentation of the application to the competent administration. That is the moment from which the contact with some teams of professional experts starts, those entrusted by the Administration to evaluate the suitability of the family for adoption, in this case an international adoption.

The previous preparation of the application can have acquired different forms according to the family's prepared resources: previous information, conference attendance, contact with adoptive families and/or parent associations, reading pertinent books and articles, personalised assessment or therapeutic work. All that, and their own motivation and vital course, situate each family in a different way before the legally regulated initiation of the process and that generates expectations, anxiety and fears towards the professionals, unknown to them, who must evaluate their aptitude or not for adoption.

In the case of Catalunya, we at the ICIF (Collaborating Institutions for Family Integration) comprising teams formed by psychological professionals social workers and pedagogues, are in charge of carrying out the double process of preparation and evaluation study that in an integrated, continuous and coherent way lets us accompany the families in this phase until issuing the proposal to the Administration of aptitude or non-aptitude. The pre-adoption formation should facilitate, amongst other objectives, a realistic approach, adjusted to the variables that make up an adoption as a different form of parenting from the biological one and to the specifics of the children who are susceptible to being adopted. It is also an area to emphasise the fact that adoption is a measure for the minor's protection and with the priority implied by this for the Administrations when issuing a certificate of aptitude.

The declaration of aptitude of each family is based on the evaluation of different areas grouped under: the applicant's personal circumstances, family and personal history and that of the couple, if it is the case, personality characteristics, adoption motivation, family and social surroundings that favour the minor's integration, social, economic and working situation, educational aptitudes and the acceptance of the minor's characteristics and circumstances. In the case of an international adoption we must add the comprehension of what a racial difference supposes in the construction of the child's own identity in the new surroundings.

During the evaluation process we work with the families offering them new information related to what adoptive parenting means, facilitating elements for reflection that perhaps they had not considered so much in connection with the meaning of the adoption project as opposed to its viability, redirect their resources and orient them about their limitations. All this results in the fact that we professionals must recognise in a family both their potential and strength to take on the paternity/maternity of an adopted child and facilitate their situation in a new

existence, but also identify the possible risks that are involved in the arrival of a child into a home in which they may not feel protected, loved and wanted as a son/daughter. We are situated, therefore, facing the consideration that the study and evaluation process is translated as a task of prevention, that the families do not understand in the same way but accept with professional responsibility.

The growth of adoption applications and the number of adopted children in Catalunya in the last few years is obvious and has already been repeated in other expositions of the Forum. From our point of view we notice in the daily work that, the transparency of the adoption both from visual esthetics and from ethics of solidarity has been transferred to all walks of society and the media of communication. This is one of the causes that stimulate confidence that the families have that their adoption project will not be denied because quantitatively other families with apparently similar characteristics have managed to obtain the certificate of aptitude. The coordinates of each situation and the opportunity of the adoption project must be considered in a personalised way and we professionals must transmit to the applicants the differentiated dealing and the criteria on which the technical team bases its evaluation. The importance that the study result has for the family must not make us forget the superior interest of the child on which our decision is based. The respect for the applicants' personal values is transmitted even having concluded the non-aptitude for adoption. This does not avoid pain, upset and anger that this can produce, and it will be necessary to elaborate in time or combat by appealing against the said decision.

The actual context in which the individual wish and a false conception of tolerance and respect for the decisions of others, on which a large number of our actions prevail, rests also on the acceptance of the opinion and advice from the professionals. The recognition of their wisdom and experience cannot always be translated as an acceptance of their contrary proposals as they think the adoption is correct for that family at that moment of their history. Arguments such as assimilation of adoption with growing immigration minimise and reduce the capacity to understand that the bonding that they, as parents, must establish with their child at the beginning of a history in common, non-existing before, must not be founded only on the social integration in diverse surroundings, or the confidence in the resources that, as biological parents they have already acquired and seen in the majority of families with children who wish to adopt a child from another country with the wish to incorporate him/her into the group of siblings with the greatest equality possible. On these reasonings as an example we base ourselves in order to consider the need for the already increasing collaboration between the different institutions that work in the context of international adoption, ICIF, ECAI and Parent Associations. Team work amongst all of these agents should let us create a solid adoption culture for which we can continue working with responsibility on the passionate task of finding the best home for that child, in which the "parents and children can set up dynamics of good dealings and mutual care, strengthening family, affective and social links, free of false solidarity". (Barudy y Dantagnan 2005)

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LIBERACIÓN GAY AND ADOPTION POLITICS

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Abstract

For about a decade beginning in 1987, stories circulated of children in Latin America being kidnapped and murdered for their organs. Children, it was said, were being picked up from Mexico City (or small towns in the Peruvian highlands, or shantytowns in Brazil) in VW beetles (or mini-vans), by U.S. Americans (or Japanese tourists, or criminal gangs) who then would take them to Ciudad Juarez (or Tijuana or California), where their kidneys, heart, lungs, corneas would be removed. Or, alternately, impoverished parents would give up their children for international adoption, dreaming of a better life for them in the United States or Europe, but unscrupulous brokers would sell the children for their organs.

These narratives provoked a variety of reactions. In 1988, the European Parliament passed a resolution denouncing the traffic in children for adoption and organs. Mothers in shantytowns and border communities locked up their children. The U.S. State Department first called it a communist plot to discredit the United States then an urban legend, the work of illiterate people. In 1994, a U.S. newspaper reporter called it "magic realism on acid." ¹ Still, the rumor refused to die, perhaps because it was credible to some people, if not the US state department. At a minimum, the story indexes the violence of the ever-increasing flow of children from south to north, as those with money adopt from those without the means to care for their children, a "free trade" in children in which global elites, as usual, benefit at the expense of the global poor. Yet it may also be more than a metaphor. Children are trafficked into prostitution and pornography; street children are seen as a nuisance and a danger, and are sometimes murdered by police or the military. If trafficking and murder of children are well-documented, what makes us believe that the organ traffic stories impossible?

Also in 1987, in Boston, Massachusetts, two openly gay men became foster parents of a pair of brothers (becoming essentially subcontractors for the state, which paid them to care for children whose birth parents had been accused of neglect or abuse). When the Boston Globe ran a front-page story on them, the state's governor, Democratic presidential candidate Michael Dukakis, immediately sent social workers to pick the children up at school, not even allowing them to return home to collect their belongings, as if any further contact with their gay foster parents somehow imperiled them. A few months later, a judge in Boston refused to allow a "single woman" and her "roommate" to adopt a Peruvian child who had lived with them for nine months, under suspicion that there was "homosexuality in the home." The little girl was returned to an orphanage in Peru, and adoption agencies shut down any possible routes for gay adoption.

These events set off a political movement among gay and lesbian people for the right to adopt that was ultimately international in scope, stretching from the United States to Spain to Canada to Mexico. It has been joined by political momentum to reduce barriers to legal adoption for other, supposedly undesirable adoptive parents—single people (usually women), working-class people, heterosexual couples where the woman works, non-white people, couples of mixed, or no, religious background. These movements have had some success; in Spain and Canada, there are no legal obstacles to gay and lesbian people adopting. In Mexico and the United States, it varies, state-by-state and judge-by-judge, whether gay and lesbian people will be able to adopt. Barriers for others are falling, and most people who want to adopt these days can adopt, which is a considerable change

from 30 years ago, but one must also be willing to pay considerable sums of money for this "right".

These are both compelling stories to feminists, but suggested opposed political trajectories. In the first, mothers in the popular classes in Latin America are saying that they are afraid that their children are being exploited, hurt, and killed. This narrative calls for action to make the transfer, movement, and adoption of children more difficult, more scrutinized, more regulated by the state and/or international migration authorities. Yet the political movement to liberalize adoption laws and regulations also has strong human rights resonances; feminists have been saying for decades that states need to halt their vicious policing of mothers (think of the Elvira Luz Cruz case), demanding that the state stop treating every mother who is poor or unmarried as if she were guilty of child abuse or worse. The lesbian and gay rights movements have equally been demanding that lesbian, gay, and transgender parents have access to their biological children and to the full spectrum of adoption, infertility "treatment" and other reproductive options.

In this article, I explore the logics and histories that make these divergent narratives make sense together. My argument is this. Although they appear opposed, these two stories are interconnected, two faces of neo-liberalism and globalization. I want to suggest that neoliberalism and globalization are producing two kinds of postmodernities, rationalities, and economies. In one, growing wealth brings with it a more expansive set of "rights" and privileges, including to family and children; this is the world in which belief in rumors of traffic in children's organs sounds like "magic realism on acid," and transnational adoption may or may not bear some relationship to tourists' shopping trips. In the other, children grow more vulnerable as access to work and wages for their parents grows more unreliable; here, transnational adoption sounds like child kidnapping and exploitation.

1. Edward Orlebar, "Child Kidnaping Rumors Fuel Attacks on Americans; Guatemala: Military May Be Fomenting Fear of Foreigners. Hysteria May Invite Hard-Liner Backlash.," Los Angeles Times 1994.

THE WIDE LINE AND PROFILE OF THE FAMILY RELATIONSHIP OF HOMOSEXUALS: THE CASE OF THE WORD 'MOTHER'

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Abstract

Filiation is created with the help of three elements: blood, surname and daily life. In this communication, I propose to deal with the biological element as from homoparental families – one comprised by two lesbians and another by one gay – in which the “biological mother” is distant from the families. I shall start by presenting the families and then mention the logic of each family, finally ending with the problem of social links.

Presentation

Family A has two children; the first was handed over by an American friend of my interviewees, who comes to France to give birth, renouncing parent rights; the brother of one of the lesbians has declared the father's name as if he were an adulterous child, and leaves the education to his sister. After a few years, a tribunal decision supports a lesbian in her work as a mother: she has the simple adoption of the child and becomes a legal mother.

The second woman gives birth to another child. A man has given her sperm (an “artisan” insemination) asking that his name is not revealed. This woman has the status of a single mother. And so, according to the aspects of filiation.

- from a biological point of view, one of the children has two well identified biological parents (mother and father) and the other an unknown donor but also an identified mother.
- At a legal level, the two children each have a mother. In reference to the legal father, he is completely absent for the second, but present in the person of one of the lesbian's brother for the first.
- At a daily level, the two children have two mothers but no father.

In family B, the father is single. He is not interested in a matrimonial alliance, these relationships measured by uncertainty in love, and he opposes ephimerous relationships of the alliance to the perpetuity of filiation.

What is more, the filiation is supported by the biological link of the birth with is a gift, which is natural. The perpetuity of filiation is reinforced by this aspect of blood that escapes human will.

Then, this man wants a child of his own blood. Also, the filiation he expects has to be total, unique; in this case he cannot choose co-parenthood, with which the child would have a double filiation, paternal and maternal. Since

my character wants a child of his blood and a sole filiation he has to contract a rented mother.

To be a mother, but only a mother

Our three characters are going to use the same expression “biological mother” to talk about these women, refusing often the word “mother” when an adjective is not added that specifies the situation of these mothers. The role of my “fathers”, my informers recognise the other women, these women-mothers, is the role of body, the biological. None of them refuse this inheritance, going as far as to comment the similarities there can be between the children and the biological mother.

However there are differences between the three fathers according to, first the question of the situation given to the biological to construct the paternal links; and secondly, the question of social links that can be established between two units: the world of the biological mother and the world of the “legal” fathers.

The biological strength

Even though none of the fathers, neither of these two families deny the biological role, nor the existence in their framework of this biological presence in their children, it needs to be moved away. And so a difference is established between the individual link (the child of the progenitor) and the parental link, above all when the individual stresses the link of friendship (in the case of the first family); or a difference between the recognition and of a fact – an intellectual link – and an affective link (the case of the second family).

The social link

Which is supported by the process of donation or a process of merchandising.

«[...] such kin-based structures appear to be disappearing before the forces making for large-scale integration, leading one to think that in the future families (and their fragments) may find themselves articulated with one another not by kinship structures but by quite different principles » (Godelier., Trutman , Tjon Sie Fat, 1998: 3). For our two interviewees, the words “rented mother” have to be rejected because we enter the world of marketing; and they reject the marketing of motherhood, the economic link between “donor” parents and the parents “receivers” of the children. On the contrary, they accept the idea of mother for another person when there is not money between the two sides, comparing it with an open adoption as there are in the United States. They stay with an ideology of donation. In contrast with our interviewee who has been able to find a “producer of children” because there is a whole economic and cultural system in some countries that arrange the contact between the progenitor and the father and that clarifies the commercial transaction.

However, we need to note that, whatever the type of reference there is to institute a link, the body does not give family relationship.

Godelier M., Trutman T.R., Tjon Sie Fat F.E., (ed.) 1998, *Transformations of Kinship*. Washington and London: Smithsonian Institution Press.

THE INTERNACIONAL ADOPTION RELATED CHILDREN IN QUEBEC (CANADA)

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Abstract

Adoption is generally understood as kinship with strangers. My research, however, has to do with the statistically marginal cases of intercountry adoption where adoptee and adoptive parents are related prior to the adoption, usually to one adoptive parent through consanguinity and to the other through marriage. These adoptions are called in Québec "adoptions famille", "family adoptions".

Toby Volkman has argued that "Over the past ten years, transnational adoption has become both visible and vocal, and that contemporary practice of transnational adoption provoke new ways of imagining race, kinship, and culture in North America" (2003, 21-1:29). While I agree with her conclusions regarding the impact of transracial international adoptions on pluralistic societies such as Canada and the US, I would like to point out that there also exists a pull of another sort in these countries where immigration is significant- that of intraracial, intrafamilial transnational adoption (in addition to family reunions provided by immigration laws).

Quebec has a high rate of immigration, which creates a demand on the part of new immigrants to adopt children from their country of origin. Between 1990 and 2004 familial international adoptions represented between 5.2% and 7.2% of all international adoptions. Children adopted in this manner came from some 55 different countries. Nevertheless, 31.3% have come from Haiti, 11.4% from India, 10.6% from the Philippines and 5.5% from the Congo. If we find more intrafamilial transnational adoptions from the Philippines, India and Haiti, it is because this type of adoption is strongly favored by the culture of these countries of origin. Fosterage also is widespread in Haiti and Africa.

Family adoptions do not seem to be in competition with «regular» intercountry adoptions. In most instances the adopted children would not have been adopted otherwise. In term of age, these adoptions involve babies and young children but also older children – even adolescents.

The motivational forces behind family adoptions are situated at the intersection of several phenomena. These include the international circulation of children among kin (fostering), finding substitute parents in the case of orphans, as a humanitarian gesture towards related children in distress from countries that are excessively poor or experiencing war or an AIDS epidemic, and finally as a means of adoption which is closest to blood ties.

This particular form of adoption seems well suited to answer current preoccupations in intercountry adoption as expressed by international conventions. First the right of the child to know the identity of his/her birth parents whenever this is a possibility. Second the right to some continuity in the child's life. However there is also the danger, especially present in the culture of some countries of origin, such as India and the Philippines, of providing on demand a child who is not in need for a sterile kin member.

To qualify for transnational "adoption famille" in Quebec, the project have to concern the adoption of a brother, a sister, a nephew or a niece, a grand child, a cousin, a half-brother or sister, or those of spouse, including common spouse after three years of cohabitation. One should note that the category 'cousin' is not specified in terms of degree, which gives agents of the Secrétariat à l'adoption internationale a lot of discretionary power. This definition of the family is extensive.

A surprise here is that one can adopt siblings and half-siblings. The plenary adoption of a sibling or half-sibling is possible and indeed we did encounter in the course of interviews one such case. Clearly this law is designed to complement immigration laws and family reunion and does not take into consideration only the adoption law whose goal is to create a new filiation. As Peter Selman has argued, over its brief history legal adoption has come to serve a number of very different goals and that it has been seen as a cure for too many ills with various outcomes and rates of success (2004: 257).

Individuals involved in intrafamilial transnational adoptions may know each other quite well prior to the transfer of the child. For example, adoptive parents may have contributed to the costs of schooling and raising the child in its country of origin. But in other cases the parties involved are only kin members, aware of the existence of each other through mutual kin connections but not particularly close to each other's.

Family adoptions are always plenary. The paradox is that on one hand the inevitability of previous family ties and the possibility of keeping these adoption private is recognized by the Hague Convention on intercountry adoption (1993 and yet on the other hand these adoptions are kept confidential and a new birth certificate is provided (as it is the case for all adoptions).

Bob Simpson (1998) has argued that what is new in our society is not family recomposition, which always existed, but rather its extension and banalization.

In terms of family recomposition, two models seem to emerge from the few interviews I have been conducting (I will present ethnographic cases):

The first one indicates that even if new birth certificate is established, the continuity of old kinship ties prevails. The kinship terminology indicates this clearly. The terms of address for adoptive parents are for example that of uncle and aunt or alternatively of godmother and godfather. Another indication is the family name of the child, which is often a combination of two family names.

The second model is one of extreme family recomposition, one in which a half-sister has become a mother for her half-brother, where second cousin have become children, and so on. Beside the kinship terminology, the family name is another indication of that extreme form of family recomposition.

'SECRETS AND LIES': THINKING ABOUT THE IMPACT OF INSTITUCIONAL DELINQUENCE IN ADOPTION

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Why was I abandoned? Why me? GAT did I do to deserve this? Won't these people leave me again? I feel like a nothing. How can they say that they love me? I'm not worth the trouble, I don't deserve all this!

This is the style of the questions that are linked to adopted children. To live with such interrogations and emotions requires psychic and affective elaboration which needs to be talked about. This process of elaboration depends obviously on the adopted person. It also depends, in part, on the adoptive parents, the real tutors of their child's resilience. But it is also under the influence of those inevitable actors of the adoption who are third parties. Their part is fundamental. It must develop throughout the adoption process, from the beginning until the post-adoptive follow up, in a professional, multidisciplinary and bilateral way, both at the level of the birth parents and of the children, and also at the level of the candidates for adoption and the adoptive families.

Such a task is difficult, at times almost utopian, due to the frequent insufficiency of institutional resources, materials and human, above all in the countries of origin, but at times also in the foster countries. But will these be the only obstacles that hinder the good development of the tasks of third parties? Unfortunately there are other motives, less confessable that in general tend to be less appreciated, even ignored, by still a great number of university investigators who carry out studies on follow ups for adoptions. Those motives should be contemplated within the framework of the social-institutional context of adoption.

In the past few years, the demand for adoptions by the European and North American countries does not stop growing, when the possibilities of adoption do not evolve in the same proportion, increasing the gap between the two. In this context of imbalance North-South and West-East, the volume of demand weighs more from the foster countries towards those of origin for them to authorize the exit of children who respond to the expectations of the applicants. And this promotes practices that are more or less arguable or frankly abusive, that go from accelerating the processes, omitting or avoiding certain legal dispositions, paying services disproportionate with the local cost of life, dissimulating or falsifying documents, obtain consents and decisions via financial benefit, pressurising and/or abuse the parents of origin in different ways.

In some more serious cases, practices can be reached belonging to organised crime and to the trafficking of human beings, such as kidnapping children or paying for the procreation of others, menace and attempt against human lives. And the most amazing things is that such practices are almost always carried out in the name of love and interest of the children who "anyway will always be better off in a good family in our countries than staying there".

Further to violations to the letter and spirit of the laws, to ethics, we should ask what will be the effects of such institutional delinquency instigated by private third parties with the complicity, more or less actively by public third parties and the competent authorities in the countries of origin and the fostering ones, in the development of the main protagonists of adoption. If to prepare a child for adoption, to work to make him/her adoptable "in his head" consists in restituting a history, a family line, letting him/her position himself/herself so that he/she can be separated, that he/she is separated to be able to project in another place, another

family, another family line, another history how can this be possible in the conditions described previously? How to feel attached to and confidence in adults who lie? How not to go mad, when adults who pamper and protect tell their child very often without knowing, a history completely opposed the one lived until then?

When the psychoanalysts describe in all the adopters the great frequency of fantasies of kidnapping of the adopted child, what happens when reality is reached and goes further than the phantom? How to arrange it when the quantity of money invested reaches to cause doubts about how well founded is the process? How to feel the "real parent" of a child when one met up with the poor birth parents crying for the departure of their child? How to talk to the child about his/her history and help him/her to elaborate it, when one fears that he/she will discover the turbid elements of the adoption and leave the adoptive parents to return to those of origin?

One of the characteristics of all the children who come from adoption is that because of the history of rupture they have lived previously, they find it difficult to confide in the stability of the new parental "bridge" that is presented to them and therefore need to test and shake it. The adoptive parents are naturally not equipped to decipher this behaviour and reactions. But when the meeting between the two occurs in a context that puts serious suspicions on the legitimacy of the process, mistrust, "shake ups", testing run the risk of being even stronger on the one hand, the indispensable confidence, stability and trust run the risk of being broken on the other.

"Secrets and lies", both in adoption and in other contexts, tend to undermine the area where relationships between the principal protagonists should be established and developed. They prejudice the creation of bonding between parents and children and in consequence the construction of the identity of the adopted child. Sooner or later, they tend to reappear under the form of different symptoms. Shouldn't we ask if the behaviour problems and the delinquent actions traditionally described in a large number of adopted people don't sound like an echo of the delinquent practices that we, third parties, have permitted or promoted the processes that lead to adoption? Shouldn't we ask if our action as third parties in the adoption really helps those we intend to help, that is not only the children but also the parents who have adopted them?

EDUCATIONAL ACHIEVEMENT AND COGNITIVE DEVELOPMENT IN INTERNATIONAL ADOPTEES

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Abstract

Introduction

Cognitive functions in international adoptees have been highlighted in several studies during the last fifteen years (van IJzendoorn et al., 2005). The studies have had focus on *intelligence* (Becket et al., 2006; Chisholm, 1998), *language development* (Dalen, 2001, 2005; Glennen & Masters, 2002; Hene, 1988; Rygvold, 1999), *school performance* (Dalen, 2001; Kvifte-Andresen, 1992) and *educational achievement in general* (Lindblad, Hjern, & Vinnerljung, 2003).

Pre-adoption factors influencing cognitive development

There are many factors (pre-, peri- and postnatal) influencing children's cognitive development (Gunnar & Kertes, 2005). The same factors can affect children's development in general but may be over represented in internationally adoptees. However, the information about the pre-adoption conditions in the children's countries of origin is very often lacking or uncertain. To some extent, it may be possible to estimate the likelihood of risk by knowing the child's country of origin and circumstances prior to adoption.

The variety of pre-adoption factors constitutes a general problem of heterogeneity for adoption research. One way to approach this issue would be to focus on two factors explicitly: *age at adoption* and *country of origin*. They may both serve as proxies of aggregations of factors influencing cognitive development (Dennis, 1973; Howe, 1997; Rutter, 2005).

Age of adoption. Age of adoption has not been documented to be a strong indicator for adopted children's overall development (Cederblad, Höök, Irhammer, & Merke, 1999; Dalen, 2001; Juffer & van IJzendoorn, 2005; Kvifte-Andresen, 1992; van IJzendoorn et al., 2005). However, studies on children adopted from Romania have shown that age of adoption does have some effect on the children's further cognitive development (Becket et al., 2006). Other studies have also documented that adopted children with long term pre-adoption adversity are susceptible to delays in their cognitive and psychological development (Juffer & van IJzendoorn, 2005; van IJzendoorn & Juffer, 2005).

Country of origin. Children adopted internationally are representing countries with a great variety in terms of quality of pre-adoption conditions, adoption procedures and selection of children for adoption. The history of adoptions in the donor countries has been very different, and even to day there exist a large heterogeneity when it comes to adoption specific conditions.

South Korea has a special position among delivering countries (Selman, 2000). When this kind of adoptions started, South Korea was destroyed by war and had a very low GNP per capita. Today it is a wealthy country with a high level of education and a high fertility rate. However, there still exist a stigmatizing of unmarried mothers because of the absence of a comprehensive welfare system. This makes it even today very difficult for a single mother to keep her child.

Interestingly, South Korea also has a special position from another perspective. Korean adoptees seem to display better language skills and school performances

than adoptees from other donor countries (Dalen, 2001; Frydman & Lynn, 1989; 1999; Kim, 1995; Kim & Staat, 2004; Kim, Shin, & Carey, 1999; Kvifte-Andresen, 1992; Lindblad et al., 2003; Verhulst et al., 1990, 1992).

Adoption as a positive change

Adoption means a positive change for most children. They move from deprived institutional or unfavourable biological family settings to mostly more positive environmental condition in the adoptive family (Bohman & Sigvardsson, 1980; Dennis, 1973; Hodges & Tizard, 1989; Rutter et al., 2001; van IJzendoorn, Juffer, & Poelhuis, 2005). Strong effects on cognitive development have especially been found when the adoption has brought about radical changes of environment (e.g. Becket, 2006; also see Duyme, 1990; Duyme, Dumaret, & Tonkiewicz, 1999 for an example from national adoptions).

Educational achievement

Quite a few studies have shown that Internationally adoptees as a group are lagging behind in educational achievement (Dalen, 1995, 2001; Hoksbergen, Juffer, & Waardenburg, 1987; van IJzendoorn, Juffer, & Poelhuis, 2005; Verhulst et al., 1990, 1992). Furthermore, they have an increased risk of developing *learning problems* often related to language disorders and some kind of hyperactive behavior (Dalen, 2001; Kvifte-Andresen, 1992; Verhulst et al., 1990, 1992; van IJzendoorn et al., 2005). A higher percentage of international adoptees have also been given special needs education (Dalen, 2005; McGuinness et al., 2000; Van IJzendoorn et al., 2005).

Change of language. A potential risk factor for cognitive delays is the change of language inherent in most international adoptions (Dalen, 2001; Hene, 1988). The majority of the adoptees make rapid progress in acquiring their new language but one third of them do develop some language problems (Dalen, 2001; Glennen & Masters, 2002; Judge, 2004; Roberts et al., 2005; Rygvold, 1999; van IJzendoorn et al., 2005). Researchers have found a discrepancy between the children's mastery of day-to-day language and academic language. Studies show no significant differences between adopted and non-adopted children in day-to-day language (Dalen, 1995, 2001; Dalen & Rygvold, 1999). However, the adopted children scored lower on academic language, which theoretically puts them at risk for later literacy disorders.

Hyperactive behavior (ADHD). Hyperactivity is a common symptom among international adoptees (Dalen, 2001; Hoksbergen, ter Laak, van Dijkum, Rijk, & Stoutjesdijk, 2003; Kvifte-Andresen, 1992; Roy, Rutter, & Pickles, 1999; Verhulst et al., 1990, 1992). This kind of behaviour is often associated with neuropsychological disturbances like Attention Deficit Hyperactivity Disorders (ADHD) a diagnosis that more often is used among adoptees compared to non-adoptees (McGuinness, & Pallansch, 2000; McGuinness, McGuinness, & Dyer, 2000). Hyperactive behaviour and other symptoms related to children's executive functions put the adoptees at risk for developing learning difficulties (Baddeley, 2003; Gindis, 2005).

Parental expectations. Studies have documented that adoptive parents are more educated than other parental groups (Dalen, 2001, 2005; Hjern et al., 2002; Juffer & van IJzendoorn, 2005; Lindblad et al., 2003; Verhulst et al., 1990, 1992). However, in most studies parental education only seem to have marginal or modest effects on cognitive outcomes compared to the influence it plays for non-adoptees (van IJzendoorn et al. 2005).

Conclusion

Negative pre-adoption conditions may have persistent influence on cognitive development in international adoptees. However, the differences in cognitive functioning among adoptees may reflect the conditions in the country of origin more than ethnic differences. From a cognitive perspective – the prognosis may be quite good regardless of age of adoption if the quality of care before adoption has been “good enough” and the adoption selection procedure does not reflect an overrepresentation of environmental and/or genetic risk factors.

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ADOPTION OR FOSTERING? THE CASE OF MOROCCO

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Abstract

First of all I would like to say that it is a pleasure for me to be here sharing this 1st International Forum on Infancy and Families and to thank the organizers who have invited me to attend. As President of the Association IMA (Friends of the Infancy of Morocco) I am extremely satisfied to be able to participate in this Forum, since it gives us the opportunity of expounding the reality of the adoptive process of Moroccan minors before a privileged public.

IMA is, at present, the only association in the whole Spanish state that works voluntarily to offer up to date information about the adoption process of minors from Morocco for the families who so wish, to push the Spanish public authorities towards the maximum knowledge and recognition of these adoptive processes and to be able to obtain, in the near future, a bilateral agreement that establishes a common judicial framework.

For this reason, when the CIIMU offered us the possibility of making this conference with the title you know, we considered that we should offer them a description within the legal framework that governs the adoption processes of Moroccan minors, but also a family vision since we who comprise the IMA Association are adoptive families of Moroccan children.

And so, to be able to answer this double objective, I will explain what the characteristics of the adoptive process are for Moroccan minors, in which legal framework they are developed and how the adoptive families can manage to live. But to begin we need to take the case of the adoptive processes of minors in Morocco in its just measure.

Some details of reference

Catalonia is one of the Communities with the greatest volume of applications for certificates of aptitude in the whole of Spain. It is also in this Community where there have been the most number of adoptions of Moroccan children.

In 2005 there were 21 requests of Aptitude for Morocco in Catalonia, in the 11th place, after countries like Haití, India, Brazil or Nepal, of a total of 2.588 applications. In that same year, the Catalan Institute for Fostering and Adoption issued certificates for adoption for all the families who had applied, in the ninth position together with Bolivia (with a total of 2,098 certificates). It is the second African country with most processes in aptitude carried out, after Ethiopia (by a long way).

So Morocco, is a minority destination country for adopting families and, in spite of this, year after year, in Spain, the processes have increased exponentially. Due to the nature of the adoption process of Moroccan children, there are no conclusive official details, but if in 1998 3 processes were produced (according to details facilitated to the Spanish Ministry of Work and Social Affairs by the Spanish consulates abroad) in 2004 there were 47, in 2005, 23, and in the first six months of 2006 there have already been 21 processes (according to information facilitated to IMA by the very families and the center of Moroccan control of children).

The legal framework

Without wishing to develop very extensively the legal fundamentals of the adoption of children of Moroccan origin (also since I am not an expert in the matter) I thought it was important to express at least what the general framework in which we circulate is.

The two principal norm texts of the Moroccan legislation that enable Spanish citizens to take over abandoned children are, on the one hand, Law No. 15-01 relating to *kafala* of abandoned minors [dahir n° 1-02-172 of June 13, 2002, published in the BO No. 5036 of September 5, 2002, in French, and BO No. 5031 of August 19, 2002, in Arabic] and, on the other hand, the Moudawana or Civil Code and of Succession.

The general dispositions of Chapter 1 of the Law define the concept of an abandoned minor and the content of the *kafala*. According to article 2 "The control (*kafala*) of the abandoned minor, in the sense of the present law, is the commitment to be in charge of the protection, the education and the maintenance of an abandoned minor with the same degree that a parent would do for his (biological) child. The *kafala* does not give the right to filiation nor succession."

Together with the state legislation, Morocco has signed the following International Conventions: 1) Hague Convention of October 19, 1996 relating to the responsibility, the applicable law, the recognition the execution and cooperation in matters of parent responsibility and protection measures for children. 2) The United Nations Convention on Children's Rights of 1989.

The adoption of a minor in *kafala* in Spain is obtained via the sentence of adoption by the Courts of the family domicile. To request the Judge for the adoption of a child in protection, the Civil Code is applied (Art 9.5 and 19) which establish that a year must be waited after the guardianship (in this case the *kafala*). In the case of Catalonia, the Family Code is applied (art .117 and 115), which permits the application of the adoption of a protected minor on the following day of the guardianship.

All the process from obtaining the aptitude until the adoption of the minor can take, according to the Autonomous Communities and the political situation of both countries from two to four years, but during most of the time the family lives with the minor.

Therefore, when we raise the question "Adoption or fostering? The case of Morocco" we can state that it is not possible to carry out an international adoption in Morocco, but it is possible to have adopted children of Moroccan origin.

The adoption process

As can be seen, to adopt a Moroccan child is a process full of peculiarities with ups and downs and difficulties. This does not deter, as expressed, more families every day from wanting to adopt, particularly more single women, and opting for Morocco, that requires important doses of patience, strength and perseverance.

In many cases, the people who choose Morocco as the origin of their future children, have some personal link with the country, which helps them to accept, although not always understand or share, the attitudes and resolutions of the competent authorities, not only in Morocco but also in Spain.

The first thing to understand is that in Morocco there is no legal judicial figure adoption, only that of the *kafala* (which could be compared to a guardianship or permanent fostering). Further on we will see what the legal framework of this figure is. In any case, this reality has, at least, four important repercussions:

- The minor we are going to "*kafala*", preserves its judicial state, that is to say fundamentally the name and surname, and nationality; for Morocco we are the "tutors", not the parents.

- The judicial process for obtaining the *kafala* is carried out in one's own name and, therefore there is no intermediary by credited entities (ECAIs) in this country; which does not mean that the family cannot have a legal representative, both in Morocco and in Spain during the adoption process. It is therefore a process via the Public Administration (better known as "free").

- The entry by the minor into Spain is regulated by the Law of Immigration, since at present the process for a specific and favorable visa for the children in *kafala* by Spanish families has not been resolved. At present the visa conceded to these minors is via "family regrouping" and requires a favorable resolution for the residency of the minor by the corresponding Government Subdelegation.

- Once in Spain, if this proceeds, the family applies to the Courts for the adoption of the child that has been in *kafala*.

Morocco permits *kafala* by couples or single women who are national or foreign but in any case Moslem. For this reason, the large majority of foreign people who start the adoption process in Morocco, as a prior step, celebrate the conversion to Islam.

Any people who wish to carry out a *kafala* in Morocco, must also accredit that they are in full physical, mental, material and penal faculties to obtain the tutor responsibilities of a minor. The Certificate of Aptitude and the Psycho-social Report (together with other documents that comprise the *kafala* Dossier) are the Letter of Presentation for the families before the Judges of Guardianship of Minors in Morocco. As well as the presentation of this Dossier, the same as any Moroccan family who may wish the *kafala*, a judicial process must be carried out as detailed by the Law which, for foreign families, usually takes about a month and a half from the moment of first meeting their child and they request their "*kafala*" from the Judge until they obtain the pertinent authorizations to travel to Spain.

It is very important to bear in mind that no two adoption processes are the same, and this is particularly true in the case of Morocco. In any case the time that a family spends in Morocco, represents a very special opportunity of getting to know, sharing and establishing a unique bond with the child and his/her country of origin, since every day the family may go to the center to see their child, feed him or her, change, cuddle, learn songs, to find about prior antecedents and state of health at first hand, collaborate with the people in charge of attending the other children... in fact to be nearer to the child and the surroundings in which he/she has grown up until that moment, an experience for the families that represents an open door for establishing a unique bond a some time before going home with the child.

The moment of meeting the future child is very special, and at the same time feared by many families, as the orphanage does not carry out the referral, but rather it is the family that has the responsibility of election. Although this can sound cold, or perhaps scandalous, it is true that the election surges alone and few families make a rational analysis of it, but rather are simply led by intuition, by the children's looks by their gestures. We families usually say that in fact they choose us and not vice versa; at that moment each family establishes the choice in a personal and intimate way.

Morocco is, therefore, a very particular country for international adoption, but not because of that less full and satisfactory than other countries in the world, every day, more and more Moroccan children find a family in Spain.

TRANSNATIONAL CONNECTIONS AND DISSENTING VIEWS: INTERCOUNTRY ADOPTION IN BRAZIL

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Abstract

Using the case of Brazil, I propose, in the following discussion, to look at the adoption of children as a human rights issue, involving the complex interweaving of local and transnational influences. I suggest that the problem of adoption, as presented here, lies at the crux of child rights and class discrimination -- two emergent themes in human rights debates in Brazil. Despite this fact, national adoption is a subject that, until very recently, has been passed over by activists. Much as domestic violence against women was once naturalized as a conflict outside the state sphere of authority, so adoption has been presented as a cut-and-dried humanitarian issue involving, at most, a child's "right" to a family.

Child activists may well protest that, on the contrary, adoption has long been under scrutiny. And, certainly, as I lay out in the first part of this article, the furor over intercountry adoption in Brazil (as well as many other Third World countries) did become a cause célèbre of innumerable politicians and activists from the 1980s on. The glaring inequality between "donor" and receiving families concerned in intercountry adoption was experienced by sending countries as an affront to their national honor. However, curiously enough the same inequality implied in national adoptions, with the disappropriation of certain families' parental rights in favor of others', did not automatically become a problem. Here, seeing adoption as a transnational issue -- involving the transference of people, goods and ideas across national borders -- I seek to understand why, and in what sort of power relations, certain elements of the process appear more scandalous than others.

Intercountry adoption has long been a concern in Europe and North America where, since the mid-nineties, the overwhelming majority of children who are legally adopted come from "elsewhere". Situated among proliferating forms of foreign immigration, the presence of mostly dark-skinned adopted children in First World countries has inspired a great deal of literature linked to the personal identity of these so-called hybrid individuals. Reflection has targeted, on the one hand, the quest for national and ethnic origins, which takes adoptees on "roots trips" back to Chile or Ethiopia for example (Yngvesson 2003, 2004), and, on the other, the national policies that encourage new sorts of diasporas -- in Korea, for example, a country that does everything to welcome "home" a prosperous generation of children adopted abroad (Kim 2003).

The personal identity of foreign-born adoptees hooks in with the concerns of many scholars rooted in the northern hemisphere whose homelands are presently witnessing immigration on a massive scale. I would suggest, however, that the concerns and therefore the angle of analysis of Third World scholars is quite different. In Brazil, despite regional migrations and ethnic diversity that create "hybrid" populations, foreign immigration is minimal. A number of people have left to seek their fortunes abroad, but these emigrants have not as yet had particular impact on local issues. It is understandable then that Brazilian scholars (such as myself), just as those based in other "peripheral" countries, approach the question of transnationalism from a different angle -- emphasizing, not people crossing borders, but rather the migration of ideas, of influence from abroad exactly on issues that appear unfailingly local and domestic.

Transnational influences, of course, are not all of a kind, as I discovered when I began to delve into the theme of intercountry adoption. An adequate analysis of these influences in the Brazilian production of adoptable children led me through an intricate network of forces, including various (and often opposing) attitudes and innumerable interest groups. It would be tempting to focus in this paper on but one of these attitudes or groups, but I have chosen rather to trace several intertwining threads of this scene. Thus, in an opening section, I will consider how Brazilian public opinion, reflected in the press, tends to present intercountry adoption as an assault on national honor. In a second part of the paper, I will discuss the "consumer demand" for adoptable children, suggesting that, even after the outward flow of Brazilian children was interrupted, Brazilian legal standards on the why's and wherefore's of child placement continued to be guided by criteria largely inspired in the interests of First World adoptive parents. Finally, I will consider a more recent phase in Brazilian child placement in which international NGOs have played a major role in publicly airing alternatives to adoption, confronting generally conservative local adoptants as their major adversaries.

My starting point was standard ethnographic research among the families of shantytowns and working-class neighborhoods of Porto Alegre (southern Brazil) where, during the 1980s and early 1990s, I first encountered women whose children had been officially given in adoption. Since then, I have branched out into other locales, following the activities of various juvenile courts, residential homes and orphanages, associations for adoptive parents, and NGOs involved in child rights. It is through this sort of "multi-sited" ethnography (Marcus 1998) that I hope to trace the relation between the plight of so-called abandoned children in Brazil and transnational processes.

As our discussion proceeds, it should become apparent how the winds of debate (as well as swings in national child placement policy) cannot be easily explained, much less predicted, in simplistic terms. It is neither (as some would have it) result of the "global forces of imperialism", nor (as others would have it) the victory of enlightened individuals battling for social justice within Brazil. It is rather the outcome of an intricate interplay between public opinion, specific interest groups and personal agency that all involve dissenting views and transnational connections.

ELEMENTS OF STRESS PERCEIVED BY INTERNATIONAL ADOPTIVE FAMILIES DURING THE INITIAL ADJUSTMENT AND STRATEGIES USED TO FACE THESE

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Abstract

Introduction

The revision both in the vital and scientific literature cycle coincide in pointing out that the state of the birth of the adoptive family – when the family adopts their child and when their principal task is the family integration – is the weakest and most critical, when the principal difficulties (Amorós, 1986; Berry and Barth, 1990; Cederblad, 1982; and, Fisher, Ames, Chisholm and Savoie, 1997), and the major risks and ruptures exist (Barth and Berry, 1988; Berástegui, 2003; and Howe, 1998). What is more, it has repercussions on the future individual and family development (Brodzinsky, Smith, and Brodzinsky, 1998; Levy-Shiff, 2001; Levy-Shiff, Goldshmidt, and Har-Even, 1991; Levy-Shiff, Zoran, and Shulman, 1997). It seems that the result of this stage is related to the good development and social-family adaptation on a long term (Quinton, Rushton, Dance, and Mayes, 1998). Definitely, it is a key moment in the family life which implies:

<<... a mutual adaptation, in which both the child and the family members must make use of abilities and strategies that facilitate the integration fully. >> (Barajas, Fuentes, González, et al., 2001:71)

Starting from this evidence we suggest an investigation that seeks to know about the development of this state with the view to suggesting social-educational proposals that favour and preserve the process of family integration, and assure their positive adaptation. In the framework of this investigation here we are going to deal first with a contextualisation of the process of family integration from the theories of stress and its confrontation, and secondly an approach to this integration process referring to the initial adjustment in the child's country of origin and taking as a basis the experiences of a group of international adoptive families as tensors and of strategies used for their resolution.

The process of family integration from the theories of stress and confrontation

The path towards family integration in international adoption is undertaken via the transition processes, stages in the vital family cycle and contexts. As well as the transition of stages, in international adoption the transition of contexts is important: the child change his/her surroundings to integrate into a new family, and the adoptive family travels to initiate the linking up in their adoptive child's country of origin.¹

This process of family integration can be divided into two phases according to the model FAAR by Patterson (1988) and its application to the adoption cases by Groze (1994, 1996) and Rosenthal and Groze (1994). A first one of adjustment and a second one of adaptation. In a very resumed way, we could remember that the first phase corresponds to the so called "coupling" and that in the case of international adoption begins in the country of origin (here we will call it "initial adjustment"), and in general it continues when the family get home. And the second phase is the adaptation that occurs in the family home and is where the most important changes occur that ensure the good functioning of the family system when they manage to get stabilised.

The theories of stress and the models of confrontation let us state that the way in which the families perceive the tensors and the repertoire of resources they have,

will influence the strategies and confrontation they apply to resolve the situation. At the same time, the positive and negative experiences will accumulate in the form of positive backups (protective factors) or as negative elements or distress (factors of risk) and will influence on the family well-being and its stability

If the studies on sources of stress and the perceptions in terms of expectations reveal that the relation they have with the adaptation, then the knowledge is less specific when they deal with resources and strategies, and in general, are based more on practical experience.

The results of the process of initial adjustment in the country of origin

Given the value that this "accumulator" can have, the results that are presented here make reference to the initial adjustment in the country of origin. These results are in a group of international adoption families whose children at the moment of the referral were three or over. This was a group of 28 families with 30 children adopted internationally who came from 13 different countries, the majority from South America (46.7%) and Eastern Europe (43.3%). The methodology of the study is principally qualitative and two of the techniques used are the semi-structured interview and the questionnaire.

We refer to three aspects: the process of initial adjustment (commonly known as "coupling"); the facilities and tensors or difficulties in the country of origin; and the strategies used by the parents to accept the tasks during this initial adjustment in a different context from the home.

The process of initial adjustment

All the families that participate in the study travel to the country of origin (as a couple, with children or accompanied by a relation or friend) to experience the meeting with their future children and spend time there that oscillates between one and six weeks. Only 28,57% stay only one week.

The procedure by which the child goes to live with his/her new parents is very variable. In all, and saving great differences with parents, we define two wide groups:

The immediate adjustment (46,7%); that is to say, the child remains with his/her parents from the first meeting and

The progressive adjustment (53,3%); when at least before living together they have several meetings.

A majority group (78,6%) carries out the first meeting in the institution, a minority group (14,3%) in the hotel or apartment where the family is staying, and exceptionally, a few (7,1%) in administration offices. Of the first meeting, we stress the emotion and we observe that 23.3% manifest "unfavourable" experiences with expressions of anxiety, fear, worry or deception amongst other negative emotions. In contrast, 43.3% explain "favourable" experiences with very emotional and positive expressions, while a similar group as the first (23,3%) have ambivalent feelings, and finally a few, (10%) explain that they were so pending of their children that they did not notice their feelings.

Facilities and difficulties in the country of origin

In this process of initial adjustment, nearly all the parents (96.7%) are capable of evaluating their children's aspect which satisfied them and feel that this facilitated their initial adjustment. Amongst the evaluation what is outstanding is that the children express their desire to have a father and mother (66.7%), the positive and

vital emotional state (50%), and the ease of communication, in spite of the differences in language (23.3%). However, 76.7% state that they found aspects that they found difficult or experienced them as tension. The families manage to identify between one and four difficulties, of these the externalised behaviour (40%) and the state of anxiety in the children (20%) represent the majority of the stress. s estados de ansiedad de los niños y niñas (20%) son representan la mayor fuente de estrés.

To face this new family stage represents new experiences and an important one of these is the establishment of family attachments. In 66.7% of the cases the relationships are corresponded and when they are not corresponded three possibilities are observed: rejection by the paternal figures, distancing by the child, and mutual distancing.

Apart from this, the difficulties also come from outside the family and its members. 36.8% of the families feel that the lack of information on their children's history is an aspect that could sometimes be a difficulty, and 5.3% consider that it is an important barrier.

Strategies used by the parents

The families count on a good repertoire of strategies and resources to face the difficulties which they set up in the country of origin. These resources can be divided in internal and external. In reference to the internal resources 85.7% set up at least one of these, the most used being the strategies related to the expression of affection and confidence (46.7%), the introduction of habits together with the definition of limits (30%), and strategies related to the management of their children's behaviour (26.7%). Although more individual, we stress the pro-active action aimed at preparing the family adaptation on returning home (16.7%).

Of the external resources, we observe that in spite of being far away from their usual surroundings, the families count on a series of external supports. A reduced group (10.71%) are supported by the extensive family (in presence or by phone), another group already seek support from health specialists in the very country of origin (17.85%) to resolve their initial problems, and finally, 10.71% construct small social networks with neighbours and other families who give them support. This detail coincides with the fact that the last group usually stays in the country about a month.

Conclusions

The results we present correspond to a part of the family integration process described by Patterson (1988) and applied to adoptive families by Groze (1994, 1996) and Rosenthal y Groze (1994). The general perception of the families (80%) on finishing this stage is they consider that the initial adjustment in the country of origin is positive while the rest undergo it with a strong presence of difficulties. According to the proposals of the stress theories we found that a good part of these families feel that in spite of the difficulties they perceive they can overcome them and activate them in this initial state their repertoire of resources. In contrast, there is a minority group that in this initial state perceives difficulties that surpass their family possibilities.

These details coincide with the revised theoretic information that indicates that in the adjustment phase is where the child has behaviour which is "easier to administer" and their demands are less demanding, while in the transition towards adaptation the demands are greater and require more profound changes. However, it is important to point out that a group of unsatisfactory initial experiences accumulate negative experiences in their process of family integration.

With respect to the fact that the process takes place in a context away from the adoptive family, we mention that although at first some families complain that they have to spend time in their child's country of origin while the legal steps are finalised, the great majority (60.70%) experiences this time in an adequate way and as an opportunity for the family, as the parents are totally free from occupations and can dedicate their whole time, as well as taking advantage of their stay to learn how the child lives, and to learn the culture of the people in the country of origin.

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1. The transition processes have been studied little (Palacios, 2006), in spite of the fact that important and valuable effort has been placed on trying to explain the variables that influence the results of family adaptation with reference to theories and models of confrontation of stress to study the cases of disruption (Barth y Berry, 1988; Berry, 1997); or to study the special adoptions, (Groze, 1994; Groze, 1996; Rosenthal y Groze, 1994), and with special emphasis on the cases of older children (Fernández, 2002a, 2002b; Pinderhughes, 1996); or to study international adoption (Berástegui, 2004; Bird, Peterson, and Miller, 2002; Groza, Chenot, Holtedahl, and Team from Children of the World, 2004; Stams, Juffer, Van IJzendoorn, and Hoksbergen, 2001), and in particular when the children proceed from institutions accepting that the attention implies additional stressors (Ames y col., 1997; Mainemer, Gilman, y Ames, 1998; Judge, 2003; Farina, Leifer, and Chasnoff, 2004).

CLINICAL WORK ON POST ADOPTION IN ITALY

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Abstract

Introduction

The psychological-clinical attention for the families who have adopted a child can respond to different needs or demands. Maybe the family itself asks for a consultation, be it due to their own difficulties or suggested by the paediatrician, the school, etc. Or it may arise from a proposal by the specialised teams who work in the area of adoption. Also the kind of clinical activity can be varied, can be a therapeutic task with the adoptive parents individually or as a couple, with the adopted child, with the family nucleus as a group or it can be a task for reflexion support for the family that is being formed, with individual interviews with each family, with therapeutic family assessment or with groups of parents at the same time with groups of children.

The arrival and following integration of the adopted child into the family, determines that each one of the adults that has comprised the couple or family, brings new modifications to the model of the internal relationship, to the affective dynamics, related to the husband or wife (and/or with any children): if they are only two, the changes to pass from being a couple to being a couple of parents.

This process which represents one part of the couple's cycle of life, needs an activation in each of the people involved, from affectivity they have and which has been activated in the previous phase of the life cycle, in the passage of the individual to becoming part of a couple.

The professionals' job in the postadoptive period has the objective to help the adults and consequently the children, to tolerate their doubts, the affective instability; to construct new and different bonds. The systematic observation carried out over time, on the new adoptive families have made us think that working with them is accepted and productive if between the couple and the professionals there is a relationship and dialogue in the phases prior to the adoption process. This enables the parents to ask for help in difficult moments, in the evolutive crises or to face or verify how they are using their own resources in their new role as parents.

The involved professionals' capacity to observe, to listen and to become involved in the triple relationship that is being created favours the development of fruitful work during the postadoptive period.

For this reason we think it is opportune for groups of parents to participate together, not immediately but a few months after adding the child to the family, initially supporting the family with individual interviews and or home visits.

To be able to observe the internal movements and the relationship dynamics of the new parents, to read the verbal and non verbal communication, to observe the emotional climate that the family has constructed, to replace certain observations, supporting those parts of the parents most in contact with the child's needs, who give most relief to the suffering, do not represent only a support for the family but also is an important prevention task.

We consider that the modality of group support for the parents, during the postadoption, should be carried out in the first 2 years. The changes to them in this period of emotional dimension of every member of the family, can be of an evolutive kind or present conflictive aspects that can cause difficulties or obstruct

the process of child bonding. It is very important during this period of time to have the sufficient elements to formulate an early diagnosis that enables an understanding of the resources that the family possesses. To overcome the difficulties, or to recognise if a situation of psychopathic problems is being created which could damage the adoption process.

For this reason the support work via groups of parents, in the post adoption period and the parallel observation of the groups with children, permits a greater understanding of the interactive dynamics in the first year of living together.

These groups are formed by 10 couples of adoptive parents and are led by two professionals, generally a psychologist and a Social Worker, plus two observers. The frequency is every 15 days with a total of 8 two hour sessions.

The children participate in parallel groups only over 4 years of age, trying to form groups of children with chronological ages or similar development, that is 4 to 6 year olds, 6 to 10 year olds, preteenagers.

The groups of children or teenagers (10 or over if there is the adoption of siblings) are guided by a leader and an observer, two educators or psychologists also participate in the formation, who collaborate with the leader in the development of group activities.

The emotional aspects, the latent anxieties both of the parents and the children, create an area for expression that favours the integration and development of their own identity, in the group and the minds of the professionals who are guiding them. The leaders encourage the expression of the past temporary historic dimension, past, present and future in the group via verbal expression (by the adults) and ludic (by the children) stimulating the capacity to communicate, to think, also those aspects that in other ways would not be mentionable

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DIFFERENCES AND SIMILARITIES BETWEEN GAYS AND LESBIAN WANTING CHILDREN

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Abstract

The study of gays and lesbians wanting children can more largely enlighten what is going on with men or women are wanting children. The issues tackled in this article will question for this population in the French context the articulation between conjugality and parenting, the articulation between biological ties and social bonds, finally the innovations possibly made within the homofamilies, of the gender roles in raising children.

Introduction

In this paper, I will speak about lesbigay parenting but taking into account the specific French aspects due to France's family and bioethics' laws and their influence on people who want to become parents.

First let me underline two asymmetrical aspects of the question. One is the asymmetry between men and women on the one hand, and parents that enjoy a legal status and those who don't on the other hand.

In France, men and women are not equal when they want to become a parent whether it be biological parent or by adoption.

During many centuries women were not master of their own body, nowadays they may decide by themselves if and when to get a child, they may choose to give birth or to have an abortion. Adoption set apart, a woman gets her legal status as a mother automatically at the moment she gives birth, but men have to know which woman gave birth to his child in order to register as a father with the authorities. Motherhood results from nature, fatherhood from will.

Even though the French laws of 1994 on bioethics limit medically assisted procreation, MAP, to straight non fertile couples, lesbians, because they are women, have more possibilities than gay men. Women may go to neighbouring countries as Belgium, or Spain for MAP. Of course, they may ask a male friend to be a sperm donor, they may also apply for an adoption. They may also contact a man to conceive a child with view of "co-parenting", that is to say to be responsible together and to bring up the child they will conceive. This co-parenting may involve two to four persons depending on the will of the partners to share parenthood. Under this concept, we include the whole process of looking for a future father or a mother, conceiving and raising the child.

One has to agree that the choices open to men are far less numerous.

The very great majority of men (82%), members of the APGL Association des parents et futurs parents gays et lesbiens, this is the French association of gay and lesbian parents, have chosen co-parenting as a solution, whereas only 38% of the women have chosen this way.

As I told before, there is another asymmetry: the one between persons that may become legal parents and those who may not. That is to say, the father's male partner, or the mother's female partner, even if they act as parents, may not get the legal status of parent. Legally, a child may have only one male and one female

legal parent and no more. From one day to the next, the relationship the child has built with his parent's partner may be severed, for example, by separation or death of one of his legal parents.

Planning to start a family, is this an individual plan or a plan of the couple?

From those taking part in the APGL survey of 2001, women outnumbered men in declaring that they live as a couple and proportionally they were far more numerous to declare they have lived in a relationship for more than 5 years (sixty nine percent 69% women living in a couple relationship, opposite to only forty one percent 41% men). This has to be put in context to surveys (Spira, Bajos, groupe ACSF 1993; Bozon, Leridon, Riandez, groupe ACSF 1993; Jaspard 1997; Bajos, Bozon et al 1998; Simon et al 1978) on the sexuality of the French having been conducted for about thirty 30 years now.

Women's preference for relational and marital aspects and men's for the sexual ones seem thus to be confirmed at the APGL where more women live in a couple relationship than men, and for a longer period of time.

The male population of the APGL thus, lives more often in a couple relationship than the general gay men population (Schiltz M.A., 1999).

To live as a couple and to wish a child does not necessarily imply to be a couple's wish but may be an individual wish.

How do you know if this is the plan of a couple?

For example, when you hear in an interview that "the child is a kind of extension of the couple" or that a couple relationship is an essential prerequisite for the fruition of the child-wish that may have existed even before the couple relationship.

Another example is when the male or female partner is self-positioning as a "parent".

What is going on with men and women about this issue?

For men this plan is more often than not, the plan of only one of both partners of the couple; there may also be two separate individual plans. It only rarely happens that the partner defines himself as a second father.

For women, the child wish is very often a wish of their couple; it is the fulfillment of their couple. Having a child is the materialization of their love. The mother's female partner very often considers herself as a second mum.

Let's come back now to co-parenting... As I said before, it may involve two to four persons depending on the will of the partners to share parenthood.

Here I would like to point out how the couple aspect and the parent aspect do interact. In this context, I will speak about biparental families, that is to say a family with two parents or multiparental families with more than two parents.

When we interviewed gay and lesbian parents about the way they have chosen to become a parent either by adoption, MAP or to resort to a surrogacy mother which leads [lids] to a biparental family, or co-parenting which often leads to a multiparental family, they all say that they have looked at each alternative and set aside those that did not match their understanding of the child interest or their own definition of family.

Why have men and women chosen biparentality?

For men to choose for a biparental type of family means the fulfillment of a specific type of fatherhood, where the main aspect is the relation with the child, the daily concrete full time caretaking of the child. For women this choice does not mean fulfillment of motherhood, but rather a fulfillment of the family as an extension of the couple. One of the reasons often expressed by men who chose biparentality is that they want to be fathers without any outside interference. These gay fathers are resolutely nowadays fathers, meaning that they consider their role as a relational fatherhood with their child.

They want to be full time fathers and fulfill totally their fatherhood.

In opposition to men, women do not fear any limitations in their relationship with the child.

They have ruled out co-parenting out of fear the couple relationship might be weakened by a third party joining the relationship. Their representation of the family is that of being a continuation of the couple.

And what is going on when people have chosen co-parentality?

If the co-parenting type has been chosen, the statements of men and women are more alike: both say they want "a father and a mother" for their child.

What is the reason for choosing co-parenting?

Co-parenting has two advantages

First, Co-parenting is not subject to any social control because of its "naturalness" . A men and women may have children as they deem right. They become parents without asking any approval by society

And second: It soothes men's and women's feeling of guilt to give birth to a child under unusual circumstances. At the first sight, men and women seem to make the same statements concerning co-parenting. Co-parenting provides the child with a father and a mother, a model of sexual otherness. This is in full compliance with the message conveyed by the media, psychologists and the main stream. It removes guilt feelings about transgression of social rules. Partly it is an answer to what the child will be confronted with at school, and, more generally speaking, outside the family. We nevertheless must keep in mind that men and women are not equal when confronted with this choice, and that the representation of fatherhood and motherhood become more blurred nowadays, this is also true for straight families. For men, as we have said, co-parenting is often the only conceivable possibility of becoming a father. They also say that they cannot imagine a child without a mother.

Women say they want to provide their child with a father.

Men and women are sensitive to nowadays popular psychology. Even if no single woman or man can recognize her/ or himself in this representation, can they really elude it?

New fathers

Gay fathers when considering as essential to spent time with their children are somewhat a new kind of father.

It might very well be the growing process between the time men realize that they are gay and the moment when they become a father that brings more gay fathers than others to see their fatherhood as an essentially relational one.

Two examples to illustrate this

In our survey one man said:

if a gay guy wants a child it's not just for showing him every two or three weeks to his parents or to some other people as something to be proud of. I want to be with my child fulltime

A woman said:

Before the birth of the child we have talked over with Marc for several months the modalities of alternate custody that had to be set up progressively but nothing has been written down. I thought the alternate custody would start after 5 years whereas Marc thought of 5 weeks. Anyway, what ever the period of custody might be the mother will always think she keeps her child too little and the father too much. Over two years, we have tried out ten different custody periods and each and every time I thought he keeps the child too long and I, not long enough.

These examples show the unavoidable tensions between those fathers placing their fatherhood on relational ground that can only grow by spending actual time with the child and the mothers whose representation of motherhood is based on a similar idea: the time spent with the child and the relational and physical bonds established with the child. The fathers might be "new fathers" (Castelain Meunier, 2002), but mothers are still relatively "traditional" ones. When women want a father for their child, they rather seem to want to give the concept of a father than the actual conditions that may allow the evolving of a relationship father-child that might challenge their own relation with their child. Three elements generate tensions for the co-parenting family: the two same sex couples, the two persons unit composed of the two legal father and mother. As we have seen, lesbians often elaborate a parental plan within their same sex couple. However in the case of co-parenting the other partner of the same sex couple lacks any legal status, and it is most painful for her not to be considered as a "second" parent.

In the period beginning after birth, the mother will try to reassure her partner as to her position in relationship with the child, and this the more so as the two women will take care of the child on a day to day basis. The father on the other side, having already waited impatiently during the pregnancy period, might feel having been set aside.

This shows that the perception of the role played by men and women in the family is partly determined by what people consider to be inherent to the role of a man and to the role of a woman. But this is nevertheless starting to shift towards a more balanced position, a newer social relation insuring more equality for both genders as to their parental role... Co-parenting induces an inversion of role prioritization in so far as the mothers, because it was they that have given birth, can decide on who will be the second parent at their side: their female partner or the father.

Beside this inversion of prioritization where the mother decides who will be the second parent, progressively new, more egalitarian values come about for the role each gender has to play in a co-parenting family by questioning, as called by Michel Tort (2005), the paternal dogma .

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THE EFFECTS FROM INSTITUTIONALIZATION ON CHILD FUNCTIONING POST ADOPTION: A TIPOLOGY

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Abstract

Numerous researchers indicate that institutionalized children are at high risk for impaired health, developmental difficulties, behavioural aberrations, and attachment problems. Because of poor nutrition and the lack of physical and social stimulation available in institutional settings, children may experience short or long term medical, socio-emotional, and educational problems, causing life-long challenges

Too often in research on the effects of institutionalization, child outcomes have been evaluated only as linear models and mathematical computations without a context. Mathematical models are based on group averages and often fail to account for much of the natural groupings in child outcomes, in part because there is little attempt to look at the subgroups; statistical analysis is based on the entire group. When subgroups are analyzed, usually a mathematical approach is used to develop subgroups. Typically, they can split between the "high" scoring and "low scoring" subgroups. This is a helpful tool for statistical analysis but often doesn't reflect the way subgroups naturally form or are observed in practice. Some researchers cluster children by country or region from where they are adopted. However, this type of clustering fails to account for the great variability within the group from the same country.

In this chapter, we will attempt to accomplish the following objectives. One, provide a framework for what we know about the effects of institutionalization in child outcomes. This framework involves reviewing past research and putting those findings into a typology. Two, we will discuss the research, policy and practice implications of the evidence to date.

To write this chapter, all studies conducted on international adoptees that could be located through the library electronic journals data bases were collected, read and organized into a table. The search engine included scholar.google.com as well as ERIC searches in social, behavioural and medical sciences. A table was constructed that included categories as follow for each of the specific studies reviewed: the design of the study; sampling of the study; methodology used; measures; and, major study findings in the areas of health, intellectual/cognitive functioning, education/learning, behavioural issues, developmental milestones, sensory functioning and additional comments. The narrative was then developed from the summary table.

As we organized this chapter, we relied on a typology of children first reported in 1997 (Groza) that was based on observation of children adopted from institutions in Romania, and subsequently discussed with scholars, medical practitioners, psychologists, social workers, and adoptive parents in forums and face-to-face individual and small group meetings in Norway, Iceland, the Netherlands, Spain, Romania, India, Ukraine and the United States. Each of these subsequent discussions helped to refine the typology used to organize the chapter.

For the purpose of this chapter, we do not critique methodology or measures. Instead, we use the data reported and reorganize it into the typology we believe better reflects how families and practitioners think about the children adopted internationally. The use of a typology is beneficial for several reasons. First, it resonates with parents and practitioners. They understand the categories and can

easily identify in which group their children belong. Two, the typology helps us better prepare families for adoption as well as support them after adoption. Three, the typology can be used as a descriptive measure to help social service agencies and allied professionals understand the needs of previously institutionalized children, and develop intervention to meet those needs. We are beginning to understand the different service needs of the different groups of international adoptees, which allows us to better match need with service and plan more effectively for services.

The 3 major areas we evaluate are medical issues, education and socio-emotional development. After the existing studies are reviewed and organized in our typology, we summarize the factors that result in more positive outcomes. While we review these factors in general terms, it is not possible to fully explicate how well these protective and risk factors can predict the typology we propose. In general, more risk and less protective factors would increase the likelihood of a child having challenges. However, we cannot predict which children will be more likely to be resilient, recover or continue to have challenges. The lack of predictive ability leads us to the research implications of the knowledge to date. In addition, we outline the service delivery implication of what we do know and the policy implications that can be used for all child advocates.

ASSISTED REPRODUCTION IN INDIVIDUALS AND HETEROSEXUAL AND HOMOSEXUAL COUPLES IN SPAIN.

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Abstract

Artificial Insemination from a Donor has been one of the Techniques of Assisted Reproduction most used to resolve masculine factors of sterility or subfertility until the appearance of In Vitro Fecundation with Intracytoplasmic Sperm Microinjection (IVF/ICSI). However, the increase in requests for AID by heterosexual women without a partner and homosexual women is increasing, since it is an option that many women in that situation consider to be healthy. This increase in demand is also influenced by the better knowledge of this possibility by society due to the diffusion which has taken place in the media because it is an alternative to maternity that does not lack debate because of the ethic, moral and religious implications involved.

The average age presented by the sample (37,5) is high and over that obtained in other studies, bearing in mind the index of fecundability of women decreases around 35 years of age. Related to this data is the low rate of pregnancy per cycle (13.3%) that results from the gynecological study. However, this average age is not surprising since age is precisely one of the motives for which women, principally heterosexual ones, request AID.

Of all the applicants, a high percentage of them had university studies and sufficient economic solvency to face the maintenance of future children. They were independent women who had enough social network to help them in their motherhood, since a high percentage already had the support from family members and friends before starting the process. And so, in principal, some of the arguments against this practice are not the case, which state that these women would not be able to give their children adequate economic and social support.

Amongst the professions that appear most frequently are, teachers, nurses and others related to health science. We could say that probably this is due to the fact that they are professions that are intrinsically connected to motivation for the care and well-being of others.

One detail that is surprising is the low percentage of homosexual women who we have in our sample, since this alternative for maternity seems particularly indicated amongst these women. This low percentage has impeded more detailed comparative studies amongst women alone and homosexual women. In fact, homosexual women do not choose this method because their reproductive period is reaching its end but rather because they wish to constitute a family together with their partner.

The details about the relationships with a partner, maintained by the women interviewed in the past, and also the high percentage of these who had had coital sexual relationships, seem to discard in the sample conflicts at the moment of maintaining relations with men or problems that would have impeded them from carrying out sexual relations.

The average time between the last partner is situated at 4 or 6 years, a detail that was born in mind when carrying out the psychological evaluation. If the person interviewed had broken off a relationship less than a year ago, this event was explored, eliminating if it was the result of the break that had brought about the decision for AID.

Of the total sample, 80.8% did not have a partner at the time of the interview, a detail that agreed with the motives to carry out AID, since the second most cited motive was the lack of a partner. However, what is surprising is the percentage of women who had a relationship in partnership with a married man (2, 3 %), a percentage, on the other hand, less than the 5% in a study carried out by our group.

We also observed a high percentage of the sample (43%) who had maintained relations with the intention of becoming pregnant, which can be related to the strong wish for motherhood. 37.8% had had a previous pregnancy followed by a voluntary interruption in some cases and a miscarriage in others, a detail that leads to thinking about greater motivation to procreate after having experienced pregnancy before. Many of those interviewed explained freely the wish for motherhood which had remained latent after the experience of a miscarriage, desired or not.

The percentage of pregnancies obtained (37,3%) is high in respect to other techniques of assisted reproduction, as in general these were healthy women, without a factor of determined sterility. However, given the advanced age of many of the applicants, an added factor of subfertility exists that makes this rate of pregnancy per cycle lower than what should be expected in women under 35. MMPI was used in the psychological evaluation to discard psychopathology to be expected in the general public. This coincides with the results obtained in other studies in which other measures have been used.

Amongst the motives for which it was recommended not to accept some of these women (in 22 cases) in the AID programme, were the psychopathological criteria and a deficient elaboration of strategies of confrontation before the situation they were going to face. Another aspect which it is important to stress is the high percentage of those interviewed who had the intention to communicate to the child his/her real form of conception, a point recommended by the majority of professionals who are dedicated to this field in Anglosaxon countries. Although these women were thinking about saying it, they had frequent doubts as to how and when to do it.

The results of our study seem to reject the candidates not belonging to be treated via AID to obtain a pregnancy, claiming psychological, economical or social problems, since the normality found in our interviews contradicts these arguments. Therefore we coincide with other authors in that there are no empiric reasons that do not recommend the practice of AID in women without partners or who are homosexual, although we do recommend that a psychological evaluation be carried out prior to a process of treatment.

Other arguments against such a practice, centre their attention on the optimum psychological development of the future child, we find it difficult to make a prognosis "a priori" of the psycho-social consequences that these new family structures can have for the children. In the few existing studies on children brought up by single mothers or lesbian families who have conceived via AID, the authors find no differences in the cognitive, social, emotional development, nor in the behaviour in the role of gender, comparing them with children who have grown up in families of couples. And so, the investigation in this field must continue aimed at obtaining empiric data about the consequences from applying AID, for children and mothers, both to ensure the well-being of the child and also to facilitate for governments and Assisted Reproduction centres, the decision to carry out AID in this part of the population. 85% of those interviewed accepted future follow ups with great motivation thinking that this could result in help for them by having feedback from professionals who could help them and indicate the most recommendable path with a view to a future child. This indicates that greater information about this part of the population would also help to establish programmes of prevention of possible problems.

TO BE AND TO CREATE A FAMILY: THE LESBIAN LOOK AT INTIMATE RELATIONSHIPS

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Abstract

What has traditionally been understood as the only possible family model – a heterosexual married couple with children – has been beyond the reach of people who have accepted being homosexuals. On not finding a family model that is adequate for them, lesbians, via their 'daily experiences'¹ have made their own way and have tried to find ways of interacting to be able to satisfy their needs to 'care for and be cared for'². In the course of this, they have questioned what for heterosexuals is an accepted fact. Throughout their personal and historic course, homosexual women have been obliged to raise over and over again the topics relating to family relations. "How is a family formed? What does it mean for someone to be your relation? How important are blood links? How can I obtain motherhood?"

The relationships between people of the same sex challenge central elements in the traditional definition of the family. They question the difference of the couple's sex with respect to the alliance and dispute the consanguinity as a basis of filiation. According to Romans (1992), the lesbian mother challenges dominant ideologies about gender, maternity and the family. For this reason, the practice and narratives that women homosexuals construct as from their closest relationships are of great use at the moment of understanding the transformations that the ways of forming a family are experiencing in our time. These 'experiences' allow a return to questioning the fundamental topics of family and family relationships.

In Chile there are no studies about homo-parenthood. With only 16 years of democracy after 17 years of dictatorship, Chile is offering a complex scenery in which homosexuals and their relationships³ are observed with suspicion. Gays and lesbians live under a "heterosexual supposition" and face daily the possibility of discrimination by the general public. The legislation and the public politics are oriented towards a traditional family and do not recognize a homosexual couple, nor the motherhood by lesbian mothers. These relationships and the people involved – including the children – are completely unprotected. Lesbianism has recently begun to receive some social visibility and their treatment is via controversial cases present in the press.

Chilean lesbians do not have access to artificial insemination nor adoption and their projects for motherhood are marked by fear of discrimination. In the case of the lesbian judge Karen Atala whose maternal authority was removed by the Supreme Court for living with a female partner, has only justified this fear. Homosexual mothers must live with the fear that they will have their children taken from them and this deeply marks the way they can organize motherhood. However, even in contexts which are adverse for

them, lesbian women seek ways and means to establish family bonds and fulfill their needs to care for and be cared for.

The question that I have raised is how the lesbian women in Santiago de Chile face the topic of motherhood. I base this on the results of an ethnography carried out over 16 months using as investigation techniques profound investigations and observation 4. My objective is to be aware of the reflections, worries and decisions that face the interviewed lesbian women at the moment of thinking about being mothers. Some of the topics developed are:

- The difficulty of combining an identity considered to be transgressor, i.e. lesbian, with an identity considered to be traditional, i.e. mother.
- The lesbian motherhood as a reflexive project where what is accepted for heterosexual motherhood, is questioned.
- How the election of the method for obtain motherhood reveals the importance of the bloodline and genetics in the understanding of parenthood.
- How the strategies of validation of the non-biological mothers underline the importance of the care and affection in the construction of motherhood.
- How with the cancellation of the father they seek to protect the relationship with the child.
- How they seek to reproduce the family nucleus model to acquire social acceptance.

Without doubt the women who decide to create a family and bring up children with a partner of the same sex, question the fundamentals of parenthood and constitute new ways of organizing intimate relationships. However, traditional treatises still have a lot of influence on the ways people comprehend and construct the closest links. As opposed to the results of the investigations with lesbian mother by Donovan (2000) and Dunne (2000) the mothers interviewed do not express a sensation of freedom from the traditional expectations nor state that they are experiencing motherhood in a different way from the heterosexual norm or that they are redefining their meanings and contents. Rather, their narratives prove the importance of the ruling treatise about motherhood. The sensation of vulnerability that they have towards society makes their way of perceiving, constructing and presenting their family links to be marked by the search for acceptance and legitimisation. And so the Chilean lesbians do not construct a treatise of differentiation with respect to heterosexual families, but rather on the contrary emphasise the normalisation of their links.

On analyzing the ways of understanding and creating a family by the participants in my investigation, the paradox is revealed that the transformations do not contradict the conventional ways of perceiving and organising the family. The lesbians in Santiago hope that tradition will have the strength to give the legitimacy that they desire so much, to their intimate relationships, considered to be transgressor by their social surroundings.

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1. I borrow the expression from Borneman, 1997.
2. I borrow the expression from Borneman, 1997.
3. The results of the poll carried out by the Fundación Ideas in 2003 indicate that 51% of the polled agreed with the statement 'doctors should investigate the causes of homosexuality to avoid the birth of more'. The poll carried out by the Instituto de Ciencias Sociales de la Universidad Diego Portales in 2005 indicate that only 28,2% of the polled agreed with the statement "homosexual couples should have the right to get married" and 16% agreed with the statement "homosexual couples have the right to adopt children."
4. This investigation constiutes my doctoral thesis in Social and Cultural Anthropology presented to the Universidad de Barcelona.

IMAGINED KIN, PLACE AND COMMUNITY: THE CONFLICT BETWEEN 'THE NAKED CHILD' AND THE PSYCHOLOGICAL PULL OF ORIGINS

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Abstract

Introduction

The Second International Gathering of Adult Korean Adoptees was held in Oslo in 2001 in order to establish a forum for sharing experiences, discuss common problems and establish an international network of Korean adoptees. This event serves as a frame for my deliberations. My overall preoccupation is to understand the background to, and *raison d'être* for, this event. Why is it assumed by 'experts' that to be brought up by parents who did not give birth to one, and to live in a different country from that of one's birth, are likely to give rise to a troubled sense of identity? And how does this effect those involved?

Any discussion about transnational adoption invariably gives rise to issues that spring out of the Euro-American distinction between biological and social kinship and lead to questions of identity, belonging, ethnicity, race. It is impossible for transnationally adopted persons in Norway today to avoid having to confront them. I shall examine some of these issues. I shall also contrast the situation of transnationally adopted persons, who are 'socially naked' as regards their country of origin, and that of other transnational immigrants whose diaspora communities are made up of socially significant others.

Flesh, blood and place as identity constructors

I want reflect on ideas and values about identity and meaningful relatedness – not just in terms of kinship, but of belonging more generally - especially as this is focused upon place of origin. Most adoptees do not know the actual locality from which they originate within the country, nor the identity of any biological relatives. And yet, for many it is a place to which they attribute profound significance. They make the place an integral part of their identity and they fill it with imagined people who, to them, are their *real* mothers, fathers, siblings, etc. It is a powerful discourse which essentialises kinship and place of origin and makes these inseparable from biologically based genealogies.

The tendency in Scandinavia and elsewhere in Europe is to insist that knowledge about biological origin is necessary for a person's harmonious development and sense of self, clearly affects transnationally adopted persons as they reach adulthood, and is a contributing factor to the increase in demand for return visits to country of origin (Howell 2006).

The Euro-American ontological status of the individual

I argue that there are two major components of relevance in contemporary Western thinking. Firstly, the metaphoric statement that 'blood is thicker than water' that Schneider (1980 [1968]) argued constitutes American kinship is also constituting kinship in Northern European countries. Schneider further characterises this belief as 'The Doctrine of the Genealogical Unity of Mankind' (1984: 174). Secondly, the autonomous individual is a dominant value in Western traditions of identity and personhood. Western philosophical and ideological traditions have maintained the ontological and moral centrality of the autonomous individual. Twentieth-century discourses about identity and personhood occurred within a

cultural climate which 'has come to celebrate the values of autonomy and self-realizing' (Rose 1999: xv), giving rise to the constituting prevalence of what he terms the 'psy' discourse (op.cit.) This leads to everything social and cultural being made epiphenomenal to the existential centrality of the individual. The individual becomes his or her own reference point, the bearer of his or her destiny.

A paradox arises out of the situation. On the one hand, moral emphasis is placed on the autonomous individual; on the other, recognition is made of the fact that individuals are made by others, and that these others are highly significant to the individual. The question arises as to what the significance of the various others is thought to entail for the individual, and what 'made by' actually entails. The point for many at the Korea gathering seemed to be to know the 'truth' about those who made them, regardless of what had happened subsequently.

The socially naked child

Despite the potential for disaster, transnational adoption has turned into an enterprise that, by and large, may be characterised as successful. I argue that part of the answer may be found in my suggestion that the abandoned child is a socially naked child, a child denuded of all kinship; denuded, that is, of meaningful relatedness. By abandoning the child anonymously, the biological parents are in effect de-kinning it. As such, the abandoned child is the example *par excellence* of the autonomous individual – so central in contemporary Western thinking. But this also, paradoxically, renders the child a non-person - in a sense non-human - in its birth country. By being abandoned by their relatives (whether biological or not is irrelevant in this context) they are at the same time de-kinned by them, removed from kinned sociality.

I suggest that this social nakedness makes adoption across national frontiers possible, makes it a morally acceptable act for donors as well as receivers. The birth country allows people from an alien country to remove such non-persons and to kin them to themselves. The child's de-kinned condition enables the state to relinquish a citizen and the new state to accept her because she will not be naked in her new country; she enters it fully clothed in new relatives. In this case, biology is rendered insignificant, sociality becomes all-important. However, this is what some adoptees cannot accept. To them the biogenetic connectedness becomes paramount, overshadowing all other relationships.

Naked places

Diaspora communities throughout the world share a common attention focused on '... a specific place which plays a central role as a common source of identity in their global network of relations, but which may not be their place of residence' (Olwig 1997: 35).. Can we understand the transitionally adopted persons' preoccupation with their country of birth in a similar manner? I want to suggest not. Their situation is directly the reverse from that of the diaspora communities. The adoptees focus on place devoid of identified people, whereas the diaspora communities focus on place rendered meaningful by being linked through people. A global network of relations is not available to the transnationally adoptees. To network amongst themselves may become meaningful, but must necessarily be of a different order because for them their country of origin is a naked place. If you cannot name the place you were born and where your parents live(d), if you cannot name your parents or other relatives, then what does 'return' or 'roots' or 'motherland' tours mean? Just as biology on its own (naked biology) is not enough to feel connected, place on its own (naked place) is not enough either. Those adoptees who do not accept this create for themselves imagined kinship anchored in an imagined place, granting themselves imagined belonging.

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MOTHERHOOD IN THE BOSOM OF LESBIAN COUPLES: NOVELTY AND PERSISTENTE IN THE FAMILY AND MATERNAL MODELS

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Abstract

In February 2004 a judicial resolution that gave the parental rights to a woman for the biological daughters of her female partner¹ caught the attention in the press for a few days, bringing to the surface publicly motherhood in the bosom of lesbian couples that until that moment had remained almost unperceived. Later the legalisation of homosexual marriages promoted, for a few weeks, a heated debate with respect to the possible bad effects this could bring about on children brought up by a homosexual couple. The debate, however, tended to centre on the masculine couples and hardly mentioned a situation which is in fact being produced more or less invisibly since 1988; the formation of lesbian families via the resource of reproductive techniques.

My interest in lesbian motherhood derives from the belief that it is necessary to widen the concept of motherhood, excessively enclosed in a unique, inflexible family idea, that is to say, a nuclear family comprised of a man, a woman and their children. It is for that reason that I suggest talking about "other" mothers, giving reflections around different models of motherhood that enrich the family study. For that I used interviews carried out with lesbian women during the gestation of their first child.

In this presentation I refer exclusively to women who form a basis of a couple have attended the Fertility Clinic seeking a pregnancy as from an unknown donor. Respect to other possibilities, this way of forming a family has four characteristics that mark its specific character:

- a) the wish to be a mother as the origin of filial attachment.
- b) taking advantage of the existence of a legal gap;
- c) the non-existence of a father;
- d) the existence of a biological link with only one of the women which automatically becomes a legal link.

In relation to the socialization of the children and the roles established between different members of a family, the internal relationships established in lesbian families, are of enormous investigation interest as the relationships can be established in the the bosom of these families, the stereotypes about the masculine and the feminine are necessarily going to be restated and reconstructed. The primary socialisation of these children will start from different coordinates precisely in the domestic, the most immediate, context where the relationships and stereotypes of gender seem to maintain the most resistance and strength. In the same way, the resocialisation and learning that the situation demands of the two women appears as an interesting experience of the emergence of changing models and values.

A constant factor in the interviews is the reference to the parents of both members of the couple, that is the children's grandparents. The grandparents are often mentioned and are born in mind in the definition of the family project. Often the mention of the grandparents is joined by a feeling of fear and guilt. In effect, the

women are aware that their motherhood, often puts their own parents in a difficult situation, either towards their respective daughters, or their closest surroundings, without having had the option, unlike the daughters, of taking the decision. The initial attitudes before the announcement of a pregnancy are diverse, but often are negative: from the reactions that have to do with fear and their daughter's legal and economic debility, repugnance and lack of knowledge about artificial insemination, a fear of what will be said. But the later experience is usually that after a few months the people accept the new born babies as their own grandchildren. In any case, the acceptance of their condition as grandparents and the way they administer that can also be an extremely interesting resocialisation in mature people who find they need to restructure their stereotypes of gender and family conceptions in a context of strong affective implication.

In spite of all these questions, it is important to reflect if this new type of family implies a profound restructuring of family models. These couples defend their right to be "parents like others" (Cadoret, 2002), and this claim implies a questioning relative to the family institution in the measure that it states that the paternal figure is not essential and that the homosexual sexuality is compatible with bringing up and educating a child. Further to this vindication the conception of the family does not move away excessively from the family model constituted as from independent domestic units and organized round an adult couple who cover the responsibilities and rights on the children that are under their tutorship. On the other hand, there is the question of up to what point these experiences propitiate the rupture of the hegemonic model of intensive motherhood (Hays, 1998) which is constructed as from the over-responsibility of the mother in bringing up children (Imaz, 2005).

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¹ Consúltese en hemerotecas el 17 de febrero de 2004.

² Este trabajo forma parte de la investigación destinada a la realización de mi tesis doctoral sobre el tránsito a la maternidad de las mujeres vascas contemporáneas y que dirige Teresa del Valle Murga.

MY EXPERIENCE AS AN ADOPTIVE GRANDMOTHER IN MALLORCA

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Abstract

Introduction

Although I am not a professional on adoption, besides having two adopted grandchildren, I have participated in two mail lists for a Spanish Adoption association, AFAC (Asociación de Familias Adoptantes en China) for the past 6 years. It is as if I have followed a long distance course on psychology and public relations at the same time and I have learnt a lot about people's reactions to international adoption.

I am English by birth, and now a Majorcan widow for the past 10 years. I explain how the sensation of seeing ones grandchild, either biological or adoptive, is the same as when you see your own child ... a kick in the stomach, and the sensation goes up to your chest and on to the face and the eyelids, and you cannot stop the flow of tears that stream from your eyes. It's the umbilical cord you think, but now I know that it is one of the red threads that the Chinese believe joins us to all the people we are going to meet in our lives. The proverb says that in spite of time, place or circumstance the thread can tense or tangle but it will never break. A lovely proverb and the adopters believe that a red thread joins them to their adoptive child.

Reactions and fears

I hope that I am not a racist, although my daughter accused me when I expressed my initial doubts about adopting from China. Unfortunately there are many adopters who experience adverse reactions from their parents. This is a shame since probably what they most wish for, after being parents, is the approval and understanding of their family. The prejudices against adoption and particularly against international adoptions, must be run very deep in some people

Difficult moments

Burocratic slowness and difference in criteria

The waiting time to obtain the Aptitude Certificate is really one of the most anxious moments above all in Autonomous Communities where they take longer to give it, such as in Andalusia.

Unfortunately there is no homogeny of criteria in the different Communities in Spain and this helps to increase the adopters' frustrations. They see via the mail list the difference in waiting times despite the fact that there is norm in most Communities that the dossier should be resolved within six months.

The other great worry for many adopters is the criteria demanded in many Autonomous Communities that the difference of age between the parents and children should not exceed 40. This criteria does not seem to adapt to human nature nowadays since many healthy women manage to have a child, even without the help of assisted conception, at higher ages.

The gotcha day

I think that there are many possible difficult moments for the adopted child and the parents and that the first in the case of international attention is what is now called the Gotcha Day. I shall explain the first meeting with my third grand-daughter and the first days in China

I always recommend the adopters, if they can, to travel with their other children, both biological and adopted; the acceptance and adaptation of the adopted child is much better, according to what I have seen and been told.

Solidarity to each other but not as a charity

The word, solidarity, sometimes appears in the press in articles about adoption and these are mistaken about the adopters' real sentiments. They are not showing solidarity with a country and its adoption, but rather are seeking to become parents. They are not impelled by a charitable nor altruistic wish and they are the ones who feel fortunate to be able to adopt. Maybe once they have their child at home they begin to have feelings of solidarity towards the children who remain behind in the orphanages and therefore are motivated to participate in campaigns of aid; but their wish to adopt is not with the view to getting a child out of an orphanage. However they do help each other and exchange information

Information and its lack

Many adopters experience the lack of information from the authorities in the first stage of adoption here in Spain. Luckily the associations and veteran adopters are well informed and can thus inform others.

But not only adopters sometimes have little information. Those who always work in the media often are not well informed and there is a glut in the press of sensationalist articles about adoption. They like to emphasise the adoption costs and so promote the idea amongst the general public of "buying children" and "adoption a la carte".

Fragile but fighting people

I will repeat some words expressed by Pilar Rahola, Spanish journalist and adopter, that adopters are fragile people. I share this opinion because they are very sensitive to comments by other people and the lack of sensitivity from some administrations and civil servants. On the other hand they are fighters and will defend their young like a lioness. They hate to read sensationalist and stupid articles about adoptions since they fear that one day their children will read these articles and suffer

At school and explanations

The bad thing is that children learn from their parents and so prejudices and ugly comments are later repeated at school or in the street. How to explain what adoption means is something that each parent has to learn day by day; how not to fear the word "adopted" and instead to try to avoid the word "abandoned".

MINORS' ADOPTION IN RUSSIA: INTERNACIONAL ADOPTION OR TRANSACTIONING CHILDREN?

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Abstract

The number of international adoptions is on the rise in Europe, in general, and in Spain, in particular. Russia is the second choice among adoptive families in Catalonia and Spain. Despite of this fact there is a lack of ethnographies devoted to it and the Russian context, like the contexts of many other "giving" countries, remains unknown. The common image of an adopted child is predominantly a Chinese girl (Marre, D. & Bestard, J., 2004). It seems that children adopted in Russia are "invisible" because of their European looks. Besides, the popularity of "Russian" children might sometimes be explained by the "racial" choice of adopted parents. With the rise of transnational adoption media discourse about transnational adoption in Russia is often framed by rhetoric of "losing genofund", as children in transnational adoption are frequently seen as objects of business and child abuse and commodification.

The international adoptions from Russia are becoming stricter every day and it seems that in Europe there is no clear understanding of these "sudden" changes. Nevertheless, these changes are not "sudden", but a consequence of several "violations" of Russian laws and commodification of children. There have been several cases of child abuse, child "killings", rape, forgery and children trafficking, associated with international adoptions. In some cases "foreign" adoptive parents and representatives of adoption agencies were involved. Because of limited space in this paper I would like to present findings, concerning "giving" country - Russia, and see how a child is circulated in Russia and abroad, how a child is seen in this "transaction", especially in national discourses about adoption. For this reason my work tends to present some discourses about international adoptions in Russia.

It seems that adopted children are often seen as "commodities" in international adoptions practices. The price is often articulated, and it seems that only rich parents can really "afford" children by means of assisted reproduction or international adoption. However, there is a persistent idea to hide the "market" terminology by introducing "gift" rhetoric and usage of salvationist discourse. Several researches successfully applied Mauss theory of "gift" to international adoption context (Modell, Fonseca, Leifsen). Along with adoptive parents discourses, framed by "market terminology", national discourses about children also use rhetoric of "selling national treasures" (Yngvesson, 2004). Nevertheless, in Russia there is a resistance to market terminology, as "imposed" by the West, and children in transnational adoption are frequently seen as objects of business and child abuse.

Already in 90s the market terms in Russian media were set for international adoptions. The title of the earliest article is "Deti na eksport" ("Children for export"), where Nikolaeva uses market terms "export", "import" and identifies a minimum price 4,000 dollars that cost adoption for the USA citizen (Nikolaeva, 1999). However, it seems she means by this price taking care of sick children, paying for their operations, because many of the adopted children might be in need of some medical operation and therefore, relinquished. In later debates chapters about international adoptions are sometimes called "Children for export" (Bonich, 2003, May 15). Russian officials seemed to be annoyed by the fact that adoption is becoming a "market" and "profitable business". Adoption "market" is often accompanied by the adjectives "disgusting", "the most unpleasant" market.

Fratti case (Italian-Russian woman, trafficking around 600 children) is presented very widely in Russian media mostly in Criminal sections of media with details of the court and an emphasis on "trafficking" of children. It is presented in media that Italians were quite reluctant about the case and even thought that Fratti had good intentions for orphaned children: "A glimpse into Ms Fratti's world has been given by La Repubblica, the Italian daily, which reported that she was an orphan who was adopted. She is quoted as saying that she knew "in her heart the best thing for abandoned children". (Traynor, 2001, February 24). Why then, is there no glory in this deed, why was Fratti not appreciated? I think that here Radin's theory about "contested commodities" might be applicable: when there is a price "glory" is gone. The price of 2500 for each child is mentioned and then a child is commodified, sold and Fratti is a trafficker. If Fratti would do it without any money value, then maybe her "charitable presents would be more appreciated. Money does contaminate an experience of international adoptions. In Russian media discourse children are presented as objects of illegal deeds.

The gift rhetoric might be seen as a "gift for life" for a few new Italians (born in Russia), for example, two stories are presented in the article "Hunting for orphans" two Russian orphans found their families in Italy. Despite these few "happy" examples, the majority of "children's fates" remain unknown and that is why there are a lot of fantasies around it, including "selling to rich paedophiles in Italy" or "selling for organs" The mystery of fates of children which cannot be traced from other countries and "organ-stealing rumor" is quite strong in Russian media, as in Brazilian context in works by Scheper-Hughes.

Thus, "market terminology" is seen as imposed by the West and therefore, international adoptions practice is seen as "contaminated" by market. It is claimed everywhere that it is precisely international adoptions that put a price on adoptions since Russian law on adoptions precisely forbid any profitable aims of adoptions and even prohibit taking any taxes for adoption. Therefore, adoption according to Russian law is "for free", which is often not known by adoptive parents from abroad. As Butrin argues "that Russian parents deprived of their rights to be the first in adoption of Russian born kids and have to wait in waiting lists, whether those who can buy –buy. However, adoption in Russia is "free of charge: the state doesn't sell parentless children; you only have to pay the necessary charges defined by the law" (Butrin, 2005, April 18). On the contrary, national stories about adoptions do not build around price, they try to tell a story of each child, their skills, characters, expectations, their biological parents, but not a price.

ADOPTees AND MIGRANT'S ROUTES TO THE ROOTS. A COMPARISON

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Abstract

Introduction

Is the search for roots, the property of a set of persons? Are there people for whom this practice proves to be more justified than for others? These questions lead us to consider the search for roots in a comparative way that is to say to examine the paths of people who investigate the field of their familial and personal histories. In this paper, I would like to consider two categories of persons in particular: Adopted people on the one hand and migrants or descendants of migrants on the other. My aim is to examine what search of roots respectively means to these sets of persons, and to identify what hides behind their investigations. In the end, I hope that it will work then towards "anthropology of genealogical practices".

ANTHROPOLOGISTS AND GENEALOGY

Beyond ethnographical splits

Anthropologists first referred to genealogy as a means to collect kinship terminologies and familial narratives. Even though this process has undergone some criticism in last decades, genealogy has still been viewed as an investigation method above all. Things changed by the end of the 1970s when scientists realized that genealogy could not only be used as an instrument of research but as the subject of their studies, like Hareven did (1979). She placed the popularisation of genealogy at the core of her research, trying to understand the reason why so many Americans have recently been digging their roots. Following Hareven's study, similar enquiries have been launched in France (Segalen & Michelat 1981, Sagnes 1995), Ireland (Hood 2002, Nash 2002, Legrand 2006), Canada (Harvey 2005, Caron 2002). All these papers are devoted to the research for roots. Yet, most of them do not take adoptee' stories into accounts. All occurs indeed as if adoptees' search for origins has nothing to do with the genealogical fever which expands worldwide.

The whole question adoption have always been conferred a specific attention in the Humanities too. It has been referred to, to illustrate the diversity of familial groups and the shifting trends in parenthood patterns (Goody 1976, Fine 1998, Leblic 2006). Of major concerns too, the evolution of adoption's legal and ethic framework and tensions between social and biological kinship (Carsten 2000, Volkman ed. 2005). A striking point relies in the fact that adoptees' genealogical quest is often viewed as something without any equal: it is viewed as an identity process, while the search for roots is said to be a hobby in all other cases. Conversely, I consider the search for roots and origins to be explored globally in order to provide an anthropological analysis of genealogical practices and I suggest to put adoptees' investigation face to face with migrants ones.

Anthropology of genealogical activity

Genealogy is a kind of empirical knowledge that has to do with kinship, place and history. People say that it is about *roots* generally, that is to say about the ways

one's familial ties, one's sense of belonging have been drawn up through the ages. As regards *blood* and *land* rhetoric, genealogy is bi-oriented including the search of biological relationships and the search of a place people once call *home*. As a kind of knowledge, genealogy is something that could be inherited from the past or received from a third party. This knowledge is devoted to be passed on even though different facts as geographical and familial uprootedness could stand in the way of this transmission. Adoptees and migrants are often viewed as the main victims of these disturbs. The blood and the land these groups have been separated from made them archetypal representatives of so-called *roots detectives*. That is enough to suggest a more detailed comparison.

Genealogical also appears as something that one could complete or transform. Open to personal interpretations and to contestations, it is also prone to expertise valuations and institutional controls. Therefore I also suggest looking at the main authorities that regulate the production of genealogical data and knowledge, assuming that it might reveal cultural trends in the shaping and the passing of individual and collective memories. By doing so, I wish to emphasize the fact that genealogy does not only concern to the person who trace his family tree, his origin, but the whole community he belongs to. Hence my call for comparing what routes to the roots represent for countries or institutions which gave children to adoption or say people to migration.

Genealogy and routes to the roots cross-ethnographies

Let me provide some concrete examples about genealogy and routes to the roots projects.

A complex and sensitive search

Adoptee and migrant meet on the way of viewing genealogy, assimilating the tracing of roots to a *visceral* need. All occurs as if an internal part of their body urges them to identify parents, siblings, ancestors. Genealogy is also frequently described as a complex activity whereby every kind of documents or memories should be mobilised and criticized. Words such as *Jigsaw* or *puzzle* are of common used. Both adoptees and migrants share the idea genealogical knowledge is a *right*, something you should *fight* for.

Interconnectedness sounds as another key word among *roots-hunters* whom mostly claim a membership to adoptee societies or genealogical networks. These groups offer them a kind of platform for publicly claiming reforms (Modell 2002, Howell 2003, Volkman 2005). Acting as intermediaries between one people, his culture, his past, his birth-place, his relatives, these societies also provides a space whereby individuals could exchange some information about the ways to proceed in genealogy. No matter why you want to trace your family, it requires *patience*, *time* and *organization*, specific *knowledge* that is to say things that you could learn while joining people who have come through similar search before.

Origins Trails: Whose research, whose benefits?

Even though advantages people take in tracing their own roots are real – the improving of a so-called “self-knowledge”, the looking for social recognition and the claiming of civil rights or properties –, I consider restrictive to analyse genealogical issues according to these individuals only. It is noteworthy indeed that the tracing of one's origins do not only benefit the one who suffer dislocation.

In the case of adoption, for instance, adoptive parents could show a bigger expectation in the tracing of their child's roots than the child himself. Countries who

gave children to adoption or people to migration might also consider the search for roots as a suitable business (Kim in Volkman ed.; Legrand 2006). Besides economical profits, they could also expect changing the way they are viewed from the outside by fostering and sponsoring routes to the roots projects.

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'WE DO NOT HAVE IMMIGRANT CHILDREN AT THIS SCHOOL; WE JUST HAVE CHILDREN ADOPTED ABROAD'. FAMILIES AND SOCIAL PERSPECTIVES ON MINORS' 'CULTURAL ORIGINS'

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Abstract

In 1984, in an article entitled "International Adoption: the Quiet Migration," Weil analyzed the phenomenon of international adoption in the United States. Trying to contextualise the United State's international adoption's process and recognising the difficult to categorize international adoption, Weil suggested considering it as an international migration process, unusual but an international migration process after all, because they share a main characteristic with most international migrations: they tend to be "innovating" because they occur among different cultures. International adoptions processes, from Weil's point of view, are "innovating" because "children rarely maintain elements of their natives cultures [...] even when adopters make strong efforts to preserve their children's original heritages". Esto a pesar de que aún no existía el Convenio de La Haya y su artículo 16 inciso b según el cual el Estado de origen de un niño en adopción 'se asegurará de que se han tenido debidamente en cuenta las condiciones de educación del niño así como su origen étnico, religioso y cultural; antes de autorizar su adopción' que parece estar detrás de muchos de los consejos profesionales en este sentido

Ya se ha dicho aquí varias veces pero lo volveré a decir en el contexto de este paper en el que pretendo reflexionar sobre la relación entre inmigración y adopción internacional. Today Spain is the second country in the world after USA in actual number of adopted children received. But, also after USA, today Spain is the second country in the world in actual number of immigrants received. In Spain, as in the rest of Europe, both immigration from outside Western Europe and international adoptions are increasing at the same time. Immigrants and adopted children come from the same regions. Both phenomena became socially relevant from the second half of the 1990s in Spain. However, in Spain, international adoptions are neither treated nor considered international migration processes. Like in most European countries, also in Spain, the social and legal regulations vis-à-vis non-European immigrants and adoptees vary enormously; as does the general attitude of the populations at large. A teacher of a Barcelona primary school placed in a high neighbourhood told me "we do not have immigrant children, we have children adopted internationally." This phrase tend to confirm an idea suggested to me by a colleague: "when people see 'different' children in Barcelona's low neighbourhoods think that they are immigrant children or immigrants' children. But, when these children are in middle and high class neighbourhoods, people think that they are children adopted internationally."

A social worker born in Latin America but living for the last twenty years in Catalonia, with a Catalan husband and three Catalan children, who speak a perfect Catalan, the main sign of integration according to politician discourses on domestic and external immigration in Catalonia, but with some "Latin-American physical traits," asked to herself rhetorically why people could not stop to see her a Latin-American immigrant. Similarly, a young woman born in Morocco but bread in Catalonia since a baby, with a university degree in Arabic Philology, said that she wanted to take part in an association of her neighbourhood, to give an example, and not only in the association of Moroccan or North African women, the place naturally designated to her. A pesar de las attitudes to immigration or the fact that many immigrant children or immigrant's children said to have difficulties because of their phenotypical traits, accents, names and/or religion and costumes, most

adoptive parents in Spain, say that they want their adopted children to preserve their "cultural origins"

The "cultural origins" is a recurrent theme among adoptive families despite the fact that, sometimes they are not so clear about what "cultural origins" mean for them. The adoptive mother of an eleven month old baby adopted in China who arrived in Barcelona when she was three, emphatically said in a prime time TV show that she wanted her baby not to lose her cultural origins. "I want her to learn her language and maintain her culture" (TV1, 8/10/2003).

The decision of keeping some previous and post adoption type of bond with their child's country of origin is something that adoptive parents never question. In Spain, parents are adamant about their adopted child not losing touch with their culture of origin. As the mother-to-be who was waiting for the girl from China while doing voluntary work pointed out, the future adopting parents know that the "country of origin," or simply "the origin," influences what they normally call the "culture of origin" of their child, even when they are referring to a new born or a few month old child. In many of these and other cases, the terms "origin" or "culture of origin" are used to refer to phenotypical features. As an adoptive mother pointed out "Of course I want to be able to talk to my child about her cultural origins, she'll be aware of the difference whenever she looks at herself in the mirror..."

In some sense, all adopters are concerned with origins many times in an attempt to get a grip on a child's particular, individual character. But, at the same time it also seems as if the origins refer to a place, a town, or a city where the child is supposed to have been born or the place where he or she was institutionalized. In general, in the parents' retelling of the time when they went for their children, they never talk about 'that' place as an interesting, nice and pleasant place; they rather mention its lack of resources, its problems, its poverty, its corruption and its stifling hot or freezing cold weather. Moreover, they experience and then systematically retell the moment of taking the plane back home as a relief. Although they always perceive the 'origin' as having many problems, as a place children were rescued from so that they would have a better future, they are asked themselves to show 'respect,' 'gratitude' and understanding because it 'gave' them a girl and the possibility of being parents. More often than not, in the 'origins,' 'cultural origins' or 'birth origins' is the biological mother. "I love the Chinese culture in many respects and I deeply respect this country. I owe then my girl's life and I feel very sorry for the woman that carried her for nine months and I don't even want to think what she was going through," a mother said. Or "I need to know the culture of the nation that gives her [her daughter] the life". With certain distress, another mother asked, "Is it good to idealize an unknown mother they cannot get to know? Is it advisable that in the mental universe of our girls there be a mother who is good and ideal while we turn into the witches because we don't let them go out at night?"

In this presentation I will explore the overlapping of 'origins' and biological mother, the overlapping of 'origins' and phenotypical traits and the relationship between international immigration and adoption.

INTERCOUNTRY ADOPTION: A UK PERSPECTIVE ON POST-ADOPTION ISSUES

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Abstract

Introduction

This paper explores the development of post adoption services for intercountry adoption in the UK (Selman & Wells 1996; Selman & Haworth 2005) looking at the needs of adoptive parents, adopted persons and birth mothers.

With the passing of the Adoption and Children Act 2002 and the ratification of the Hague Convention in 2003, Local Authorities are now required to provide the same level of services to intercountry adopters as domestic adopters. However, because intercountry adoption has been on a small scale in the UK post adoption services available to families have been fragmentary around the country and the expertise and support available to parents has differed greatly.

Post Adoption Services

For families who have adopted domestically the first port of call if they are experiencing difficulties is most likely to be the agency that arranged the placement but for families who adopted from overseas this may not be the case. In the case of intercountry adoptions in the UK the earliest adoptions will have had no adoption agency involvement. For the more recent adoptions a local authority or voluntary adoption agency will have done the Home Study Assessment and they may provide the State of origin with post-placement reports. They will not have been involved with the actual child placement element.

Support is therefore most likely to come from friends and relatives, although many will also find contact with parent's groups of great value. Membership of parents support group can be of a practical nature but there are also emotional benefits one of which is alleviating feelings of isolation overseas adopters can sometimes feel.

What parents have to say

Using findings from earlier studies (Mason 1999 & 2005) we will look at issues that parents have raised as being important to them.

Support Groups

The number of parent support groups available in the UK has grown in recent years as intercountry adoption has become more popular. Membership of such groups during the pre-adoption stage and after the adoption has many advantages at an emotional and a practical level. However, more ways of supporting families may be needed if adequate help is to be available to overseas adoptive families in the UK *Medical Information*

Outcomes of research suggest that much more attention needs to be given to the health care of the children on arrival. Many will have conditions ranging from genetically determined disorders to parasitic infestation and intestinal problems. It is therefore important for prospective adopters to be given clear, precise and honest information about the health of the children they are considering adopting.

In the research on adoptive parents in the UK (Mason 1999, 2005) parents expressed a number of concerns about the health of their children when they first joined their families. It appeared that there were variations in health status according to the country from which the children originated but this was also influenced by the age at which the children were adopted.

Bullying and Racism

Many of the parents in Mason's (2005) study spoke of worries about racist attitudes towards their children. The types of racism experienced by the families had been name-calling and comments about appearance, which included questioning about differences in appearance between family members. This has been experienced in a number of different situations including school, walking in the street and playing outside and was found to come from complete strangers, friends, and neighbours.

None of the parents reported any major incidences but what was less clear was how parents were going to prepare their children to manage such situations if or when they happened in the future. Overall the parents appeared unprepared about how they were going to handle any major acts of racism directed at them or their children.

Identity and difference

Parents who have adopted children from overseas face the same tasks as parents of children who have been adopted domestically telling them about the circumstances surrounding their adoption but overseas adopters also have a set of additional tasks. The main one is the acknowledgment of the children's dual heritage that will include the country of origin, as well as ethnic, cultural and racial characteristics (Triseliotis et al 1997).

The more familiar parents can become with the details about their child's pre-adoption history and the more practised they are at telling the adoption story the more comfortable they will be transmitting the sensitive information to the children. This is why it is important for parents to have the information at hand before they begin to tell the adoption story.

Search and Reunion

In the UK it is becoming more and more common for domestically adopted people to search for their birth relatives and in the Adoption & Children Act 2002 a number of different birth relatives have been given the right to request an intermediary service to search for the child they relinquished for adoption. This has come about as recognition of the life-long impact on the birth mothers after parting with their child and in the spirit of openness that surrounds adoption today. However, it does not seem possible that birth relatives in sending states will be able to access or to afford such services. Nor will it be an easy matter for adopted people to undertake a search in their birth country and for those adopted from China the chance of them finding their birth family will be very unlikely. Support for either party during their search is unlikely to be provided by statutory agencies in the UK.

Summary/conclusion

All aspects of support are important to families adopting from overseas but often contact with statutory services can be affected by an atmosphere of approval or disapproval surrounding the very action of adopting a child from abroad. Sometimes changes in formal services can carry with them elements of recognition and approval which go beyond any practical help offered – as in the introduction of a right to “adoption leave” or the clear statement that local authorities must offer advice to all adoptive families.

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THE CIRCULATION OF MINORS IN ARGENTINE, A TOPIC IN THE CENTRE OF PRESENT DAY DEBATE ABOUT MINORITY

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Abstract

"The Regional for Latin America of the International Organization for Migrations manifested the existence of a route for internal traffic in which the provinces in north Argentine act as suppliers of women, girls and boys to the districts more in the south."(1)

"Amongst Argentineans we accept without surprise that when the purchase of a child is for "a good result" the subject of money doesn't get in the way; "The result is good" – is said – as if the result absolves the offence." (Fugaretta, 2006) was said at the opening of the First Day relating to the Traffic of Babies and Small Children, organised by the national government this year 2006.

Our observation via experience on the free telephone line 102 "Telephone of the Child" (*) in the province of Tucumán, from work with the northern communities and with applicants and adoptive parents in Buenos Aires are in agreement with these concepts.

To investigate about the conditions that facilitate this and their consequences, is the objective of this presentation, a partial result of investigation in course.

Legal context vs, Judicial Practice

Until the end of 2005, for 16 years, in Argentina a law from the beginning of the century, the Law of the Patronato de Menores (Law 10.903 in force since 1919 until 2006) which in this way named the boys and girls; and the ratification of the International Convention for the Rights of Children of 1989 (Law 23.849) with reserve to article 21 coexisted.

Argentina ratifies the Facultative Protocol for the Convention in 2003. However although subsidiary figures existed, such as "reduction of servants" "illicit association" and "privation of liberties", there is still no penal classification for Trafficking, as the protocol demands. The legal-social debate is arduous, present day, and passes via what is the subject on which the penal figure falls, about "who is being persecuted," and retains this type classing legally. (Moreno, 2006).

The Convention – with a constitutional rank since 1994 – did not manage to modify the judicial practices. These continue in the supposition that the State will have – under the legal figure "personal protection" the function of "paternaje" about cultural, social, family and psychological aspects of the child. The definition of these were left to the free interpretation of each judge the power of the state historically integrated by the most conservative sectors of society, strongly influenced by the Catholic church.

The law covering infancy was modified in 2005 to put it completely at the level demanded by the International Convention (Law 26.061 of Integral Protection of the Children's Rights). It cuts the historic judicialisation of the problem of childhood, contemplates the concept of the child's "centre of life", gives priority to the family of origin, installs the "progressive capacity" of the child to participate in the acts in which he is the protagonist, and consider him as an actor in the procedure which involves him with aptitude to name a lawyer, and recur for himself the actions that affect him. In this way it tries to overcome the dilemma capacity-incapacity and the "secret" about "the family" – based on the law of Paternal

Control, when between the parents there is no disagreement – which today allows the child to oppose both the administrative and paternal decision. Finally, it obliges the State to cover the child's needs considering those intangible funds.

Although it is improbable that its text can be effective law in a medium term, we stress that its character marks an intention to break with tradition that has brought serious consequences to childhood in this country.

The child and his/her family continues today without effective access to the defence and appeal against legal decisions. The figure of "personal protection" insists in the use and customs of the administration of justice.

This 90 year old practice, fixed in the subjectivity of judges and clerks for various generations, has "naturalised" in vast sectors of the community that a child in a situation of poverty, is the same as a child at risk within the family medium.

It is a system that works on the children's backs, which is fed by them, that becomes depersonalised. Someone who enters into the system either has to go or ends up adapting because if not he would not be able to remain. (Dubaniewicz, 2005). Judge Rozanski says "The legal people work by day and cry by night" (Rosanski, 2006). Whoever works with childhood and in situations of violence in Argentine do not have psycho-social dispositives to let him / her work out what happens to them with what happens to other with home they work. Under these conditions they suffer high indexes of burn-out. This provokes mistreatment, cynical intervention and other pathologies in the administration of justice.

Today there are 20,000 institutionalised children in Argentina (UNICEF, 2005). The index of "abandonment" is situated at 5 to 10% and has not changed since the era of the Virreinato. The cause of 80% of the privation of freedom of children, is poverty (Dubaniewicz, 2005). There are still no policies by the administration for the assistance and family re-bonding, Family Fostering is not regulated, nor are there registered plans for defining legally the situation of abandonment and adoptability. (UNICEF, 2005).

Ana María Dubaniewicz says, an investigator in the subject and ex inmate of an institution. "They feel that they are abandoned because they are bad, that they are not wanted because of something they did that they will never be wanted or accepted or loved. Then, the moment comes when they don't love themselves, do not accept anything about themselves (Dubaniek, 2005).

The future? : The inhabitants in the prisons have an average age of 23. 80% spent their infancy in the attendance insitutionalised system (Ministerio Justicia y DD.HH, 2005).

Strong complaints are being made to lower the legal age to commit an offence to 14 years. (Colonna, 2006).

Attendance discipline is followed by penal discipline.

AN APPROACH TO THE DECISION MAKING OF HOMOSEXUAL FATHERHOOD/MOTHERHOOD IN THE PRESENT CATALAN SOCIETY

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Abstract

Introduction

The aim of this contribution is to show the psychological motivations and the factors that help or delay the decision making process of homosexual people when analysing their possibility of becoming fathers or mothers.

Fatherhood and motherhood is for homosexual people, related directly to the actual level of homophobia in their social environment. However, those who are dedicated to their therapy know that the desire of fatherhood/motherhood is intimal and personal and because of that, a significant number of homosexual people got married and formed heterosexual families, just to comply with their fatherhood/motherhood desires, under strong homophobic social environments.

The approval in 2005 by the Spanish Government of relevant changes in the Civil Legislation, which allowed the marriages by same sex couples, and simultaneously, the issue of a Regional Government of Catalonia Act, opening the possibility of adopting children by homosexual couples, is going to provide significant changes in the social scenario and the objectives and plans of life for homosexual people. Such projects of life were impossible to be developed in the past, as self-acceptance of homosexuality meant an explicit rejection to fatherhood/motherhood.

However, these changes are being produced very slowly. The social changes by which homosexual people became "normal" from "transgressive! Or even "criminal" has been done progresively, step by step, even overcoming different obstacles, since the middle of the 20th century until now. For some part of the society, these changes had been too fast, difficult to assimilate or even to accept; for the other, this process was slow and painful. And for many people coming from other countries, the assimilation of such a social change is still pending.

Methodology

The field work for this contribution was carried out in two different stages: The first, a number of interviews recorded in videos with several people that have always lived in Catalonia; the second, a questionnaire about marriage, faterhood and motherhood was posed to a two different group of gay people: one of Spanish-born and grown up individuals and the other of Latin Americans born in different countries who immigrated to Spain in the last three years.

The questionnaire includes 12 questions, some of them are multiple-answer and the rest are open; the first five questions are envisaged to explore the relationship status of the individuals and their opinion about marriage and

gay couples in general. The other seven questions are about their motivation and feelings regarding children, fatherhood and motherhood.

The questionnaires were given to 15 Spanish-born (6 men and 9 women) and 15 Latin American (5 men and 10 women) The ages varied from 28 and 40 years.

The interviews were made to people in certain way linked to the Casal Lambda, all of them having finished their coming out process. These people is different from the ones that filled the questionnaires. No personal data (name, age, address) were taken in the interviews. One of the individuals did not give permission to show his face. Two of the interview wer recorded only in audio devices.

The interviews show people in different circumstances: a female couple who had given birth to a son by means of artificial insemination, a single male who studies the pros and cons of giving his sperma, a single male willing to adpot a child, a couple of women who could not be biological mothers due to problems of health, and the point of view of a doctor in pediatrics.

Conclusions

This contribution shows how “normally” the homosexual people interviewed in Barcelona give their opinion on their fatherhood/motherhood, once the Spanish and Catalan Legislation, perhaps the world’s most advanced in this matter, have reached a complete equality of the civil rights.

The achievement of these civil rights has been gradual. People born and brought up in Spain better assimilated the social changes and are seeing without stress the perspective of being married and father or mather.

In contrast, the Latin American individuals, who were born and grew up in significantly more homophobic environments, show in their answers a certain degree of anxiety for being considered normal people as soon as possible. Possibly in further studies, the differences between European Spanish-born and Latin American-born people will be reduced or totally disappear.

These observations are indicators to be considered during the counselling work on Latin American homosexual individuals in their coming out process.

However, no significant diferences were detected in the groups of women from both origins; this could be explained by the relevance of sexism (so-called “machismo”) in male individuals.

We are aware that the sample is relatively small, but this should not significantly affect the reliability of the results and the conclusions.

The author also recommends to carry out complementary studies and investigations with other propfessionals (sociologists, anthropologists) which could include the effects of specific sociological factors, such as social integration, economical and laboral aspects.

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THE SOCIAL TEMPORALITIES OF INTER-COUNTRY ADOPTION AND THE LIMITS OF THE PLENARY ADOPTION MODEL

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Abstract

This paper discusses adoption-related social issues using Quebec as the point of reference. It analyses key developments in the field of adoption and provides food for thought regarding the limits of plenary adoption. The thread of discussion consists of three temporalities of adoption: the length of the process, the child's development and the intergenerational transmission.

Length of the legal and administrative process

The length of the legal and administrative process for international adoption triggered the struggles for power and legitimacy that saw the birth of the field of adoption in Quebec. At the end of the 1980s, an estimated 1500 adoptive applicants were left waiting for an evaluation of their adoption project. The government was also enforcing stiff restrictions that made it extremely long and difficult to adopt internationally. However, strong response and lobbying by adoptive parents associations succeeded in getting the authorities to modify their stance. In 1990, a new legislation provided a fairly flexible framework for private initiatives, faster procedures and easier interchange with child donor countries. Following that, several new players entered an increasingly diversified adoption scene: new accredited agencies (their numbers growing to 16 in five years), new private practice social workers and psychologists who were newly allowed to evaluate adoptive applicants, and several hundred new adopters.

Over the years, the internal tensions have occurred in connection to the issue, until then, of smooth and rapid adoption procedures. In 2006, a new prohibition on independent adoption was passed, but not seriously contested. Consequently, the diverging interests of the receiving and sending countries on this same issue have become much clearer. For example, the receiving countries and their licensed agencies are actively seeking new countries to which they can refer adopters. They respond to the shutdown of certain countries (Rumania, for one) and pressures from adopters (including same-sex couples). How much weight does this carry in curtailing implementation of appropriate legislation and social services in the countries of origin? Certain countries of origin grant adoptions without terminating kinship ties. Is it fair or desirable to convert all those adoptions into plenary adoptions once the children have settled in the receiving countries? The Hague Convention authorizes such a conversion into plenary adoption if consent to the adoption was given knowingly. But does the person giving consent really have a choice?

The time dimension of child development

By providing a new family for children deprived of parents, adoption helps them in their development to adulthood. The attention which health experts pay to this temporality of adoption has been instrumental in changing Québec's youth protection interventions, which are now designed to see that children placed in extended foster care become eligible for adoption. Adoptive applicants are asked to foster a potential son or daughter pending his or her availability for legal adoption. They are involved in an experience of shared parenthood since the birth parents retain parental authority until the completion of the legal process. However, it ultimately leads to a plenary adoption, as if it was always in the child's best interest to be cut off for ever from his or her birth family.

Fost/adoption programs advocate what could be described as a curative approach to adoption. However other recent therapeutic initiatives in international adoption, driven by similar scientific and clinical concerns, are characterized by their family focus aimed at prevention and support. They consist of coaching, counselling and training for adoptive parents, especially in the post-adoption stage.

The new professionals plying their expertise about child development and attachment on the adoption scene are influential. They help us all to concentrate more on issues of protection, health and welfare. Nevertheless, decisions made from the vantage of specialists in health and psychology apply within a legal framework that lacks the flexibility of clinical judgments. It underlines the importance of clearly distinguishing between the urgent need for a child's social and emotional permanence and the urgent need that he/she may – or may not – have for a new and exclusive filiation.

Intergenerational transmission

Plenary adoption disrupts the time frame for passing on identity markers: genealogical position, name, cultural affiliation... It allows adopted children only one intergenerational pathway: through their adoptive family. This univocal approach was long bolstered by secrecy within the family, the confidentiality of adoption records and the ban on direct contact between birth and adoptive parents. Not all aspects of this approach still apply. Most domestic adoptions and international adoptions no longer take place under cover of complete anonymity. Additionally, the International Convention on the Rights of the Child (CRC)¹ recognizes that children have the right to know their parents, to be reared by them whenever possible, to maintain a personal relationship with them unless this is contrary to the child's interests and, as far as possible, to enjoy continuity in terms of education and religious, cultural and linguistic origins. Theoretically, the search for the children's best interests should take account of these rights of the child. This supposes keeping an intergenerational channel open not only on the side of the adoptive family, but on that of the birth family as well. As shown by the practice of valuing the birth culture of internationally adopted

1. All countries of the world, with the exception of the United States and Somalia, have now ratified this convention.

children, adoptive families should be aware of these transmission issues. Still, like many professionals in this field, they usually hold onto the idea that adoption basically works like a new birth. Nevertheless, the closed adoption model is being challenged by open adoptions and also when adoptees are searching for their origins. In this respect, a new service organization model was recently introduced in Québec to centralize records and requests for information. But how far can the State go to facilitate searches in birth countries? Another issue is to clarify the means of implementing collaboration with countries of origin that do not have the same confidentiality rules as ours, especially when it comes to locating individuals and seeking their consent to reunions. For example, will Québec's legislative restrictions, which do not allow biological siblings to seek reunion, serve as guidelines for cooperation agreements with countries whose laws do not include such restrictions?

RECOVERY AFTER INICIAL ADVERSITY. A STUDY OF INTERNATIONAL ADOPTEES IN SPAIN.

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Abstract

In a sample of 289 children adopted in Spain and arriving from China, Colombia, the Russian Federation, Guatemala, India and Romania, physical and psychological development were studied on arrival and a few years later (average, 3 years). Physical and psychological development on arrival was assessed using parents as retrospective informants. Physical growth was assessed by height, weight and head circumference. Many parents had no records of head circumference on arrival and our information and conclusions on this aspect are more limited. Initial psychological development was assessed with Battelle scales. Current physical and psychological development was assessed by researchers. For physical growth, height, weight and head circumference were assessed. For psychological development, those younger than 6 years of age were assessed with Battelle scales and those older than 6 were assessed with WISC-r. Following World Health Organization (WHO) recommendations, severe delay was defined as -2 z scores or less.

Mean age on arrival was 34.9 months. Children from Guatemala and China were the youngest on arrival (average around 18 months) and children from India and the Russian Federation were the oldest on arrival (average, around 4 years). Children from Romania and Colombia were in the middle (average, around 3 years).

The incidence of severe delays at the moment of adoption was very high: 37,2% was severely delayed in height, 32,4% in weight, 37,7% in head circumference and 43,5% in psychological development. Most of the considered variables (age on arrival, gender, country of origin...) were not related to physical growth. There was a significant negative relation between height and history of abuse and neglect, and a significant positive relation between head circumference and time spent with the biological mother (more time with the mother, less delay). As for psychological development, gender (boys more frequently delayed than girls), age on arrival, duration of institutional life and experiences of abuse and neglect were significantly related to severe delay (more frequent in children older on arrival, with a more prolonged institutional life and with early experience of abuse and neglect).

Those who were severely delayed on arrival in their psychological development were likely to have also arrived with severe delay in their physical growth. On the contrary, those who arrived with severe physical delay were not more likely to show severe psychological delay on arrival. In other words, those who arrived with severe psychological delay were likely to show an overall picture of delay, which was not the case for those who arrived with severe delay in growth.

Three years after adoption (average), the catch up of children with initial severe delays was remarkable. In height, for instance, median z score on arrival was -3.49 , whereas current z score is -0.72 . Recovery has been more striking in those who were more delayed on arrival. Those who arrived with no severe delay in height have improved 0.53 standard deviations, while those who arrived with severe delay have improved 2.77 standard deviations. The situation is not different in psychological development: those who arrived with severe delay have improved 7.28 months, whereas the others have only improved 0.91 months. After an average of three years with their adoptive families, differences between those who arrived with and without severe delay are no longer significant in weight and

height, but are still significant in head circumference and psychological development.

There were 27 children with a pattern of overall delay on arrival (severe delay in both physical growth and psychological development). Of these, after some years with their adoptive families 29% show no delay in any aspect; 15% are still severely delayed in height and 20% are still severely delayed in psychological development. The remaining group shows moderate delays (between -1 and -2 standard deviations) in one or more than one areas.

An index of recovery by amount of time with the adoptive family was created for each of the areas under study. In all areas considered, the greatest improvements happened within the first two years with the adoptive family. After the third year, improvements were small and, in some areas, negligible.

There seems to be a clear asynchrony in the pattern of recovery for the different areas here analyzed. So, recovery in weight happens first, then recovery in height comes, then in psychological development (lack of initial information on head circumference prevents forming precise conclusions here). Recovery in weight is complete before the second year with the adoptive family, recovery in height is complete after the second year with the adoptive family and recovery in psychological development here studied is not complete after 3-4 years in the adoptive family, with no significant gains to be expected thereafter.

In summary, in a group of 289 children internationally adopted in Spain, significant delays were observed on arrival in both physical growth and psychological development: between 32% and 44%, depending on the specific area, arrived with scores equal or below -2 standard deviations, which, according the WHO recommendations, is considered to be the threshold for severe delay. After some years with their adoptive families, all children have experienced significant improvements. Those who arrived with severe delay have gained more than those who did not. Recovery seems to happen more rapidly in some areas (e.g., weight) than in others (e.g., psychological development). Most of the recovery seems to take place in the first two years with the adoptive family, with no significant changes after the third year. Obviously, these conclusions refer to this sample and to the areas here studied. According to what is known from other studies, it is likely that recovery in emotional and social development continues beyond the first three-four years in the adoptive family.

TRANSNATIONAL MOTHERHOOD: NEW FAMILY STRATEGIES IN VIEW OF THE FEMINISATION OF LATIN-AMERICAN MIGRATIONS

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Abstract

Nowadays, in Spain the migratory flow that has had an accelerated process and feminisation proceed from Latin America, and in the last few years, in particular from Ecuador. In this sense, the migratory processes have become a transforming process with profound implications on a family level. Within this international migratory context a readjustment is produced in the gender and generational relationships that intervene in the negotiation of links within the domestic group and influence the modalities of family regrouping and in the experiences of the children of migrating families both in the place of origin and destination.

In this way, the family is revealed as an area of conflict and negotiation. In view of this new space-time configuration of migration from Ecuador, the migratory families are facing new challenges. The dynamic structure of the domestic groups, the patterns of conjugality and the ways in which the education of children is carried out, have undergone changes and therefore it is necessary to reconsider family relationships in a transnational context. This fact is connected to some fundamental topics, such as how to reinterpret the value assigned to feminine tasks, to understand and accept the cultural and ideological ruptures surrounding maternity and paternity in this transnational migratory context, to start up mechanisms to assume the new roles of the transnational parents; to redefine family roles carried out until now and take on the structural changes that can occur in these, principally as from the regrouping in the destination.

In this sense, the concept of transnational motherhood contradicts both the models of motherhood in the middle class of the central countries and even more the ideological notions of motherhood in Latin America (Hondgneu-Sotelo, Ávila, 1997). Within this context, at the beginning of the XXI century, the transnational Latin-American mothers and their families are constructing new areas, expanding national limits and improvising motherhood strategies and new educational guidelines, a fact that is presented as a real Odyssey with high costs (Pedone, 2004, 2005, 2006a, 2006b).

The Ecuadorian women as links for transnational social areas: ideological ruptures in the conception of motherhood

As from 1999, the worsening of the Ecuadorian social economic crisis together with a greater demand for feminine labour in the large Spanish cities, has caused the women to become the first link in the migratory chain. The determining participation by women in the displacement of the Ecuadorian people to Spain has generated a re-situation in the gender and generational relationships. Therefore, on the one hand, the visibilisation of the women and the children within the domestic group as a decisive part in the power game, has permitted centering the analysis of the family as a place of conflict and negotiation (Morovasick, 1984; Pessar, 1984; Whatmore, 1991; Gregorio Gil, 1998). On the other hand, it has meant breaking with a very strong social representation in Ecuador in relation to the organisation and execution of the international migratory projects as an eminently masculine decision.

This change has meant breaking with the idea of a travelling adventurous male who set out on a dangerous journey to the United States that would ensure the welfare

of the women, children and elderly back home. The exit by the women has not only produced a re-situation in the gender and generational relationships within the domestic group, but also has confronted the Ecuadorian society with the family, social and cultural structural transformations, product of the so called "stampede of the Ecuadorian people."

Motherhood includes a series of biological processes (conception, pregnancy, birth, nursing and in some cases, breast feeding) but it goes much further than that towards the practice and social relationships not linked to the feminine body (care and socialisation, health care, feeding, hygiene, love and affection). All these practices are interlinked with representations about what is socially accepted, legitimate and "natural" (Nari, 2004). And so, we can confirm that motherhood is not predetermined in only one way, but rather that it is a historical, social and cultural construction. While motherhood is, generally, understood to be a practice that involves the preservation, education and preparation of children for adult life (Ruddick, 1989), nowadays variations exist that are distinguishable by class and culture (Collins, 1994; Dill, 1988; Glenn, 1994).

The renegotiation of these roles in the past few years has been carried out in a context that has often been adverse for migrant women. In spite that on an economic level it is accepted that the transnational transference of reproductive work, - a process also called euphemistically "the globalisation of the cities" - is the consequence of the new strata in the worldwide labour market and generates a demand of feminine labour that has accelerated the movement North South, the paradox points us towards the migrant women who leave their roles as carers at home to migrate to take care of children, elderly and homes in exchange for a salary from the "First World".

In this sense, for example at the same time that the working market is feminised, the world survival is also feminised. In fact, the homes of the communities depend all the more on women's social resources and on the activities generated by the arriving groups of migrant women. (Sassen, 2000, 2003; Ribas Mateo, 2002, 2003).

The migrant women who have become the first link in the migratory chain have carried out complex processes of adaptation around the practise of transnational motherhood, a role disputed both at home and at destination.

At home, it is necessary to carry out a series of arrangements within the close family surroundings which will cover the role of social reproduction during their migration. Often, these negotiations have meant an overload in tasks and responsibilities for the grandmothers, and in other cases, it becomes a transfer of roles carried out by the eldest children who become the head of the house while only teenagers .

At the destination to manage to accede to worthy conditions of quality of life to exercise the right to live as a family takes many years' struggle and labour. To escape from precarious legal labour and residential situations is not an easy nor lineal course, but rather one replete with obstacles and therefore not exempt of contradictions, and from there come the redefinitions and changes in family strategies in the successive stages of the migratory project..

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"ME CHOCOLATE, DADDY BISCUIT". ADOPTION AND RACIAL STEREOTYPES: THE FAMILIES' EXPERIENCE"

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Abstract

Introduction

The Spaniards' cultural and ethnic diversity is extremely recent. In hardly two generations Spain has gone from being a country of emigrants to becoming a receptor for immigration. In 1970 the official figures of foreign residents in Spain experienced what was then considered to be a spectacular growth, passing from 0.2% in 1960 to 0,4% of which over 60% proceeds from the present day E.U. (1).

Today, however, it is calculated that the ex-Community immigrants represent between 10 and 20% of the Spanish population.

Therefore, the so called international adoption "boom" is also a recent phenomena. According to official figures (2), in 1992, 206 minors of foreign origin were adopted by Spanish families, and since then, the figure has not stopped growing until it has reached 5,423 adoptions formalised in 2005. The great majority of the minors adopted internationally proceed from the Asian continent (over 50% from China) and a strong increase in adoptions from Africa (2) is observed.

As a consequence of these two circumstances, both the applicant families for interracial adoption and the professionals in charge of their formation lack direct references about what it means to adopt a child from another race or to live in a predominantly white society belonging to a minority of non-Caucasian origin

Moreover, one could say that the adoption culture is still in its infancy, loaded with clichés, idealisations and false myths. As an example, we give two points extracted from the Cuaderno pedagógico: la adopción de un niño(3), Publisher this very year: :

- "Do adopted children have supplementary difficulties in their evolution?

In reality, no more that any other (...) If the progenitors (sic) treat them as if they were natural children, they will behave as such and will grow without major problems."

- "Is the fear of racism justified?

We live in a society that is ever more multicultural and this fear gets less every day. Nowadays there are many European families who have children adopted from countries such as China or Nepal."

The objective of the exposition – elaborated as from the families' experience shared with the associations in different forum son internet – is to explain these experiences:

- How we decide on International Adoption with a great lack of knowledge about what this means.

- How we go from thinking about what integrating a new member of a different origin means to understanding what makes up multiracial families.

- How we pass from a certain naiveté to the to the verification of the validity of racial stereotypes

- How we react, both in a public sphere and our children's intimate education surroundings.

- How we learn day by day and we become aware of what we are lacking, of the need for studies that help us to understand the reality of our children's experiences, and the need to share information and experience amongst all those involved

Learning along the way

At the moment of deciding on an interracial adoption, the parents usually examine their own beliefs and attitudes. In the first phases, the doubts are usually centered on the capacity to bond with a little person who is "so physically different from us". The subject of racism tends to be minimised and they trust that a high self-esteem and the absorption of our culture will serve to protect the future child.

Even before the arrival of the child, the parents begin to discover with amazement and indignation the racist stereotypes are still very present in society ("And why don't you adopt a little Russian who are more like us?", "Think well about it, the Chinese women are lovely when they are children but when they grow up they are horrible"). When the child reaches the home, they also discover that the family "draws attention" and is the favourite target for curiosity and ignorance from any stranger. The repetition of comments loaded with prejudice set off the first alarms, although it usually takes several years to assimilate the extent and incidence that stereotypes will have on our children throughout their lives.

In the first stage, the parents center on cementing the bond and feeling of belonging to the family. Obviously the children are soon aware of the physical differences in their surroundings, to which the parents react by trying to convert this in a reason for pride ("people go to the beach to get brown like you") comparing the first incidences at school to "wearing glasses" or "being fat".

Later the subject becomes more important amongst the parents' worries. On the one hand, belonging to a multiracial family they develop a special sensitivity towards the signs of the continuing existence of racism in society. On the other hand, they impotently observe the first expressions of its impact on the children and worriedly discover that they are more likely than the average child to present self esteem problems.

Consequently, they reflect more on the resources that must be given to the children to strengthen a solid and positive identity to be able to face the inevitable manifestations of racism they will suffer throughout their lives. They feel the inevitable need to counteract the diffusion of overwhelming stereotypes via the press, the television and, on occasions, in political speeches (although the search for varied adult references is not easy, since in spite of the social diversity the interaction between communities is limited and we are still far from reaching an equality of roles). Parallely the parents feel that they have important gaps, since, in contrast to what happens with immigrant families from Asia or Africa – they have never lived in the flesh the discriminations their children suffer and will suffer and so are obliged to construct strategies to help them from scratch

At this point, the families often feel like medium-intelligent parents educating a super-intelligent child, or like a single parent educating a daughter alone. As an adoptive mother defined it, to be the mother of black children means "continuously asking oneself about what identity is and what it is for, to feel somewhat black (...) and somewhat guilty about having brought them into such a white world, to want the best for them without being clear what the best is, what African women feel, what European women feel even when many Europeans will never recognise them as European, or to not feel anything. ..." (4).

The testimony of adults today who were adopted minors reaffirms this duality which is difficult to assimilate. "I hate this thick, ugly layer of skin that my eye defines; I would like to seem what I am: a Spanish woman." "I always feel as if I am wearing

the wrong dress for the occasion, as if I have turned up at a wedding in a track suit and I don't fit in

Conclusions:

Certainly interracial adoption is a highly enriching experience for all the members of the family, but it is obvious that we still have a lot to learn about the specific challenges involved.

The term "race" has fallen into disuse and the most extended term in our society is centred on "cultural differences". That leads the families to think – at least for a while that their children will not have serious difficulties to integrate into society. However the testimonies by adopted people dispute this statement and open up new questions. .

The families have already started to share their worries, reflections, experiences and strategies via Internet, but it would be highly desirable to have studies that could help us to understand them better and to encourage a greater awareness and knowledge for everyone involved, including the professionals who inform and assist the families in the pre and post adoption services.

(1) Data extracted from: La sociedad española y la inmigración extranjera. Colectivo Ioé (Pereda, C., Actis W., y de Prada, M.A.) Papeles de Economía Española, FUNCAS. Nº 98. 2003.

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INTERNACIONAL ADOPTION: LAW, COSTUMES AND KINSHIP

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Abstract

I will provide a theoretical framework for considering the impact of international adoption on conceptions of parenthood, family, and kinship. I will examine processes of accommodation and compromise, as the institutions and accompanying meanings accorded to "transferring children" intersect and impinge upon one another. The argument will be both historical and comparative, moving from colonialism and its impact on forms of "having children" to the contemporary situation of global movements of adults and children, as well as of ideologies of parenthood and kinship. I will compare the complexities that arise as law meets custom, global meets local, in different regions. Finally, inasmuch as the transfer of children, under whatever rubrics, transforms notions of parenthood and family, I will conclude by suggesting the ways in which international adoption may radically revise cultural interpretations of kinship and identity.

THE MOVEMENT OF CHILDREN FOR INTERNATIONAL ADOPTION: DEVELOPMENTS AND TRENDS IN RECEIVING STATES AND STATES OF ORIGIN 1998-2004

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Abstract

Introduction

This paper explores the implications of developments in intercountry adoption worldwide in the early years of the 21st century, based on a demographic analysis of trends in numbers and rates in 20 receiving States between 1998 and 2004. The incidence of ICA in States of origin has been estimated using data from these 20 countries. The paper updates two earlier publications (Selman 2000 and 2002) and an unpublished paper presented last year at a conference in Copenhagen (Selman 2005).

Receiving States

The analysis shows a marked increase in the global number of intercountry adoptions over the five years, with an estimated minimum of 45,000 officially recorded adoptions in the 20 States by 2004, which represents an increase of 42 per cent since 1998 with the greatest increase found in Spain and Ireland.

Table 1: Percentage Change in Number of Adoptions 1998-2004; Selected Receiving States

Country	Adoptions 1998	Adoptions 2001	Adoptions 2003	Adoptions 2004	% Change 1998- 2004
Spain	1,487	3,428	3,951	5,541	+ 273
Ireland	147	179	341	398	+ 171
Netherlands	825	1,122	1,154	1,307	+ 58.4
Italy	2,233	1,797	2,772	3,398	+ 52.2
USA	15,774	19,237	21,616	22,884	+ 45.1
Sweden	928	1,044	1,046	1,109	+ 19.5
France	3,777	3,094	3,995	4,079	+ 8.0
Canada	2,222	1,874	2,180	1,955	- 12.0
TOTAL (20 countries)	31,667	36,068	41,229	44,860	+ 41.7

Standardisation against population (crude adoption rate) or number of births (**adoption ratio**) indicates that in 2004 the receiving States with the highest "ratio" were **Norway (12.8** per 1,000 births); **Spain (12.4)** and **Sweden (11.7)**: the lowest was in the **UK (0.5)**. The rate or ratio would be even higher for Catalonia

alone. In 1977 the adoption ratio in Sweden had reached nearly 20.0 per 1,000 live births [Andersson (2000) p 346].

States of Origin

The main sources of children today are China and Russia, but this has changed over time – from the dominance of war-torn defeated countries after WW2 to the long period of dominance of adoption from South Korea after the Korean War and the emergence of Latin America as a major source in the 1980s and Romania for a few years after the fall of Ceausescu (Selman 2002). From the mid 1990s China and Russia are the major suppliers of children, but there are major differences between receiving States – see table 2 below.

Table 2: Countries sending most children for ICA; 4 receiving States 2004

USA	SPAIN	Rank Order	FRANCE	ITALY
China	China	1	Haiti	Russia
Russia	Russia	2	China	Ukraine
Guatemala	Ukraine	3	Russia	Colombi a
S Corea	Colombi a	4	Etiopía	Belarus
Kazakhsta n	Ethiopia	5	Vietnam	Brasil
Ukraine	India	6	Colombi a	Poland
22,884	5,541	<Total >	4,079	3,400

Standardisation shows that the highest rates for States of origin in 2003 were in Eastern Europe and the former Soviet Union, closely followed by South Korea and Guatemala – China and India sent large numbers but had very low rates.

Table 3: Standardised adoption rates and ratios in selected States of Origin 2003

Country	Number of Adoptions 2003	Rank Order for number of children sent	Adoption Rate per 10,000 under age 5	Adoption Ratio (per 1,000 live births)
Bulgaria	950	9	31.1	15.3
Guatemala	2,656	3	13.7	6.3
Russia	7,632	2	12.5	6.2
Ukraine	1,951	5	9.6	4.8

S Korea	2,306	4	7.9	4.1
Colombia	1,721	6	3.6	1.8
China	11,230	1	1.21	0.60
Vietnam	893	10	1.16	0.54
Ethiopia	787	12	0.63	0.26
India	1,118	7	0.09	0.04

Gender and Age in International Adoption

Data on gender and age of children is not available for many countries, including Spain and the UK, but data for other states or groupings shows wide variation between countries: China, India and Vietnam send more girls, but Korea sends more boys, girls being preferred by domestic adopters.

Table 4 International Adoptions by gender of child placed

Euradopt 2004					France 2004		USA 2002/3		
Femal e	Mal e	%	Female		Mal e	%	Fema le	Mal e	%
China	1,612	96	94.4	482	9	98.2	6,545	314	95.4
India	138	76	64.5	9	4	69.2	336	127	72.6
Vietna m	11	2	84.6	230	133	63.4	382	136	64.4
Russia	30	81	27.0	176	269	39.6	2,052	2,135	49.0
Corea	102	156	39.5	23	50	32.0	759	1028	42.5

There is also much variation in the age of children sent – with Korea restricting adoptions to children under age 3 and Brazil permitting only older or special needs children to be adopted.

Table 5: International Adoptions by age of child placed (percentages): USA 2002/3; France 2004; EurAdopt 2005

USA 2002/3					France 2004			EurAdopt 2005	
Unde r 1	1-4	5+	Under 1		1-4	5+	Und er 1	1-4	5+
Korea	94.3	5.1	0.5	97.6	2.4	0	97.3	2.7	0
Vietn am	76.4	17.1	6.6	77.5	22.6	0	75.0	22.4	2.6
China	43.3	54.2	2.5	13.4	86.4	0.2	38.3	60.9	0.8

Thailand	6.0	67.2	26.9	4.6	74.7	20.7	6.2	91.2	2.7
Brazil	3.8	30.7	65.4	2.2	27.2	70.7	2.9	48.6	48.6

Country Profiles

The final part of the paper will look at the pattern of adoption from different States of origin, including China and Ethiopia (see Tables 5 & 6 below)

Table 6: Adoptions from China : by number sent 1998-2004

1998	2000	2001	2002		2003	2004	1998 - 2004
US	4,206	5,053	4,681	5,053	6,859	7,044	36,997
Spain	196	475	941	1,427	1,043	2,389	6,732
Canada	901	604	604	771	1,108	1,001	5,700
Netherlands	210	457	445	510	566	644	3,103
Sweden	123	165	220	316	373	497	1,817
France	23	105	216	210	360	491	1,376
TOTAL	6,115	7,438	7,712	9,135	11,203	13,258	60,810

Table 7: ETHIOPIA 2001- 2005: Countries receiving most children 2004

2001	2003	2004		Increase 2001-2004	2005
France	234	217	390	66%	397
USA	158	135	289	83%	441
Spain	0	107	220	-	227
Italy	79	47	192	143%	211
Netherlands	25	39	72	188%	50
Belgium	38	52	62	63%	59
TOTAL (17 States)	728	843	1,526	110%	1,535 (13 States)

Conclusion

The paper will conclude with a consideration of the implications of the data presented.

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HOW TO INCLUYE AND DEAL WITH THE FAMILY DIVERSITY IN THE INICIAL TRAINING OF TEACHERS AND EDUCANTS

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Abstract

It is an obvious remark to state that family diversity is one of the characteristics of our society but it also is to state that students of careers linked to education possess ideas, conceptions and beliefs about the types of family structures and how families educate their children, that often to not include this heterogeneousness and that have little or nothing to do with these new realities.

In this presentation we analyse how to include the treatment of this family diversity in the initial training programmes both designing subjects that deal with it at a specific and transversal level, and also raising, at a method level, situations and experiences for learning that permit the students to construct, widen and/or consolidate instrumental responsibilities, at an interpersonal and systematic level via which they can analyse, reflect incorporate, modify and study profoundly the conceptual, procedure and attitude contents linked to the diversity of family structures and the conceptions and beliefs about how different families educate their children.

We will analyse the responsibilities that should be acquired by the professionals of education so that: at an instrumental level they can understand and analyse the diversity and complexity of the children's and families' contexts of life, to work with information linked to the Net, acquire the integrated habit of consulting work and contrasting contents and information linked to infancy, their families and the school. At an interpersonal level they develop abilities and capacities to be able to relate with colleagues in the profession and with the diversity of existing families in the scholastic field. At a systematic level to construct capacities and abilities that influence the circular process of reflection in action, between these, to recognise and detect the diversity of action and models with which families educate their children, extending their responsibilities to design action that influence the relationships between family and school, and to recognise situations of risk that can affect the youngest infants and the circuits that we have at our disposal to avoid and overcome them.

The development of these responsibilities we base on a work method that includes theoretical and practical classes. Both in one and the other we present learning situations that let them enter in contact with the diversity of family structures and action at family level.

In the practical classes we suggest that the future educators should learn to work as a team with their colleagues, have the possibility to contrast and debate ideas and to establish group conclusions. We bring about he situations of work and learning, via which the pupils can establish their ideas and have the possibility of modifying them, via:

Video forum in which one can analyse, the diversity of ways of life of infancy which con gather in a school classroom, the diversity of the families of this infancy in relation to its structure, activities, roles, relationships, conditions of life, beliefs, etc.

Debates, which are carried out at a virtual level, via the Faculty Intranet, and later at a presence level. These debates are started via arguments and opinions, which include stereotypes and prejudices extended at a social level, which cause impact and later are analysed and debated together at a presence level.

Sessions of role-playing. Situations are created in which future educators must act as invigorators in parent meetings or as trainers of the parents so that they can learn how to organise these themselves.

Conferences and experiences by experts, permit entering into contact with professionals of the practice, and who bring their experience on how to deal in the schools with the family structures and different ways families may act.

Guided Readings, have the objective of working via different sources of information such as: investigation work, informative articles, memories, doctoral theses..The subjects they cover are in relation to: the diversity of families in our surroundings, how children live, variables associated to the ways of life; family relationships and systems of authority; proposals for the conciliation of working, family, scholastic and personal life; maltreatment of infancy, systems and circuits of prevention.

Analysis of cases, the study of a case and how it has been resolved is analysed. The aptitude of how the case was carried out is analysed, discussing the solutions as guaranteed references at a scientific level.

Small investigations and searches on Internet. This implies carrying out some fundamental investigation tasks for their professional development lets them, in the first case, collect details, analyse the descriptive results and evaluate the correlations obtained. In the second case, to confront concepts and definitions in searches on Internet and in thematic encyclopedias. This work influences both modifying their conceptions on the diversity of family structures and models of action by the families, and being able to acquire an integrated habit of consulting different sources of information.

The experience carried out over six years has let us observe how one can modify, from an initial training, the conceptions, ideas and prejudices existing about family structures and how the families educate their children. Therefore we think that as well as specific subjects that deal with these concepts, the initial training of teachers and educators a a transversal level, from all the subjects learning experiences and situations should be included that permit dealing with this diversity and contribute together to modify conceptions, stereotypes and prejudices that are erroneous.

THE ADOPTION PROCESS AND ITS DIFFICULTIES. THE CASE OF CATALONIA

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Abstract

When we were invited to participate in this Congress, in Genus we considered that we could supply what could complement the analyses that would be presented from different disciplines. And so we decided to try and transmit short descriptions of what our work as mediators is and the difficulties we find in the daily practice.

Throughout the nine years as mediators in international adoption between the Catalan families and the R P. China, in Genus we have observed an evolution of the characteristics of the adoption process, in the volume of applications, in the profile of the families and in the motivations for adoption. All that has conditioned the interventions of the ECAI which has adapted to the new situations.

Some questions to be born in mind in this evolution is the increase in adoption applications, the increase in couples with adopted children and the motivations for adoption: infertility, reconstituted couples, more personal reasons and solidarity.

In the case of China, two special motives due to the profile sociological characteristics of the abandoned minors in that country: the gender of the adoptable minors and the lack of information about the biological family, and the length of stay in the country.

In relation to the country of origin, we point out the following characteristics:

- The high number of minors in a situation to be adopted.
- The age of the minors susceptible to be adopted (between six months and two years)
- The transparency of the process and its development via strictly defined phases.
- The length of stay in the country.
- The waiting time, up to a certain point controlled by the families via the format of the referral of the minor, following a rigorous order of application registry.

Because of these aspects, the mediation task of the ECAI is directed towards the intervention in the adoption process, adapting to the change both in the profile of the applicant families and the origin country. We will describe our objectives in the different phases of the adoption process, relating them to the difficulties that, in relation of the listed aspects, we have found.

In the first information phase our objective is to asses and inform the applicants about the characteristics of the adoption process in the R.P. China and to strengthen what the adoption of a minor proceeding from this country implies, trying to work and clarify the "myths" that a high number of adoptions, and also, their initial success have contributed to, such as the ease of the adaptation of the child and the guarantees in state of health.

Another difficult aspect to work on is when the profile of the applicants does not conform to the profile laid out by the country. The right to adopt appears at that moment in the discourse of the family in a non explicit way.

When the family has obtained the certificate of aptitude the phase of preparation of the dossier starts. Our objective in this phase is to inform and assess the families in the documentation they must supply and to prepare the dossier how the country

demands. This at times involves some conflicts with the families who rebel about the type of documents, their difficulty and their need.

The waiting time is a complicated phase of the process because of the variability of the time that the families must wait for the arrival of the referral.

Our objectives are contention, information during the process and training. It is a good moment to work with the families on different aspects of international adoption.

In the first place the cultural factor and everything it involves for the understanding of the situation of the child. To know about the motivations for the abandon and the difficulty of all the variables that intervene plus the respect for the culture of the child's origin is fundamental for the good development of the child and the formation of his/her identity and the future treatment of his/her origins.

Health, is another of the topics we approach. The belief that on being a child that has already been born, the doctor can see and diagnose, creates in the families, erroneously, the surety about the state of health, forgetting that the genetic origins are unknown, family illnesses that can be hereditary, it is important to work the unconditional aspect of adoption.

The psychological aspects of adoption, especially the child's reaction and those of the parents, at the moment of the first encounter and what it means to the child to find himself/herself in this situation.

With respect to these two topics, one that exists is the belief that the adoption of one year old children is easier because "the child is not aware of anything and adapts easily". We point out the different situations which a family may encounter, removing the myth of this belief and the need to respect the child's age.

The second one, totally related to the previous point, is how the encounter between the parents and child is organized in China. Different from other countries, where a progressive process of meetings between children and parents can be favoured and normally in the child's surroundings, in China the encounter takes place in a completely different surrounding, new for the child.

It is very important that the parents know these realities and situations to be able to understand the child, because of what is happening, give it the importance it deserves and to have more resources to face the situation.

The arrival of a brother or sister is one of the aspects that has to be worked on because of the increase in number of applicant families who already have children. The arrival of a sibling and the restructuring of the new family situation, on the one hand the families have biological children with whom they must explain the situation of an adoption, and on the other hand, those families who carry out a second adoption.

As well as training during the waiting time, formulas have to be created to support and contain the families due to the increase in the waiting time.

In the referral phase to work with the acceptance of the child, particularly when the profile of the child appointed does not correspond with the family's expectations and that of the "imagined" child, and the rejection of the proposed referral.

With regards to the journey to the country as we have already commented, we find the need to work and remind explicitly the motive. The convinced idea that "everything will be alright" makes some families lose sight of the meaning of this trip.

During the families' stay a control and accompaniment from Genus' headquarters is carried out. This gesture is appreciated by the families who feel more accompanied and secure as during the stay in China any small difficulty acquires disproportionate dimensions.

Finally, the post-adoptive phase is very important. In some families the doubts appear. Am I doing it right? Others need support when the adaptation process is being more complex than they thought and in many cases need to know that they can count on us. This occurs when the family has just arrived from China or taking advantage of the first official post adoptive follow-up but as the children start to grow up, the consultations have increased derived from questions and anxieties of those children related to their adoption and that, we are sure, will increase more in the future.

HOMOSEXUAL FAMILIES: THE RIGHT TO ADOPTION

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Abstract

19th of April 2005, the official newspaper of the Generalist of Catalunya published the law 3/2005, one of the most important legal reforms concerning family matters in a number of years. The reform grows from the general and international principal of the right of the child's supremacy, and from a modern conception of adoption as a civil institution of the protection of infants. As it couldn't be any other way the right to adoption only exists under the coordinates I have expressed, and in relation to the adopted person; who is the one with the right to grow up in a family environment in an atmosphere of happiness, love, understanding, and therefore consequently has the right to be adopted. Therefore the individual adult does not have the right to adopt a child.

The reform thus establishes couples of the same sex can be considered as families when applying for adoption. The law 3/2005 recognizes this right of homosexuals, and resulting with the end of discrimination between heterosexual and homosexual couples. According to our code both have the same opportunities when considered as families for adoption. This is done with consent of the European Parliament's resolution, council directives of the European Union and especially the fundamental rights of the EU. Furthermore 3/2005 follows the examples set by other provinces of the Spanish state such as Navarra and Aragón, and also other European countries such as Holland, Sweden and the United Kingdom. In these states they have predicted that homosexual couples expand they're possibilities set against the act, even though in some cases it is limited only to national adoption.

In Catalan law there are no limitations on a homosexual couple's possibilities during the initiation and following the adoption process, understanding that adoption can be done under the protection of the Catalan administration (national adoption), or with homeless children from other countries (international adoption). Therefore the reform recognizes that a homosexual couple should be considered a family, but not the right of these families to adopt, as heterosexuals and individuals do not have the right either. Subsequently the 'Congres de los Diputados' would also reform the family common civil right, under the law 13/2005 concerning marriage and adoption, and would proceed to allow couples of the same sex to be married and to adopt. With this the Catalan reform is reinforced and expanded with the right of homosexual couples to get married, which means an immediate recognition of their family status and therefore the right to adopt.

An aspect that was not included in the law 3/2005 which was pointed out in numerous allegations was to solve the discriminatory situation concerning IUF (assisted reproduction) between both heterosexual and female couples. In these cases when one woman chooses to undertake artificial insemination to pro-create, the other woman must wait until the birth to initiate the adoption process that will recognize her parental relationship and co-maternity. When a woman of a heterosexual couple is subject to the same practice (IUF), the man need only express his consent to the paternity to be automatically recognized as the father without need for adoption. The proposition of the modification of the civil court of Catalunya, created by the actual government finds a solution to the discriminated mentioned previously, although we must wait for the new the government legislator to verify approval and for the law to begin. The state as far as I'm concerned does not wish to delay the end of that clear discrimination.

I do not wish to finish this statement without emphasizing the work the gay and lesbians right defense committee have done with great enthusiasm during the process of the law's elaboration, and in the moment of its parliamentary approval.

TO BE THE DAUGHTER OF LESBIANS. THE HOMOPARENTAL FAMILY FROM THE CHILD'S POINT OF VIEW

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Abstract

I confess: I belong to a homoparental, reunified family, with asian adopted daughters. Sumarising, at the age of two and after my parents' divorce, a lived with my mother, who a little later found a partner of the same sex. Years after they adopted two little girls. That was 28 years before the start of this story. My mothers' first weddomg anniversary was 10 years ago.

There have been many changes in our family situation and in mine, in particular, as a daughter. I am referring to the social and personal changes, and an inevitable mixture of the two. Because the calendar and history have advanced while I grew and matured. Therefore my situation will never be repeated, fortunately.

But no victimism nor dramatism. I have been a happy child, with the same and more opportunity than anyone. I don't think that everyone can say that. I do not think that this is linked to the family model one lives in (and there are many). My first family (to call it such as my family is my partner and I, and the family we intend to form, obviously) was and still is normal. It seems obvious and useless to state that, and therefore I am angry at having to repeat it over and over again, but the thing is that life has shown me that it is not so easy to believe. At one time I even ended up by not believing it either.

I grew up in silence. Silence like an armour, like glass, like a shield. No being able to talk about my family in a relaxed way. To say it was not easy is silly. Another obvious description that all of us who have experienced infancy understand without an explanation. Ask now who imposed the silence on me, if it was my family of a majority public opinion conditioned by the Law, the norm, the church, the "what will they say?" etc.; the answer is simple. Indoors, peace, the overmature little girl with an adult's eyes. Of course. Because I looked with eyes etched with fire of "you wouldn't understand".

Afterwards the silence gave way to the word which was "mothers". Adolescence treated me well. I met up with progressist friends who had even more progressist parents and who applauded my confessions with fascinating interjections: I became the most modern. Since then I have lived with the fear of "I wonder what expression this one will make when he finds out", choosing who I was going to tell or not, and with growing rebellion with each time I care less. I am fed up. Fed up of carrying a load that is not mine.

After many years of waiting, I finally had my first sister. And then another one. I will save you the legal terms, a muddle. But in short: well they weren't my sisters, well I mean. And if my mothers had nil legal cover, the girls, being minors, even worse. Suffering for my mothers, who involved themselves in making useless legal wills to record their good intentions and end up in the hands of the Judges' good will, if the worst was to come. And then people say that there is no need for change. However, I was encouraged a lot by observing my sisters' social situation. I immediately realised that they were not in the same situation as I had been at their age. The word came first and silence didn't last long. Although it was with much care and secrecy, the word opened the way.

In my stupendous present mental health, which according to one's point of view could have declined, several factors have played their part: first of all, is my mothers' firmness, valour and sureness in what they were doing; secondly, the way

I was, my self esteem and my personal strength, perhaps inherent, acquired, imbibed or whatever; thirdly my knowledge of the family and social situation right from the beginning; and fourthly the final cracker: the new law.

After a whole course of coming out of the wardrobe discreetly and quietly, the law has given me a new impulse. I feel as if I have changed sides: Now I belong to the strong side. It makes me think: "Now let the others hide, who are the ones who are going against the law." I'm not very much for laws, rather against. But this law is the fruit of much struggle and must be applauded. I can't avoid this one because it has married my mothers and made me cry of the greatest happiness in my life. Because it has given my sisters my surname. Because it has given me the courage to write a book and to write these words. How silly, isn't it? A law. A few words. The power of the word. What do you know!

Well yes, a single and simple law (or at least the social debate generated, the fact that the topic has stopped being ineffable) has liberated me a little more.

Now it makes me laugh but before it made me angry to hear those who spoke as if our reality did not exist, as if permitting it, with the law, a new undesirable reality was generated. It didn't mean that. It was to do with normalising a reality and giving legal cover to an existing situation that had been unprotected for too long.

Right. Now a step has been taken towards change and it is positive. But a law does not change everyone. For that reason we must bear in mind that the main thing responsible for the emotional stability of a child will always be the family. That makes it responsible. But it gives it strength. Because, no matter what other people think, if the family walks with a firm step, the child will be strong. And so, no fears.

SEEKING SISTERS: TWINSHIP AND KINSHIP IN AN AGE OF INTERNET MIRACLES AND DNA TECHNOLOGIES

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Abstract

In the past decade, more than 50,000 children born in China have been adopted to the United States, a movement across national borders that is part of a growing wave of transnational adoption involving many other countries as well. This paper examines how Chinese adoption reflects broader shifts in discourses and practices around adoption, and how families in the United States with children adopted from China have struggled with the tension between genetic and social relatedness. As a window into this tension, I focus on recent efforts to find biological siblings, through DNA testing and Internet connections, among adopted Chinese daughters. Adoptive parents' yearnings for connections with birth families and "birth culture," which focused in the 1990s on fantasies of the unknowable birth mother, have turned in the past two years to sibling searches. This new interest can be understood in light of a wider societal fascination with "genetic genealogy," increasingly popularized in the media, and ongoing efforts by the adoption community to create and affirm a multiplicity of ties to China.

'TRAVELLING HOME IN BOTH DIRECTIONS': RETHINKING 'FAMILY' IN AN ADOPTED WORLD

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Abstract

Transnational adoption both challenges and reinforces standard assumptions about persons, families, nations, and belonging. Based on fieldwork in Sweden, India, Colombia, Bolivia, Chile, and the United States, my research considers these challenges. I examine the transformation of the "abandoned" child into an adoptable resource for nations that "give" it away, the implications of this giving for nations that send and receive children in adoption, and the meanings of being adopted for adults who grew up in a world where the immigrant, the undocumented, and other forms of "alien" were increasingly targeted as disruptions to national identity and belonging.

The figure of the adoptee assumes a complex place in such a world. Indistinguishable from (other) immigrants on the outside, but separable from them because of his or her adopted "inside," the adoptee from Asia, Africa, or Latin America in a Euro-American home represents the ultimate paradox of belonging in a global context where transnationalism both affirms and breaches the borders of the nation-state. The increasing popularity of culture camps, roots tours, and reunions with pre-adoptive kin, and the interest of sending nations in encouraging return journeys by adopted adults, suggest the ways adoption simultaneously evokes an origin (national, familial) without which no identity can be "complete" and the vulnerability of all identities, their politically and historically contingent nature.

My talk focuses on such returns and their implications for the ways that familiar cultural forms are reconfigured by the presence of a child (and later an adult) whose quality as "almost the same, but not quite" (Bhabha, 1994: 89) confounds any sense of what a biological family (or native land) might naturally be. I begin with a discussion of the legal clean break, which constitutes an adoption as "strong" or "plenary" and incorporates the adopted child completely into the adoptive family and adoptive nation. Plenary adoption is rationalized on psychological (a sense of belonging), economic (property transfer), and legal grounds (the child's entitlement to the rights and benefits of the new family and nation). Significantly, the clean break policy also protects the borders of the nation-state, preventing the possibility that the adoptive child could become a means through which his or her "pre-adoptive kin" could also enter the adopting nation. In this sense, the goal of complete incorporation of the adopted child is simultaneously a principle of exclusion, a theme to which I return in the course of my presentation.

I then present three case studies of adults adopted by parents in Sweden from Ethiopia, Colombia, and Chile during the period 1970-2004. This was a period when Sweden, where my research was based, was experiencing increasing tensions with its transition to becoming an immigrant nation. Drawing on interviews with adopted adults who have made between one and four return journeys to visit their birth countries, the orphanages where they lived as infants or young children, or their birth families, I explore their reasons for wanting to make these journeys, their connection to their adoptive and birth families, and the relationship of going "back" to their sense of identity and belonging.

I discuss the interpretation of such journeys in light of the principle that adoptions must be "strong" if the child is to feel secure; and I argue that the legal clean break sets up the conditions that seem to require a return, pulling adoptees "back" to an origin. I juxtapose the assumption that "real" belonging is to be found in the birth

nation or birth family, with experiences of adoptees whose identity as “Swedish people” materializes in the course of multiple returns. More generally, I argue that adoption and the returns it seems to demand, provides a lens for rethinking familiar cultural forms such as the nation, the family, the Swedish (the Ethiopian, the Indian, the Korean, and so forth). These identities take shape not so much in or on a ground of belonging, but in the context of complex relations that cross (and in crossing, and re-crossing, create and unsettle) the boundaries that make families, nations and subjects “complete.”

The refiguring of kinship in the space of transnational adoption involves work of creating relatedness at various levels: constituting the relationship of parent to child, constituting “kinship” among adoptees from a particular sending nation who are living in a particular receiving nation, building links between adoptees who are classified as “black” in predominantly “white” adopting nations, and reconstituting links between legally orphaned adults and legally non-existent siblings who were left behind, as well as the more encompassing transnational projects created over the past decade by adopted adults (Kim, 2005). This refiguring reaches back to rework the past and reaches forward to construct the future; and it stretches “across” the national borders that transnational adoption has both secured and unsettled over the past half century. Refiguring both incorporates familiar dichotomies of Euro-American idiomatic kinship (“nature” versus “nurture”; “blood” versus “law”; “biogenetic” versus “adoptive” families) and reworks them in ways that have the potential to create new forms of consciousness as well as to transform everyday practices of relatedness.

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