
Negotiating Motherhood: Identity and Difference in “Open” Adoptions

Barbara Yngvesson

Drawing on interviews with birth and adoptive parents who have remained in contact with each other following placement of an adopted child, this article examines the dynamic of motherhood that emerges in these relationships. Moving back and forth from legal and social event to women's subjective experiences of these events, it argues that open adoption constitutes a “potential space” where two familiar “truths” about motherhood—as an experience of identity and of connection, and as an experience of contingency and separation—converge in powerful ways. Focusing on the double vision of mothers who feel both “real” and “not real” at the same time, it explores the tendency of open adoption to resolve into familiar dichotomies of nature and law and its potential to produce new subjectivities that defy legal categories. The article suggests that analysis of the sociolegal world and of the possibilities for its transformation must work along the unstable boundary of different subjective worlds, moving between them to expose the exclusions and injustices upon which each is premised.

. . . matter in equilibrium is blind, and out of equilibrium it starts to see.

—Ilya Prigogine, “The Philosophy of Instability” (1989:399)

This article grows out of a talk I presented at the Law and Society Association meetings in June 1995 and is my first attempt to write about a project that began, in a sense, almost 15 years ago but that only became a “research project” in 1991. At that

Funding for the research on which this article is based has been provided by the National Science Foundation (SES-9113894 and SBR9511937) and by the Hewlett-Mellon Faculty Development funds at Hampshire College. I am especially appreciative of comments on earlier drafts from Julia Belton, John Brigham, Margaret Cerullo, David Engel, Penina Glazer, Leonard Glick, Christine Harrington, Maureen Mahoney, Lourdes Mattei, Nina Payne, Jill Roberts, Boaventura de Sousa Santos, Sigfrid Yngvesson, and from anonymous reviewers for this journal. The paper has been presented to the Law and Society Summer Institute (“Work in Progress” session), the Hampshire College Feminist Studies Seminar, and to the Smith College Program on Women and Social Change. Comments and discussion by participants in these seminars have been helpful to my reconceptualization of a number of issues. Finally, I want to thank the birth and adoptive parents whose stories I present, as well as the staff of Friends in Adoption and my own extended family, for agreeing to participate in this work and for their thoughtful responses to the manuscript. Address correspondence to Barbara Yngvesson, School of Social Science, Hampshire College, Amherst, MA 01002.

time, with the assistance of a small project initiation grant from the National Science Foundation, I began a series of interviews with birthmothers, adoptive parents, and a range of adoption professionals (lawyers, social workers, agency directors, and so forth) to explore the meanings of “open” adoption in the United States and how it challenged or reproduced ideologies of family and of motherhood.

My interest in adoption, as will become clear in the pages that follow, developed in the context of my own life as a parent. But this personal dimension of my work is closely tied to a long-term political and theoretical interest in what it means to talk about social “order” and with the way meanings take shape or evolve over time in processes that are neither determined nor unconstrained. The evolving relationships between birth and adoptive parents in “open” adoptions provide a compelling personal arena for exploring these political and theoretical questions. These relationships illuminate law’s arbitrary and patriarchal construction of the family unit. But they also disrupt this unit and the familiar identities of “mother,” “father,” and “child” it presupposes. Because open adoption compels recognition of the place of an “other” mother on whom one’s own mothering depends, the “identities” it creates are nonidentical, defy legal categories, and provide potentially powerful insights that connect with current debates in political and feminist theory about identity and difference.

These debates typically engage issues that are obviously relevant to transracial adoption, to intercountry adoption, and to adoption by gay and lesbian parents, where “difference” is constructed along more familiar lines of race, of culture, or of gender. The larger project of which this article is a part examines the ways that adoption complicates our understanding of the construction and operation of these vectors of difference, focusing on intercountry practices. The present article lays the ground for this work by suggesting a methodology for the analysis of how borders are reproduced and transgressed in the relations and subjectivities of birth and adoptive mothers whose position at the meeting place of self with other in open adoption is revealing of the paradoxical interplay of sameness and difference, connection and separation, that the process we call “reality” involves.

I began by trying to work out ideas that were emerging in my interviews with the birthmothers of adopted children. But it soon became clear that these ideas could only be developed in the context of conversations I was having with adoptive parents, as part of research I began in the spring of 1995 at an adoption agency in Vermont, Friends in Adoption.¹ As I listened to the

¹ The article is based on in-depth (one- to three-hour) interviews with six birthparents and six adoptive parents with whom I made contact through Friends in Adoption and through a California adoption attorney. It also includes material from interviews and

tapes of these conversations, however, I found myself drawn back (or perhaps, forward) into my own evolving relationship with my son's birthmother and father and to the ways in which this relationship is formed by and reworks the legal relationships of adoptive kinship. The pages that follow reflect this movement and the boundaries that are continually set in place, disturbed, and transgressed by it—between life and work, between the people we study and the people we are, between the legal and the everyday, between legitimate and illegitimate families, and between adoptive parents, birthparents, and their children.

The comments and suggestions of various audiences who read or heard earlier drafts, including my research subjects, my two sons (one biological, one adopted), and the birthmother of my adopted son, as well as anonymous reviewers for this journal, have also been incorporated into the version here. Their reflections helped me see my own blind spots and buried insights; their occasional discomfort (particularly that of some of the anonymous reviewers, who requested a more linear plot and guidance at the “front end” regarding the meaning of each of the sections, and who expressed confusion about the relevance of the journal entries and concern about a “retreat into psychology” at the end) led to some minor (clarifying, I hope) insertions at various points. This is not a linear tale, however. My contribution, rather, is to connect the subjective experience of pain and fear that is instantiated in the “opening” of adoption to cultural and legal discourses that regulate the connection of parent to child. I have tried to do this by moving back and forth from subjective experience to legal (cultural) practices that at the same time shape this experience and are continually transformed in the relations that link adoptive mothers to the birthmothers of their children. It is in this sense that open adoptions become outlaw or contested spaces, even as they seem to confine true motherhood within conventional terms, as revealed in the very distinctions (“adoptive” mothers, “adoptive” family; “birth” mother, “birth” family) that open adoption sets up.

observation conducted with two of the social workers from Friends in Adoption. The parents were chosen because all are involved in “open” adoptions and are attempting to maintain some degree of physical contact over time, and I am interested in the cultural, psychological, and legal considerations that shape this ongoing relationship. The parents I interviewed are not representative of most birth and adoptive parents, since it is both rare and culturally sanctioned for birth and adoptive parents to remain in contact following the legal termination of birthparent rights. Friends in Adoption, which describes itself as a “non-traditional” agency because it encourages ongoing contact of some kind (minimally, the exchange of nonidentifying information, letters, and pictures) estimates that only about 10% of the adoptions it has completed (it was founded in 1986 and presently completes 60–65 placements a year) involve visitation by the birthparent(s). The California attorney places 30–35 children a year, and while many of these adoptions involve limited exchange of letters or pictures after the adoption is complete, very few (by her estimate, 5%) involve visitation. For comparative research on the advantages and disadvantages of “closed,” “semi-open,” and “open” adoptions, see McRoy, Grotevant, & Ayers-Lopez 1994; McRoy & Grotevant 1987.

A Form of Consent

I first met my son Finn in the office of our lawyer, David Kaplan, in Northampton, Massachusetts. We had arranged for his parents to fly in from California the night before; the lawyer we had hired for them had met them at the airport in the morning and brought them to the law offices of *our* lawyer. There we all came together to sign the papers that would “irrevocably terminate” his birthmother’s parental rights. Finn was then 4 months old. I remember that he was tired and crying; that his mother, Diana, nursed him, there in the lawyer’s office, to soothe him; and that as we signed what seemed to be endless paperwork, our older son Dag carried Finn around the office, bouncing him gently, thrilled to be entrusted with the brother he had so longed for. Diana had brought with her all of Finn’s baby toys, the cards and presents he had received when he was born, his favorite blanket, a plastic bluebird we could hang from the ceiling in his room, and a Japanese kite of blue and white fabric, shaped like a giant fish. These belongings, the familiar raiments of his first few months of life, came in a well-worn blue canvas duffel bag, its red handle secured with a diaper pin covered in yellow plastic. We still use this bag today, almost 14 years later, and the yellow safety pin is still there.

The documents we signed that morning included papers authorizing me and my husband Sigfrid to become Finn’s guardians and a “form of consent” signed by his mother in which she “finally and irrevocably” surrendered her legal rights to her child. Because Finn was born out of wedlock, only Diana signed the form, which reads as follows:

I, as the mother of Finn, age 4 months, of the male sex, born in San Rafael, California on June 25, 1981 do hereby voluntarily and unconditionally surrender Finn to the care and custody of Barbara and Sigfrid Yngvesson for the purpose of adoption or other such disposition as may be made by a court of competent jurisdiction. I waive notice of any legal proceeding affecting the custody, guardianship, adoption or other disposition of Finn.

At the end of the signings, everyone in the law office joined us to drink champagne and toast this moment of transfer and of Finn’s new life with us. His birthparents flew back to California that afternoon.

When we had first imagined the transfer of parental rights, two weeks before, our lawyer had arranged that the physical handing over of this baby would not involve an actual meeting of the two sets of parents. Massachusetts law at that time forbade such a meeting. Thus the plan had been that we would bring Finn’s mother to Northampton, where she would hand her baby over to *her* lawyer, her lawyer would hand him to *our* lawyer, and our lawyer would give the baby to us. We would be in separate

rooms. When his parents heard about this arrangement, they asked (through my brother, who had made the initial arrangements for the adoption) to speak with me, and so I called Diana, with great trepidation. My social worker friends had warned me that this was a woman who was not ready to part from her child and that any contact we had would bode ill for the future. Our phone call was not the difficult event I feared, however. She simply said that she was entrusting us with her baby and that she wanted to hand him to me, not to a lawyer. She told me about her difficulties in weaning him, since he seemed to be allergic to cow's milk and had developed a bad rash, of her efforts to accustom him to goat's milk, and her worry that he would not look beautiful when we first saw him. She told me, too, about the insensitivity of people in her small town, most of whom "can't forgive me for giving him away." A few people thought she was courageous to do so.

By the end of our conversation, it was clear to me not only that I should receive Finn into my arms from Diana's, but that Finn's father should accompany them to Northampton for the exchange, and that we should all—my husband Sigfrid, our son Dag, and I—be there to participate in this complex ceremony of severance and of joining. The legal moment that was to separate Finn "irrevocably" from his mother and join him temporarily to us (the adoption would not become final for several months) became inseparable from an "illegal moment," an outlaw time in which we violated Massachusetts adoption law, agreeing that this was not only a transaction between a birthmother and the state, and between potential adoptive parents and the state, but that it was also, in Finn's birthfather's words, a "parent-to-parent matter." As he wrote in a letter he gave to us that morning in Northampton:

We do feel responsible that he join a family that wants him, and cannot blindly turn him over to the surrogate parenthood of the state. So the one thing we ask of you, is to make an arrangement with us, so that if for any reason his adoption to you does *not* occur, that we regain custody—rather than have him go to a foster home chosen by a social agency. There are several other families that want to adopt him, so there is no point whatsoever in his becoming a ward of the state of Massachusetts. I realize the laws are formal here in regard to "property" claim, but this is a parent-to-parent matter, not a question of a child supported at public expense. We feel that we express Finn's "best interest" by turning him over to you, and that if that doesn't work out, you would express his "best interest" by turning him back over to us rather than to a professional agency. Until the adoption is completed, I think both Diana and I will continue to feel somewhat responsible and ambivalent. I hope you would understand this.

Finn's father went on to describe his son's birth—"without anesthetics, surrounded by friends, immediately breast-fed, and always cared for conscientiously"—and habits: "He doesn't like his diapers to be changed. When he's tired, he makes a kind of coughing cry. He likes to be rocked in a rocking chair and sung to when he's tired. . . . He doesn't crawl yet but likes to be held so that he can walk." And he concluded with a brief P.S.:

Please don't interpret this note as a bid for personal relationship, or an embarrassment of any kind to you. I only mean to put this child properly in your safekeeping, and convey my regards, and assure you of our availability *if* for some reason the adoption process can't be completed at that end.

Seven months later, our adoption of Finn was finalized in a brief legal ceremony at the Franklin County probate court in Greenfield, Massachusetts. Shortly thereafter, we received his new birth certificate in the mail. The certificate named my husband Sigfrid and me as Finn's parents. There was no mention of his adoption. And there was no mention of his birthmother or of his illegitimate birth. In effect, if the new birth certificate was to be believed, Barbara Yngvesson, born in the Dominican Republic, age 39, had given birth to Finn Fort Yngvesson at the Marin County General Hospital in Greenbrae, California, on 25 June 1981. The only available record of his birth to Diana Morrison-McGuire was an outlaw record, officially sealed, but kept in the slowly expanding folders and envelopes that Diana and I created to document our relationship and our connection to each other through the son to whom she gave birth and whom Sigfrid and I were raising.

I recount this brief story of how Finn came to us almost a decade and a half ago in part because it illuminates the erasures and the contradictions embedded in American adoptive kinship. This article focuses on the multiple ways in which birthparents, adoptive parents, and others construct and rework adoptive kinship through and in the power of these silences and disjunctions. But I also imagine this story and the adoption that it is "about" as a way of reflecting on a central theme in the construction of American social order (and disorder), a theme that historian Michael Grossberg (1985:228) has termed "the persistent attraction of illegitimacy" in American history. This "persistent attraction" can be seen both in the refusal of the illegitimate family to disappear, in spite of repeated efforts to eradicate it, and in the seeming compulsion of the established order to make illegitimacy a focus of its attention. Illegitimacy is, to use Judith Butler's (1993:8) phrase, the "constitutive 'outside'" of American social order, and the splitting of legitimate from illegitimate families, and of black illegitimate families from white ones, is an "enabling cultural condition" for the emergence and reaffirmation of patri-

archy.² Patriarchy “materializes” over time in the repeated, disruptive return over the past three centuries in the United States of the unmarried mother as a “social problem”; and it takes shape in countless reiterations of the difference between the dyadic unit of mother and child and “the place where a society enters a child, and a child learns the laws of a society” (Steedman 1986:79).³ These reiterations naturalize the mother-child dyad as an intimate, emotionally charged connection that “can never be severed, *whatever its legal position*. . . . An ex-husband or ex-wife is possible, and so is an ex-mother-in-law. But an ex-mother is not” (Schneider 1968:24; emphasis added). And they denaturalize the law, making it a separate order from the order of nature, “imposed by man and consist[ing] of rules and regulations” (p. 27). In this way a boundary materializes between two “orders”—one of natural substance patterned according to “the way things are in nature,” the other a code for conduct, a “rule of order, the government of action by morality and the self-restraint of human reason” (p. 26).

This cultural interpretation of motherhood as fundamentally outside the law, grounded in a biologically based intimacy (and of fatherhood as fundamentally within the law, grounded in property rights over his child, which is another story but an increasingly powerful one in current adoption contests in the United States),⁴ is at the root of prohibitions that represent the unwed mother as chaotic, disruptive, asocial—a “mother in name only” (Kunzel 1993:130). The *kind* of chaos she represents differs according to her race, her class, and her age; and the solutions proposed are shaped by social, cultural, and economic concerns that are specific to the particular historical moment. In this article, my focus is on white, lower- to middle-class, unmarried mothers and the white, broadly middle-class adoptive families in which they placed their infant children in the decade between

² See Roberts (1995a) for a discussion of the ways that racism and patriarchy intersect as “two interrelated, mutually supporting systems of domination” (p. 224).

³ As this formulation suggests, my use of “patriarchy” refers not to the absolute power of the husband/father in the conjugal unit as described by Lawrence Stone (1977:151–218) in his classic account of family structure in English middle- and upper-class families in 17th-century England. Rather, I mean a set of practices and assumptions, traceable at least to patriarchalism in the 17th century, that position women and children in the context of their relation to men and that deny them legitimacy (in both private and public life) unless they are officially connected to a man as wife or child. Patriarchalism extends beyond the family to include “a whole body of practices and expectations, over the whole of living” (to draw on Raymond Williams’s (1977:110) familiar definition of hegemony). As Linda Gordon (1988:256) notes, however, patriarchy is expressed not as absolute right but as “custom and bargaining.” As this implies, patriarchy is not ubiquitous and should not be reified as an unchangeable moral/legal code. Its hegemony is always incomplete, its manifestations are sometimes subtle and almost always appear in tension with competing practices and ideologies, and its dominance at any one point in time may give way to other forms (see also Shanley 1982; Grossberg 1985:26; Fineman 1995).

⁴ See Shanley 1995 for a discussion of unwed fathers’ rights in adoption.

1981 and 1991; and I am concerned with so-called open adoptions, in which these mothers “chose” the adoptive family in which their child was placed. White, nonhandicapped infants and their unmarried mothers have played a particularly significant role since the early decades of the 20th century in enabling white, childless, middle-class couples to fulfill what historian Rickie Solinger (1992:154) calls the “postwar family imperative” in the United States. In this vision of family life, a vision most closely associated with 1950s America, parental roles are central to identity, for both men and women, and heterosexual, two-parent marriage is the foundation of family life (Coontz 1992; Solinger 1992:16-17, 154). Ironically (or fortuitously), just as married motherhood was defined as the only way of achieving a “complete” identity for women, the rising rate of white single pregnancy in the United States was creating a pool of “not-mothers” with babies whose need for a family could only be provided elsewhere (Coontz p. 32; Solinger p. 163). The matching of baby to family (that is, the “completion” of identity for both mother/father and child) created a racialized hierarchy of families and of unwed (unfit) mothers who together fulfilled the “postwar family imperative” in the United States, while reinscribing the racial borders through which the interpretation of family wholeness was measured.

In what follows, I draw on journals, memoirs, and interviews, as well as on my own experience and on conversations with other adoptive parents, to suggest how the “complete” family has been recreated over the past decade in the “voluntary” relinquishments through which women become legal strangers to their children, and how this family has been contested in the legal and illegal efforts to undermine the finality of these prohibitions in “open” adoptions. I focus on the contradictions experienced by participants as they simultaneously work “against the grain” in the surrender and adoption of children and are compelled, in spite of themselves, toward tentative, uncertain, disquieting, and risky gestures of recognition that both mark and blur the legal and cultural boundaries that separate legitimate from illegitimate families, “birth” from “adoptive” mothers, and “nature” from “law.”

My argument is that “the birthmother,” as a metaphor for out-of-wedlock motherhood, is always, culturally and psychologically speaking, *within* the adoptive family. She is the site of “dreaded identification” through which the adoptive mother and the adoptive family makes its own claim to an autonomous existence.⁵ But she is also “outside” the family, a site of erasure and of

⁵ See Judith Butler’s (1993:3) discussion of the exclusionary matrix through which gendered subjects are formed, and specifically of a “zone of uninhabitability” constituting “that site of dreaded identification against which—and by virtue of which—the domain of the subject will circumscribe its own claim to autonomy and to life.”

violent foreclosure, marking a boundary “that includes and excludes, that decides, as it were, what will and will not be the stuff of the object [that is, *the family*] to which we then refer” (Butler 1993:9, 11). It is the birthmother’s “choice” to place her child in an adoptive home that creates an adoptive family, whole and “complete” in itself, to use the words of a young birthmother who placed her child for adoption in 1994. And it is her disruptive return—in the form of the “open” adoptive family, as well as in searches by birthmothers and adult adoptees, that transgress the boundaries of “closed” adoption policies—that threatens to destabilize and transform adoptive kinship, indeed, to dismantle adoption as it has been conventionally practiced for the past 50 years in this country.

I begin with a brief historical sketch of the ways in which illegitimate babies and their mothers have been perceived and incorporated into American social order, focusing in particular on the shifting value of the unmarried mother (in terms of race and class) during the 20th century. I then move to my own research on birthmother experiences of voluntary surrender and on efforts of birthparents and adoptive parents to construct “open” adoptions in the context of these surrenders. I conclude with a discussion of the relevance of struggles surrounding the closure and openness of adoption to recent debates on identity and difference among feminists and political theorists.

The Illegal Family

In a widely discussed 1993 op-ed piece in the *Wall Street Journal* (“The Coming White Underclass”), Charles Murray described illegitimacy as “the single most important social problem of our time—more important than crime, drugs, poverty, illiteracy, welfare or homelessness because it drives everything else.” The heart of this problem, according to Murray, who also spoke in November 1994 on *This Week with David Brinkley*, is that “we have too many babies living in communities without fathers, and as Pat Moynihan taught us twenty-odd years ago, that way you get chaos.” The babies Murray was concerned with were specifically those produced by white, lower-class women—white illegitimacy, he pointed out “is overwhelmingly a lower-class phenomenon”—but he noted as well that “the long, steep climb in black illegitimacy has been calamitous for black communities and painful for the nation.” The solution he proposed was that the federal government end economic support to single mothers, a move that would “lead many young women who shouldn’t be mothers to place their babies for adoption.” To this end, he urged revision of adoption laws, stripping them “of the nonsense that has encumbered [adoption] in recent decades.” Specifically, he argued that “any married couple who can show reasonable evidence of

having the resources and stability to raise a child” be permitted to do so and that “all limits on interracial adoption” should be lifted. Murray concluded the article with a plea for “restoring the rewards of marriage,” which he suggested should be revived as “the sole legal institution through which parental rights and responsibilities are defined and exercised” (p. 14).

Murray’s words set the tone for congressional debates leading to the 1996 welfare reform act (Personal Responsibility and Work Opportunity Reconciliation Act of 1996). In August of that year, President Clinton signed a bill that abolished Aid to Families with Dependent Children (AFDC), through which 12.8 million people, including at least 8 million children, had been provided with monthly cash benefits, and cut the government’s food stamp program (Clines 1996). Congressional debate in the months preceding the signing of the act left little doubt that discouragement of illegitimacy was a “major goal” of welfare reform at a time when “unwed mothers have become a symbol of growing disregard for traditional mores” and specifically of the “rejection of marriage as a goal” (Usdansky 1996; see also Stacey 1994; Marshall 1995). In addition, President Clinton signed a bill providing a \$5,000 tax credit for adoptive families with incomes of \$75,000 or less and fining states that delayed interracial adoptions so as to await the possibility of a same-race placement (a practice that has dominated adoption placements of African American children for the past 24 years).⁶ As political commentator Katha Pollitt (1996b) wrote in a July 1996 column in the *Nation*, “it’s hard to avoid the conclusion that as public policy, adoption is being pushed as a way of avoiding hard questions about class and sex”: “the wrong women insisting on their right to have children, the right women refusing to.”⁷

The extensive and heated public debate about illegitimacy in the 1990s and the assumptions made about its connection to a host of other social issues is reminiscent of earlier campaigns about unmarried motherhood in a country where out-of-wedlock pregnancy has functioned historically “as a language through which people might seek to contain, contest, and resolve issues of social change and sexual, racial, and class conflict far more sweeping than the issue of illegitimacy” (Kunzel 1993:5, referring to the period 1890–1945 specifically). Thus, high rates of black unmarried motherhood have been used for decades to construct African American women as “wanton breeders” (Solinger 1992:9)⁸ and have generated social policies aimed at controlling

⁶ Tax credits for adoption were included in the Small Business Job Protection Act of 1996. See also Yang 1996; Rich 1996.

⁷ In reference to the advocacy of adoption as an “alternative” to abortion by right-to-life groups.

⁸ There is far less attention, either in the press or in academic literature, to race and unmarried motherhood as it affects minorities other than African Americans. Presumably this will change in the current climate of hostility to immigrants more generally, and

their fertility and (most recently) warehousing their children;⁹ but white unmarried mothers have been viewed differently and subjected to different forms of discipline. A study by Regina Kunzel (1993) of middle-class child savers and the emergence of the social work profession between 1890 and 1945 describes the creation of a broadly cast network of maternity homes in the late 19th and early 20th century where evangelical activists sought to redeem their “fallen” sisters by teaching them the virtues of domesticity and motherhood. Illegitimate babies were seen as the product of sin, and the unwed mother as “in society a part of its problem and its filth,” responsible for “its broken homes, desertions, sorrow, misery, blighted faith, despair, and the great mass of social ills which infect society” (p. 51, quoting an early 20th-century judge). Maternity homes were intended as a form of “preventive work” through which both unwed mothers and society at large could be saved (pp. 18–19). “Saving” involved submitting residents of the homes to a strictly regimented life under the scrutiny of a matron. It also involved persuading the mother to keep her child, and to this end some homes required that resi-

particularly to Hispanic immigrants. For purposes of my own study of adoption and illegitimate motherhood, however, it is clearly the “black” (African American) unmarried mother who (sometimes implicitly but often explicitly) constitutes the “other” against whom white unmarried motherhood is given meaning. The meanings of both forms of illegitimate motherhood are shaped as well, of course, by the interpretation of “real” motherhood as married motherhood. The illegitimacy of unmarried motherhood is given particular weight, however, by its powerful association not only with the dependent (read “neurotic” or “fallen”) white woman but also with the dependent black “welfare queen” of popular myth and political debate. See Pollit 1996a.

⁹ For example, the proposal by Republican policymakers in 1995 that welfare recipients who continue to produce children and refuse to place them for adoption should have their children placed in orphanages (Wexler 1995) seemed aimed chiefly at the childbearing of black women and was notable chiefly for its advocacy of a practice that is widely condemned by the international community as inhumane and as depriving children of fundamental rights (Hague Convention on the Protection of Children 1993; United Nations Convention on the Rights of the Child 1989). One of the “problems” confronting officials eager to reduce the number of African American children living in “communities without fathers” has been the resistance of the black community to legal adoption. It has been rare, historically, for black women to place their babies voluntarily with strangers, a practice that is viewed as “throwing away your own flesh and blood.” Rather, a black mother who was unable to keep her child “might give it up to someone she knew, a friend or relative, so that she herself might retain some control or some involvement in the child’s life” (Solinger 1992:82, citing Shapiro 1967). Comparing the attitudes of the black and white communities to unmarried motherhood in the postwar period, Solinger (p. 7) notes the ways the black community “organized itself to accommodate mother and child while the white community was unwilling to do so.” Between 1965 and 1972, only 2% of children born to black, never-married women aged 15–44 were relinquished for adoption to strangers; in the next eight years, this figure dropped to 0.2%, then rose to 1% between 1982 and 1988 (Moore 1995:11).

Complicating this picture of attitudes of the black community to legal adoption is the stand taken by the National Association of Black Social Workers in 1972 opposing transracial adoption, on grounds that it constituted cultural genocide. For an overview and discussion of trends and problems in transracial adoption in the United States, see Simon, Altstein, & Melli (1994) and Howe (1995). Bates (1993) provides a personal account of the assumptions and difficulties surrounding transracial adoption of African American children by white, liberal, middle-class parents in the 1970s.

dents nurse their babies for at least three months (pp. 32–33; see also Solinger 1992:150).

By the late 1930s and early 1940s, and most notably in the immediate postwar period, this approach to “the problem” of white, unmarried motherhood had begun to change. At a time when nonmarital sex and pregnancy had become more common, while birth control and abortion remained illegal, the numbers of out-of-wedlock babies carried to term increased, many of them borne by the daughters of a population that increasingly affiliated itself with the middle class. By contrast to evangelical reformers who had endorsed the “potentially radical notion of a fatherless family” by encouraging unmarried women to keep their babies in the first decades of the 20th century, social workers in the postwar period increasingly defined the white, unwed mother as unfit to rear her child. In a postwar society that defined marriage and family as hallmarks of middle-class status, the unmarried mother became a marketable commodity as she was enjoined by social workers to “‘be a mother by relinquishing the child.’”¹⁰ Adoption, which had originally been developed as an innovative policy for dealing with destitute and homeless children in the 19th century, now became a way both of “family building” for infertile middle-class couples and for the unwed mother to “put the mistake—both the baby *qua* baby and the proof of non-marital sexual experience—behind her. Her parents were not stuck with a ruined daughter and a bastard grandchild for life. And the baby could be brought up in a normative family, by a couple prejudged to possess all the attributes and resources necessary for successful parenthood” (Solinger 1992:155).

Adoptions soared in this period,¹¹ and social workers, policy-makers, and legislators endorsed an array of measures to protect the interests and the identities of newly acquired babies and their adoptive parents, while permitting the women who gave birth to them to “get on with their lives.” These measures included state supervision over adoption (through the licensing of agencies, as a result of widespread concern about baby selling), uniform birth registration laws, and altered birth certificates. By the 1950s, all states had approved provisions that “sealed” adoption records, thus, in principle, protecting the new identity of the adopted child and shielding the soiled identity of its biological mother.

Focus on secrecy in adoption was not new. The first U.S. adoption laws, beginning with the Massachusetts statute of 1851,

¹⁰ Solinger 1992:158; and see Zelizer 1985:169–228 for a discussion of changing views of children’s “needs” between 1870 and 1930 in the United States.

¹¹ Solinger (1992:158) notes that by 1955, 90,000 children were being placed for adoption each year, an increase of 80% since 1944. Between 1951 (when collection of national adoption statistics began in the U.S) and 1970, adoptions rose from 72,000 to a peak of 175,000 (of these, the figures for unrelated adoptions are 33,800 in 1951 and 89,200 in 1970) (National Committee for Adoption 1989:69).

were premised on disguising the fact that an adoption had taken place at all. In this way, they provided an ingenious solution to an ancient dilemma posed by the common law, according to which “Only God can make heres [heir], not man” (Grossberg 1985:273). The dilemma was created by the *filius nullius* (“child of no one”), who posed a challenge to succession in established families, to property rights, and to fiscal communities charged with his support (p. 198). American adoption laws circumvented the common law “repugnance” to “creating children by act” with a kind of legal sleight-of-hand in which the *filius nullius* could be incorporated into the new (adoptive) family by erasing the old (biological) family; this “old” family then became the covert model for the new one, in the “biological” space made available through the law’s erasure of “original” blood ties. In this way the “blood institution” (Shalev 1989:11) that is central to the concept of family in Anglo-American culture and law was simultaneously eradicated and reaffirmed.¹² By “completely severing the bonds created by birth and replacing them with binding artificial ties” (Grossberg 1985:268), the new laws created an “as-if” biological family:

Statutes and court decisions used tests of adoptive parental fitness, and strict eligibility standards to make the artificial family approximate the legal ideal of a proper natural one in age, race, affection, and legal authority. The Tennessee Supreme Court observed: “It is difficult to see, upon any rule of construction, or of policy, why all the powers possessed by a natural father should not be exercised by him, who, by adoption of a minor, assumes the relationship of parent.” The courts endorsed the right of adoptive parents to change a child’s name, move its settlement and residence, and receive its earnings, all in an effort to make the artificial household replicate a natural one. (Grossberg 1985:275)

The construction of this “as if” family remained incomplete until the first decades of the 20th century, when state laws were progressively amended so that the biological family was not only erased legally by an adoption decree but all records of the original biological event—the birth of the child, the registration of its birth, and the records of its mother’s confinement—were to be

¹² Shalev (1989:11) uses the phrase “blood institution” to describe the central premise of Anglo-American kinship. A number of recent works note that there is considerable difference in how the blood tie is weighted in American culture, however. Dorothy Roberts (1995a:269) points out that in black families “incorporation of extended kin and nonkin relationships into the notion of ‘family’ goes back at least to slavery” and notes that the black community does not require “extinguishing” the evidence of biology in their system of informal adoption. Strathern (1992:3), in a discussion of Kath Weston’s *Families We Choose* (1991), argues that there has always been “choice as to whether or not biology is made the foundation of relationships.” A similar point is central to Schneider’s 1968 classic study of American kinship (Hayden 1995:45, citing Schneider 1968:62–63). But as Hayden (p. 50) argues (in a discussion of co-mothering in lesbian families), “the blood tie retains its salience even in the midst of an explicit challenge to certain ‘traditional’ notions of American kinship.”

“sealed” and an amended birth certificate produced. As family law professor Elizabeth Bartholet (1993:55) notes,

The legal system ordinarily makes no attempt to write out of existence, by sealing records or other such mechanisms, the various parental figures who walk out of their children’s lives, such as the divorced parent who relinquishes custody. It is only in regulating adoptive families—families formed in the absence of any blood link—that the government feels that it has to seal records so as to figuratively destroy the existence of the family that *is* linked by blood.

The rationale for this extreme measure, as suggested above, was the “protection” of the illegitimate mother and child. By the early 1970s, however, as adoption patterns began to change dramatically, the secrecy provisions of adoption law came under increasing attack.

The year 1970 is widely regarded as a watershed year for adoption. Unrelated adoptions peaked that year, at 89,200 (between 1960 and 1973, one in five premarital births to white women were given up for adoption; National Committee for Adoption 1989:69; Moore 1995:10). Transracial adoption, always a controversial practice, had slowly gained momentum from the mid-1950s and especially after the civil rights movement, and peaked in 1971 at 2,574 placements (Simon et al. 1994:3). By 1975, in contrast, transracial adoptions had dropped to 1,000, in connection with the stand taken by the National Association of Black Social Workers opposing such adoptions as “cultural genocide”; and the total number of unrelated adoptions had dropped to 47,700 (National Committee for Adoption 1989:99).¹³ This overall drop can be viewed in light of social and political changes (most notably second-wave feminism in the mid-1960s) and legal decisions (*Griswold v. Connecticut* in 1965, legalizing contraception, and *Roe v. Wade* in 1973, legalizing abortion), which supported women’s efforts to establish greater control over their bodies, particularly with regard to decisions about childbearing and childrearing. At the same time, because premarital sex was increasingly common (and in spite of the availability of birth control and abortion), the nonmarital birth rate in the United States continued to rise, as it had since the late 1950s. This rise was particularly dramatic in the period from 1975 forward.¹⁴

In 1976, the publication of an article entitled “Open Adoption” by two California social workers, Annette Baran and Reuben Pannor, and psychiatrist Arthur Sorosky, signaled a new direction in official response to rising patterns of nonmarital birth

¹³ By the late 1970s, only 1 in 10 premarital births to white women were placed for adoption; during the 1980s this ratio dropped to 1 in 30 (Moore 1995:10–11).

¹⁴ The rate rose from about 9 births per 1,000 unmarried women in 1965 to 15 in the mid-1970s, and continued to rise throughout the 1980s until it peaked at 45.3 births per 1,000 unmarried women in 1991 (Moore 1995:2).

and falling adoption placements among white women. Concerned that “during the past five or six years thousands of unwed mothers all over the United States have chosen to keep their children rather than offer them for adoption,” the authors proposed “a new kind of adoptive placement in which [young single mothers] can actively participate” (p. 98). Drawing on examples from Hawaii, where the *hanai* system allows children a dual identity through belonging to two families, as well as on so-called irregular adoption practices in prewar America in which a couple cared for an unwed pregnant woman and later adopted her child, Baran and her colleagues proposed what they called “open” adoption “in which the birthparents meet the adoptive parents, participate in the separation and placement process, relinquish all legal, moral, and nurturing rights to the child, but retain the right to continuing contact and to knowledge of the child’s whereabouts and welfare” (p. 97).¹⁵

In the context of the civil rights and feminist movements, this proposal, which emphasizes involvement of the birthparents (typically a birthmother) in a decision affecting their lives and that of their child, and the possibility of continued involvement in the child’s life, albeit in a limited way, does not seem unreasonable. The practice of open adoption, however, has generated heated controversy in the United States, both at official and popular levels. It was proposed by Baran and her colleagues as a way of encouraging unmarried women (and specifically unmarried white women) to relinquish their babies for adoption at a time when they were increasingly choosing to raise them alone, and thus was regarded by some members of the social work community as a positive move. But the proposal came at a moment of increasing activism among adult adoptees and birthparents.¹⁶ This activism, which focused on reuniting birthparent and child, as well as on preventing further separations, challenged not only adoption practice but also the boundaries of legitimacy in our

¹⁵ Although Baran et al. do not mention it, open adoption has antecedents much closer to home than the Hawaiian or Eskimo patterns they discuss. Like the complex mothering relations described for African American communities, where “other” mothers may care for a child while the “blood” mother continues to have a place in the child’s life (Stack 1974; Collins 1990; Mullings 1995; Roberts 1995b), open adoption acknowledges the significance of both mothers in their relationship to a child who is simultaneously both “theirs” and “not theirs.”

¹⁶ The search movement among adult adoptees, like open adoption, challenges the practice of enforced separation of birthparent and child that has been secured in policies of sealing records which have dominated U.S. adoption since the early 1920s. Likewise, the formation of Concerned United Birthparents (CUB) in 1976 by women who had placed their babies in the 1950s and 1960s and opposed the “stranger” status vis-à-vis their children that legal adoption had imposed on them provided implicit support for a new adoption practice. Today, with a membership of over 3,000, CUB has become increasingly militant, opposing adoption and favoring guardianship. In addition, it has actively participated in legal cases involving the return of adopted children to their birthparents. For a discussion of these movements opposing conventional adoption practice, see generally Modell 1994.

society, suggesting that “true” identity derived not from the legal families in which adoptive children had been placed but from the “illegal families” that had produced them. Baran et al.’s (1976) article went one step further, suggesting that a child could belong to two families, only one of which was a “married family.” The other, the “illegal family,” would continue to constitute some part of the authorized “identity” of a child (and, by implication, some part of the authorized identity of its “married” family). In this way, both family and identity were unsettled in open adoption (in ways that paralleled the challenges to identity implicit in transracial and intercountry adoption), and the practice became a potential space for challenge to law’s regulation of identity, through its control over the relationship of parent to child.

Open adoption has become a major trend in adoptive placements during the 1990s, but there is little agreement about what the practice of openness actually involves. Practitioners (social workers, “facilitators,” lawyers, and a range of others involved in the placement of white infants) describe it in terms that range from birthmother choice of the adoptive parents, to participation of the adoptive parents in the birth of the infant, to exchange of letters and pictures, to visitation.¹⁷ Visitation is the least common (and potentially most disruptive) form of “openness,” although it has been practiced for more than 10 years, and studies are under way that assess its impact on adoptive kinship (McRoy et al. 1994). The practice of birthmother “choice” of the adoptive parents, by contrast, is widely practiced by licensed agencies as well as by other adoption practitioners (although her range of “choice” varies greatly, depending on the agency, the lawyer, or the state in which she resides). The “choosing” birthmother is easily incorporated into more familiar concepts of individualism and voluntarism, in ways that the visiting birthmother, whose “choice” is not simply to identify the adoptive parents for her child but to become a part of their lives, is not.

While open adoption has spread rapidly in the past decade, it remains extremely controversial, particularly where it involves contact among the participants, and the release of identifying information that this presupposes. It is strongly opposed by one of the most visible, and politically powerful, adoption organizations in the country, the National Council for Adoption; and it is endorsed by other groups, such as the American Adoption Congress, the Child Welfare League of America, and others. The controversy over openness (and particularly over “disclosure,”

¹⁷ There is an extensive, and rapidly growing, body of literature on open adoption, but it is beyond my scope here to review this literature in detail. A concise and informative overview is provided in Caplan 1990. See also Silber & Speedlin 1982; McRoy & Grotevant 1987; Sorosky et al. 1989; Silber & Dorner 1990; Melina & Roszia 1993; McRoy et al. 1994; Modell 1994.

the legal availability of adoption records to participants) creates strange bedfellows. For example, in recent debates in Vermont over passage of a new adoption statute for the state, right-to-life groups and Planned Parenthood joined forces in opposing the disclosure of identifying information about the birthmother, on grounds that it would lead to increased abortions (according to right-to-life advocates) and deprive the birthmother of her right to privacy (according to Planned Parenthood).¹⁸

Controversy over whether and how the birthmother should be recognized in the “as if” family created through adoption has also dominated discussion during the past two years of a recently proposed draft for a uniform state adoption code in the United States. The draft Uniform Adoption Act approved by the National Conference of Commissioners for Uniform State Laws (NCCUSL) in August 1994 endorsed a provision that would seal adoption records (the adopted child’s original birth certificate and records of his delivery and relinquishment by his biological mother) for 99 years. At the same time (reflecting the contradictions and tensions around disclosure emerging in state-level processes and in the daily struggles engaging birth and adoptive parents across the country as they attempt to negotiate open adoptions), the draft act proposed establishing a registry “through which, by mutual consent, birthparents and adopted children could seek out each other” (Chira 1994). This provision was included as a result of intense lobbying by groups such as Concerned United Birthparents and the American Adoption Congress. Other contested provisions in the act include an eight-day period in which birthmothers can change their minds about surrendering their child (considered too short by some critics) and a period of six months in which a birthfather can appeal the termination of his parental rights.

Joan Hollinger, the reporter for the committee that drafted the act, describes it as taking “a really radical stand for finality by saying that once it’s over, it’s over” (quoted in Hansen 1994:58). Yet the controversy surrounding the act, as well as the hopes of many of its supporters, is focused precisely on what this “finality” entails, specifically as it relates to the “confidentiality provision,” with its transgression of what is interpreted by many Americans as an “absolute right” to information about one’s biological parents

¹⁸ The Vermont legislature, after a year of public hearings, completed a redrafting of a new adoption code (Adoption Act, 1995, sec. 136, Vermont Statutes Annotated title 15A) in May 1996. The most heated debate was generated around a section of the bill, supported by the Vermont Senate, that would have made most adoption records open to participants. The House ultimately altered this, so that cases would be handled on a case-by-case basis, with a probate judge as intermediary (Allen 1996). In Tennessee, a new adoption law came into effect on 1 July 1996 (Tennessee Code Annotated sec. 36-1-141, 1996) allowing adoptees 21 years of age or older to obtain identifying information about their birthparents and birthparents to obtain information about their adopted child. This bill, too, was the subject of “heated debate and substantial opposition” in Tennessee (Lewin 1996:A1).

(Hansen, p. 61, quoting Harvard Law School professor Elizabeth Bartholet).

This sense of an “absolute right” to knowledge about biological “roots” is inextricable from the interpretation of “blood” as defining identity in American culture. Thus, Betty Jean Lifton (1994), a well-known author on adoption issues who is herself an adoptee, argues that the biological creation narrative—“the story that beg[ins] not with [the child] but with the parents who created her”—is, for most children, “as much a part of them as their shadow; it develops with them over the years and cannot be torn away.” For the adopted child, Lifton suggests (p. 37), “the child’s narrative is broken when she is lifted out of her own genetic and historic family line.” For the birthmother, her “narrative” is cut off with the erasure of her child’s birth and her legal proclamation as a stranger—as not-a-mother—to her child.

Origin Myths—The Gypsy Moths

Journal Entries (Barbara)

4/10/84

Our nineteenth wedding anniversary. It is early morning and Finn, not quite three, has climbed in bed with us.

“Daddy and I were married nineteen years ago!”

“And then I came!”

“And then Dag came—and then you came—but that was much later.”

“And who was there?”

“What do you mean?”

“And who was there when we were married?”

“Judy, and Grandpa . . . and Hughie. We were married in California, and you were born in California. But that was much later.”

“Yeah.”

11/84

Dag, 13, is about to leave for school. I am smashing ants which appear each year in our kitchen in May and continue sporadically until winter. This inevitably leads to questions about what it is o.k. to kill. This year, I say “flies, mosquitoes, and gypsy moth caterpillars.” Finn [almost three and a half] asks, “What are gypsy moth caterpillars?” I explain that a few years ago, they ate the leaves from all the trees in our woods: “It was like a wasteland—there was nothing left!”

“Was that when I was growing in your tummy?”

I have been waiting for this question for months, wondering why it seemed so long in coming.

“Yes—but not when you were growing in my tummy. You were growing in someone else’s tummy, someone in California who couldn’t take care of her baby. Hughie [my brother] was living there and he told her that we couldn’t have a baby. And so after you were born, we adopted you.”

Finn looks worried. "But how did I get here?" "She brought you to us, on an airplane. She cuddled you in her arms all the way here, and then she put you into my arms. So you were loved all the time."

Finn smiles at this. I tell him what a happy day it was for us, that it was just before Halloween, and so Halloween is always special.

"Remember our book, *The Adopted Family*?" [We had read and re-read this book over the past three years.] "That book is about a baby who was adopted, too." Finn asks me to read it to him again now. We go to get it, and as we look in the bookcase, he reminds me, "It's grey," and then, excitedly, "Grey is my favorite color!" We read through the whole book, sitting at the breakfast table. Later, as I was cleaning up the dishes and Finn was rummaging in a kitchen cupboard, he turned around and looked at me. [Each year, we had received presents from Diana, a 'special friend' in California, who sent him a soft, stuffed frog of felt, green back and red belly, with bulging button eyes, books of fairy tales, a kaleidoscope that turned the world into magic shapes and colors.] "When the gypsy moths were eating the leaves from our trees, and I was growing in her tummy—what was her name, the lady that grew me in her tummy. Was it Diana?"

3/85

Walking along our road, playing "step on your shadow."

"Mummy—I'm in your body now—now I'm in your leg!"

A Fit Mother

Journal entries (Diana)

10/27/81

Rocking Finn for hours. He is quiet and probably a little unhappy. All this medicine (for rash) and rainy so we can't go outside. He probably senses change. Takes the bottle nicely. I put a little molasses because the Similac tastes so thin and chalky to me. New Moon.

Storm is blowing over the plants so I rush out and tie up the tall ones. Can't get the fire going.

I can't yet digest what this all means and have only my original conviction that Finn wants/deserves the best—which we can't provide here—so refer back to that. I'm sure no agency would recommend us for parents. Regardless of what the children think.

Oh well, sun and moon in Scorpio, so what can one expect.

Intriguing conversation with neighbor Anita about the Gita. Hazarat dnayat Khan! on raising children.

10/28/81

Finn dancing/bouncing a lot today. Bored while I worked, but Susan and Dotty and Anita gave him some special attention later. Still raining, still pouring. Like the Pacific wants him.

Wish I had time to get books together—The Continuum Concept, Dr. Lendon Smith on childcare etc.

*but ole rockin chair got me
Wish I had time to clear up this rash
but it will fade*

*Finn is so athletic already. He needs a lot of direction for his
strength and energy.*

The pit of my stomach—

10/29/81

This is really quite difficult.

My Instincts

*say take the babe and head
for the hills.*

Though there are certainly the Reasons

Dear Baby

Remember to look at the stars

Little Hole-in-the-Sky

he turns over

Letters (from Diana to Barbara and Sigfrid, 10/81)

Finn has very sensitive skin. I have been using various cortisone preparations which help temporarily. Mothers of other very fair-skinned children have told me that yeasts and seborrhea, dermatitis are common in the first year. I suggest a visit to a good dermatologist and introducing new foods *very* slowly. (No bleach in laundry).

He has had no illnesses, and though strong-willed, has an obvious desire to cooperate.

If things get rough, rocking and singing seem to be the best solution. Carrying him *in your arms* for short walks is also very soothing.

He has been quite good-natured in spite of rash and teething. Loves semi-rough play—wrestling and bouncing on top of my head.

He seems unusually adaptable.

We hope you will love him as much as we do.

Secret names: Pokey Wildcat, Pokey Pudgepots, Busy Busy Bee

Postcard (from Diana to lawyer, undated)

Dear Mr. Kaplan,

Here's a shot of our downtown for Peter O. who wanted to see. It would ease my heart to know that Finn is healthy and happy. Is there any way?

Many Thanks,

Diana

Letter (from lawyer to Barbara and Sigfrid, 11/25/81)

Dear Sig and Barbara:

Enclosed please find the card that I received from Diana M. Before I respond to it, I would appreciate hearing from you as to your thoughts in this regard.

Yours very truly,
David R. Kaplan

Birthmother**Cassie**

It is spring 1995, and I am sitting in the comfortable office shared by two of the social workers at Friends in Adoption, a “non-traditional,” licensed, adoption agency in Middletown Springs, Vermont. I have been studying the agency for four months, attending orientation weekends for adoptive parents, sitting in on consultations involving social workers and adoptive parents, and interviewing birthmothers, adoptive parents, and agency staff. It is early evening, and I have just driven with one of the staff to the bus station in nearby Rutland to pick up a young birthmother, Cassie, who placed her infant son for adoption just over a year ago. Now 20 years old, Cassie will describe her experience to prospective adoptive parents at an orientation session the following day. She has generously agreed to my request for an interview, although as we drove back from the bus station she had mentioned a tiring day with several job interviews, then “a hearing,” and finally a hurried trip across town to make the bus for Rutland.

Cassie has brown hair, pulled back from her face in a ponytail. Her family is Catholic, her mother a housewife, her father “in construction,” where he works as a “jack of all trades.” She begins by explaining how shocked she was to hear from a nurse that she was pregnant, although she had suspected it for some weeks. “It was just like someone had hit me. I just, to hear it, was totally different. And I just sat down and took a deep breath, and started to cry.” She was 18 at the time, and the only person she told about the pregnancy was her mother:

My Mom wanted to take a walk with me, and all she, she just looked and she goes, “Are you expecting?” “Like, expecting what?” [nervous laughter] And she, she, like, “How could you do this?”, and “Why didn’t you tell me?” She’s like, “Well, we’ve got to call the doctor,” she’s “You can’t have this baby with your back,” and, you know, “What is your family going to say, and your friends, and dadadadada,” and she just like, “I can’t believe you *did* this!”

Cassie was unwilling to have an abortion—“It seemed like such a dark, deep alley, I did not want to go down it and ex-

plore”—but because she was unable to tell anyone other than her mother about the pregnancy, she moved out of her family’s home and went to live with a foster family affiliated with Catholic Maternity Services, an adoption agency in her home town. She was unwilling to place her baby through this agency, however, because although it would allow her to choose the adoptive parents, it would not allow her to have direct contact with them either before or after the baby was placed:

I could write a letter. They could maybe write back and they [the agency] would tell me what they said in the letter, and it just didn’t feel right. I was like—if I’m going to give this baby up, I need to know—the welfare, you know, I don’t need to know an exact location, but, did they take this baby off, like and they’re working him on a farm, or, is he in the city?

Cassie explained that when she first thought about adoption, “I was thinking of probably the dark age way, you know, you just kind of sent your baby off, and that was that?”

And I couldn’t live with that. I figured the baby is part of me, I know what I can handle in life, the kinds of situations, the upbringing, things like that, I’m, it’s part of me, and I know how the happiest I am, in certain places. So I wanted to kind of feel that out. . . . I wanted a couple who either had a young sibling or wanted to adopt and have more children. Um, someone who didn’t really live in the city, but I didn’t want anybody who lived, you know, far from other residents or anything like that. And, just, somebody who had something of an education, you know, who was stable, and who could, you know, not struggle in life, who was happy and, just all those things, you know, that you think a family should be.

She discovered Friends in Adoption, the third agency she tried, through an ad in the Yellow Pages, and then only after she had given birth and the baby was in foster care. A social worker from the agency came to her town and met with her and with her mother so that they could look at adoptive parent resumes.¹⁹ She and her mother chose Steve and Jane, an adoptive couple from Connecticut, because “my mom was—on the back there was pictures, and she’s like, ‘Lookit, you can see it in their eyes, how happy they are. That they love each other’. . . . And there was a picture of Steve and he was holding one of his nieces, and he should look so comfortable with it, you know, we were like, ‘That’s great’, we can just see him with a little baby in his arms ’cause he’s such a big guy.”

In spite of her conviction that adoption was the best choice for her baby, Cassie struggled with the decision for several days

¹⁹ Adoptive parents typically prepare a one-to-two-page story about themselves, with pictures, which is kept on file with the agency and sent out to appropriate birthmothers, who begin the process of choosing an adoptive family by looking through resumes.

after the baby was born. A nurse in the hospital told her, “I kept my kid,”

and she kind of encouraged me to keep the baby. She says, “It’s really rough, but you can do it.” She goes, you know, “I just can’t imagine not having the baby.” And I couldn’t do it. I thought about it. I struggled with it for four days. It just, it didn’t make sense, it didn’t feel right.

Cassie described the actual moment of handing her baby over to Steve and Jane as

pretty hard, but I was really, really happy for them. I mean, it, it was like—it was difficult to give the baby up—but when Jane and Steve took him, when I handed it, you know, they were just, they were a complete family, you know? And I kind of always put it in the back of my head, from the time that the baby went into foster care that, he’s not—mine—because I didn’t want to get—confused [crying]. So, I was more happy, and a little relieved for everybody, you know. They just looked so perfect together. . . . I miss him, but I know he’s much happier, and he’s going to be better off than being with a single mom who . . . right now can’t make a living for herself. I don’t, I wouldn’t want to bring a baby into the world and have to raise a child and have to struggle, you know, even if I could make it happen for them, I know that they sense things that I don’t want them to have to go through with that. It’s just not right.

Although Cassie had specifically sought adoptive parents who were willing to maintain contact with her after the adoption, she was reluctant to define the nature of this contact in advance.

They asked me what I wanted to do, whether it was a visit once a year, or just letters, or no contact, and I said, realistically, how can you say, you know, how can you make a plan, I said, we’ll just see how things go. I don’t want to say, you know, a visit once a year, and if I’m not feeling up to it, or if you’re not comfortable with it at that time, to have to go through with it, ’cause that’s friction and, it’s not for a healthy relationship. So, we just basically left it open . . .

By contrast to the flexibility and openness she envisioned in her relationship with the adoptive parents, Cassie described the legal surrender of her child before a judge as involving “a very large period”:

CASSIE: I went to the judge’s office with my lawyer, and she said, I’ve got a great judge for you. He’s very compassionate and he’s not going to ask you a lot of questions, or make you feel like you did something wrong, you know, and he didn’t, he told me he was proud of me, and you know, just wished me well, and he got it over very quick, which I was thankful for.

BY: What did it involve?

CASSIE: It was a paper already written out, just saying that once I signed those papers that I’d given up all right and say in the baby’s life, legally. I just, that was it. And to someone to

kind of just put a very large period at the end of a sentence like that was like, whoa, it, it hit hard. But, it's written blunt like that so you know. They can't make it cushy and comfortable in that respect 'cause you have to realize what's going on, and, boy, did it! And it pretty much went through in a matter of minutes, and that was it.

The most painful part of this interview with Cassie came in our conversation about how her relationship with the adoptive family was working out. Crying uncontrollably, she described her worry about "treading on their toes" and about jeopardizing the security of their relationship with her son.

I saw them last year at the picnic [an annual picnic held by the agency], and we've written a few times, they sent letters and pictures, and, and I've written them a couple times, but, I, I kind of don't want to tread on their toes. I want them to feel secure, and, and have that family started. I don't want to be left out, but I really haven't kept as much contact as I wanted to . . . only 'cause I don't want to seem like I'm being a pest, or, I don't want them to be afraid [crying throughout].

Hovering on the margins of a family she "made," Cassie's reluctance to "keep as much in contact as I wanted to" bespeaks her dread that if she fails to completely foreclose her relationship to her child (that is, if she fails to completely cast him away), he will never have a "true" mother. She can see no place for herself in the adoptive family that will be "comfortable" and "clear" for her son, so that he will know "who's who and what's what" and will not be confused about who is his "real" mother. She worries that he will "hate" her for giving him away. As a result—and this has come up repeatedly in other birthmother interviews—her desire to act in the best interests of her son works against her desire to forge a relationship with the adoptive parents so that she can keep in contact with him. At the same time, her desire not "to be left out" continually reminds them, and herself, of the tenuousness that *each* experiences in the connection to the adopted child. Cassie describes this ambiguous position as "wandering in a wilderness . . . it's like being in a new country where there are no signposts to tell you where to go." The illegitimacy of her connection to her child, and the need to guard, at all costs, the secret of her pregnancy, reinforce this sense of being lost, and of needing to redeem herself, morally and socially.

I mean, I know the situation I got myself into, it wasn't right, but I'm trying to do the steps now to make it better, and easier, and I'm just trying to correct it, from here. I mean, it was a mistake to do what I did, it wasn't a mistake to have him, it wasn't a mistake to put him into adoption, an open adoption, more or less. You know, I just, I, I'm really happy, I miss him, but I know it's best. It's what I always wanted and that's pretty much what's happening.

Eileen

Cassie's anxiety about how to forge a relationship with her son's parents is echoed in the words of other birthmothers across the country. Eileen, a slender, poised, 29-year-old high school teacher from Wyoming, placed her infant son in 1993 with a couple from a nearby town whom she chose because they were

a good, Catholic, family, the grandfather made sure that all the grandkids got to Catholic school, and all that kind of stuff, and I knew that since so much of my decision to have the baby and go through with the pregnancy was based on my Catholic faith, that I thought, I want this baby to grow up in an environment that's the same, so that when it comes time for all those questions to be asked, like, "why didn't I grow in your tummy, why did I grow in Eileen's tummy?", that sooner or later the baby would understand that's exactly where my decision was coming from.

It was also important to her that this family was "not just anybody, it's not just somebody [my lawyer] knows, it's somebody that Jim [her friend] knows, it's somebody that *I* know."

In spite of this effort to choose someone "known," however, Eileen spoke two years later with considerable ambivalence about her relationship with the adoptive parents:

It's, it's good in that, um, I mean I'm able to feel like I can call them up at any time and you know, go and visit the baby, but I just can't think of anything that's the most touchy thing between human beings is this relationship between the birthmother and the adoptive parents and the baby. I mean, I don't know anything that can get more complicated and differ from people to people.

Eileen worried that the couple viewed her as "the birthmother," as described for prospective adoptive parents in books she had read about adoption

and I just thought, "oh my God, who is this person who thinks that they can tell adoptive parents what to expect from the birthmother?" And it just made me think of [the woman who adopted her son] going to the bookstore, buying these books, reading them, and thinking, this is the way we're going to deal with Eileen. . . . And I thought, that's not why I even chose this couple. I chose this couple because through a friend of a friend, that's how I know them, and that's where it really kind of, I feel, blew up in my face, is that all kind of fizzled out, and I wasn't treated like we had this connection.

Eileen spoke repeatedly nonetheless of her conviction that her child's welfare was dependent not only on him being raised in a proper Catholic family but on her continued presence in his life, that he "know who I am." In effect, it was *because* she had placed him in a Catholic family that was "the same" as hers that she felt able to trust that her child could know her, even though she had

knowingly given him away. Yet she continually experienced the law as inserting itself into this relationship of trust, dividing her from the adoptive parents and threatening her possibility for remaining connected to her child. For example, she spoke of looking through a photo album in her lawyer's office and finding a picture of them in court on the day the adoption was finalized:

And that was the biggest sock in the stomach, because, and I'll tell you why [her voice becomes husky]. You know the whole thing that we say that you know I'm trusting them with my child? And I wanted them so much, that once I made that decision that for them to trust me and for them to make *any big deal* out of that [finalization] date, or to make any, for that to be an important thing to them really hurt, because what it was truly in my mind was when I left the hospital. That to me was the covenant. . . . When I left the hospital, they just happened to be in the lobby, and I'm crying and Jim's [her friend] trying to wheel me out the door fast and get me home, and they're there in the lobby. I knew that, you know, this is it, I've said goodbye and I had my long night and day with him [the baby] and, and everything, *that was it*, that was *me* saying "here's this baby, I'm not going back on this, and I know I did the right thing." So for them—and I understand it, it's the most important thing, they're so afraid, and they're afraid I was going to change my mind—and the big thing for them, *and* he's an *attorney*, she's a real estate broker, is to have it on paper, that August 21st date was so important to them, but to me, that was just like, uhhh, couldn't even look at the picture, *just* like a sock in the stomach.

The metaphor of law as "like a sock in the stomach" in Eileen's description echoes Cassie's representation of the surrender proceeding before the judge as "like a very large period at the end of a sentence" that is "written blunt like that so you know." And Eileen's juxtaposition of contract with covenant in describing her struggle to work out some form of ongoing relationship with the adoptive parents of her child recalls Cassie's sense of the relationship with the adoptive parents as something that should "basically [be] left open" because it continues to develop, "just like the baby."

Open Adoption

From the perspective of these and other birthmothers I spoke to, open adoption is principally a way for them to remain known to children whom they experience as "a part of me," without interfering in their child's absorption into a "complete" family. Thus they struggle to position themselves flexibly vis-à-vis the adoptive parents. They want the parents to "feel secure" but also want to remain in touch with "the part of me" that has been entrusted to their care.

This delicate process of keeping distant while remaining available contributes to the materialization and stabilization of the “real” (patriarchal) families these women have made.²⁰ The very tentativeness of their gestures underscores their separateness from the adoptive family and the absence of a known place for them in a network of family relatives (they are not, as one social worker suggested, “just like an aunt” or some other relative by blood or marriage). Yet their occasional presence implies the “almost mystical commonality and identity” (Schneider 1968:25) that they experience (and the adoptive parents experience) as grounding the relationship of biological mother and child, a relationship that has provided the affective ground for patriarchy for at least the past century and a half in American culture.

Like the birthmother, whose sense of responsibility for her child both keeps her in touch with the adoptive family and keeps her away, the adoptive family is also torn between distance and proximity. The proximity of the birthmother affirms the centrality of “a set of relatively noncontingent ties” (Collier et al. 1982:33) to their family life. As Cassie (the birthmother quoted above) explained:

I mean, it’s very strange because, just this last week, the baby and everything was on my mind, and Patty and Bob and everybody here [at the adoption agency], and it was the next day Patty called and asked me to come [speak to a group of prospective adoptive parents]. And it seems that every time I have something heavy on my heart like that with the baby, I’ll get something from [the adoptive parents] or I’ll hear [from the agency], so I know it’s, *there’s something deeper than just, plans on paper, or things like that.* (Emphasis added)²¹

Yet for this very reason, the presence of a birthmother is discomfiting. Her presence constantly places a “pure” biological relationship “in your face” (to quote a prospective adoptive parent who was deeply skeptical of any kind of openness in adoption).²² In a society where “legal rights may be lost, but the blood relationship cannot be lost” (Schneider 1968:24), the emotional and/or physical presence of the birthmother is a constant reminder to the adoptive parents of the emotional fragility of their

²⁰ Compare Judith Butler’s (1993:9) discussion of construction as “a process of materialization that stabilizes over time to produce the effect of boundary, fixity, and surface we call matter” (emphasis omitted).

²¹ See Modell 1994 for a discussion of the distinction between contract/paper and trust among CUB participants.

²² An interesting twist on the tensions between birth and adoptive parents is described in Hayden’s (1995) account of biology in lesbian kinship. Hayden notes that “the ‘birth mother’ has a validated and immediately recognizable relationship with her child, while her partner (as neither a biological parent nor a legally recognized spouse) is doubly excluded from the realm of kinship. Her marginality is expressed in the dearth of established, much less positive, terms for the role of the ‘co-mother.’ Often represented as the proverbial ‘lack,’ she is the ‘non-biological mother,’ the ‘non-birth mother,’ the ‘other mother’” (Hayden 1995:49, citing Riley 1988:89).

“paper” tie to the adopted child, a tie that is “like a sock in the stomach” or like “a blunt period at the end of a sentence” but not a tie of “mystical commonality” or identity, a tie of blood.²³

This complex juggling of distance and nearness between birth and adoptive parents is illustrated in the following account of how the adoptive couple with whom Cassie placed her child has managed to keep her “in” their family while at the same time keeping her “out.” I draw principally on a taped conversation I carried out with the social worker who handled the adoption, in which he recounted the adoptive parents’ fears about “the birthmother” and their efforts to acknowledge her to friends and to their son while at the same time protecting themselves from the dread that she would be so compelled by the baby, were she to see him or to see the most beautiful pictures of him, that she would have to come and take the child away.

Steve and Jane Campbell

The social worker contacted the adoptive parents, Steve and Jane Campbell, after Cassie had spoken with me, and after she spoke at the orientation weekend for prospective adoptive parents on the following day. The agency is committed to the philosophy that birth and adoptive parents must learn to reach out to each other and that the agency will facilitate but not push this reaching out. At the same time, because Cassie seemed deeply distressed about the lack of contact with her child and unsure about how to connect with the adoptive parents without “stepping on someone’s toes,” the agency decided to intervene. One of the social workers called the adoptive father, Steve:

SOCIAL WORKER: I said to him, you know, uh, expressed what Cassie’s concerns had been. Like she hadn’t received anything I think at [the baby’s] birthday, she’d nothing at Mother’s Day. And they’d agreed they were going to be in touch like four times a year and maybe meet in person one time a year. So, of all the times, those anniversary dates would be critical. . . . So I said, “Well, Steve, how come you

²³ Note in this connection the observation by Joan Heifetz Hollinger, a well-known authority on U.S. adoption law and reporter for the NCCUSL committee that drafted the Uniform Adoption Act, that one of the principal elements of legal adoption in the United States is “that it be a gratuitous rather than commercial or financial transaction, analogous to a transfer pursuant to a will or the altruistic deeding over of real property. Birthparents are said to ‘bestow’ their children directly upon the adoptive parents or to ‘surrender’ them to child-placing agencies” (Hollinger 1993:49). Hollinger goes on to argue that “the notion that adoption is not contractual is so powerful that it obscures the extent to which bargaining is intrinsic to a transfer of a child by a birthparent in exchange for a promise by adoptive parents or an agency to support and care for the child and thereby relieve the birthparent of these legal duties” (ibid.). My conversations with birthparents and adoptive parents, as well as with social workers and attorneys involved in placing children for adoption, suggest that for these participants the “felt experience” that this is a legal transfer is precisely what everyone is attempting to compensate for. This, in turn, produces the rhetoric of “surrender,” “bestowal,” and so on in which adoption is constructed as *not* a market transaction (see also Landes & Posner 1978).

guys didn't, uh, didn't follow through?" And he said, "Wellll . . .," he said, "We've written a letter to Cassie back in December, January, saying, 'Gee we did a video, would you like to see that?, um, 'How are things going? Would you like to hear something from us? Here are some pictures, and dadadadada'." And they got a very generic response back from Cassie that didn't commit one way or the other about what she wanted. And then I think that played havoc with their own anxieties. And, he said, "Wellll. ." Then it became, "Well, maybe she'll be too upset, if we were to send these on [the baby's] birthday, or on Mother's Day." Steve said what he had hoped for, his ideal dream, was to be able to have direct phone contact with Cassie, if and when she wanted to call, or that they could call her, but he really wanted her to feel comfortable. He said that Jane [the adoptive mother] is a worrier and she likes to worry a lot and she thinks it would be too invasive for Cassie to be able to "reach into our lives like that." So Steve was going to write Cassie a letter and was going to mention that they were really worried that she would find Mother's Day and [the baby's] birthday to be real difficult, and Jane nixed that. She said, "No, no, no, don't even bring that up 'cause that might make it worse." So they were obviously in a different place.

And then Steve told me some really neat stuff. He said, "You know, we're really thankful for Cassie, because she has provided us the greatest gift anybody could and he said, like, *her picture's on our refrigerator, our friends come by, and we say this is our birthmother, Cassie. He said, every time we write to her, we read the letter to [the baby],*" [emphasis added] (I mean, he's, you know, like a year old!). And I said, "Steve, I'm not the one that needs to hear this stuff, you guys need to be telling Cassie, she needs to understand how you value what she is in your life and what she's given you guys." . . . Jane was real guarded. She said, "Well, it's just that, it's the birthmother role that she's in, you know." I said, "Jane, there are people who would give their left arm for a caring, loving birthmom like Cassie," and I shared with her some of the pieces that Cassie had given in her get-acquainted speech [to prospective adoptive parents] about "Well, maybe they need time and space to develop," the gist of it being that she was cutting them all kinds of room, making excuses for them for never having sent her pictures. And I said, "Geez, I mean, she's not making demands." I said, "She has fears, you have fears . . . and you guys did make a commitment and one of the reasons Cassie placed with you is because she wanted openness. You said yes although no one contracted anything, that it would be four times a year plus a personal visit. My feeling is, you've got to live that up, the way you said you were going to do it. If you agreed to send her stuff, let *her* decide if she wants to open it. This way she has no choice, she

has no information, she's out of the loop." I think that's kind of the key to this whole thing, is everybody staying in the loop with each other regularly because everyone then starts generating their own fantasies, what must be wrong, or what they must be thinking, or what they must be feeling, and then the fears just kind of like take over. And Jane acknowledged that she'd felt that way last year until she went to the picnic. Then she saw that "Cassie wasn't after us." So I said, "I will be available to reconstruct the loop. I don't need to hear this stuff, I need to make sure that you guys hear it from each other, otherwise it's waste, it's wasted effort," and I said, "If you don't do it now, when [the baby] is this young, you'll *never* catch it again, and who knows, Cassie is already feeling badly enough, that might be enough to have her withdraw. Do you want that for [the baby]?" And they said, "Well, no, we always want to know she's available." I said, "Well then you need to nurture her, you need to nourish her, reach out to her."

BY: You see, that's the thing that I think that adoptive parents *absolutely do not understand*, because they have constructed it in a totally different way, that this woman is going to come back after the child, and I always felt that because the birthmother that I was dealing with, and I think this is true of Cassie, was so restrained and worried that somehow she didn't want to interfere with Finn's connection to us, that it was, it was up to me to keep the relationship, I didn't have any social workers involved in this, so it was up to me to keep the relationship going, and I think that that's an inconceivable notion to the adoptive parents, they simply don't understand it.

SOCIAL WORKER: I think Steve gets it, absolutely. I think Jane gets it, but she fades out when her fears take over, and her anxieties. Yeah, for her it's like, "Oh, my God, is she going to take him away?" The conversation that I then had subsequently with both of them, I set up a conference call and I talked with them last Thursday. And it was neat because Steve was able to confront Jane, you know, and he's a social worker in a hospital, he's got great skills. And he said, "You know, Jane, why don't you just level about what it is that you're saying?" She kept saying, "Well it's the role thing, it's Cassie the birthmother." And I said, "No, no, no, no, we've talked about this, let's drop the role thing. We're all people here, and we're all in [the baby's] life, in one way or another." And uh, I said, "What was the fear when you were videotaping, was there a fear . . .?" And Steve said, "Yes, there was. . . ." And I said, "I don't want to hear it from you." I said, "What was the fear, Jane?" I said, "Was it that she'll see [the baby] and fall in love with him, and just *want to* take him back?" And she started to cry. And she said, "Yes!" And she said, "But are we the only people that feel like that?" And I said, "No! My God, I will bet you that in every adoptive parent's heart, there's a little black wrin-

kle somewhere that is afraid that the birthparent is going to change their mind and want to come and take the baby for their own." I said, "No, you've got company of probably every other client that FIA has ever worked with, and *way* beyond that. That's o.k., it's *o.k.* for you to have that fear. And the only way you can overcome it is to have the reality of who Cassie is, and not your fantasy of who she is."

In an earlier conversation, the adoptive mother had described herself as "just wiped out emotionally" when they met Cassie at the adoption agency's annual picnic a year earlier. "You just can't imagine what goes through your head." But she said, "When we saw her, it worked fine. I asked her if she wanted to feed [the baby], and she said 'Yeah.' I'd assumed she would do it naturally because he came out naturally, but she was all thumbs. We went off and left her a while with Jesse [the baby]."

Here the adoptive mother's fantasy of Cassie as a "natural" mother who would fall in love with her baby and run off with him bumped up against the "reality" of Cassie as "all thumbs," making it possible for her to leave Cassie with the baby "for a while." Again, the subtle interweaving of distance ("all thumbs") and nearness confirmed the adoptive mother's sense that although Jesse had not come out "naturally" from her, she was now "naturally" able to feed him (thus, that she *was* his mother); this, in turn, allowed her—in the relatively safe environment provided by the agency picnic—to affirm Cassie's possible "need" or "want" to be alone with her baby.

This complex process of approach and backing off, of restraint and of reconnection, can be seen in a range of other "open" adoptive relationships, some involving more regular visits between birth and adoptive parents, others only involving contact by letter mediated by an agency, and others some combination of phone contact, letters, and visits. In all of these, the "paper" (market, formal, legal) dimension of the relationship represents, for both sets of parents in my interviews, "a major cutoff" (Lifton 1994:47, quoting psychologist Harriet Lerner). It is the "very large period at the end of a sentence," that Cassie experienced as "like, whoa, it, it hit hard." Yet this paper relationship both allows and is in tension with, for these families, a relationship that is experienced as *not* cut off, that is "basically left open," as Cassie said, in order to "just see how things go."

Joe and Ann Farmer

For the Farmers, a young adoptive couple in Vermont, the sense that something should be "left open" as they were beginning the adoption process, and the sense that an official (that is, paper) certificate represented closure, emerged at an early point in their relationship with their baby's birthparents, Kate and

Mike Kelsen. I spoke with the Farmers in the living room of their comfortable house in the northern part of the state:

JOE [the adoptive father]: We were sitting here, getting ready to go to work one morning, it was a Tuesday morning, and all of a sudden—the phone rang, and it was like, it was the *baby phone*?²⁴. . . And so, you know, I like picked up the phone, and Mike [the birth father] was like, “Yeah, Joe, Kate’s in labor.” And we were like, wow! you know, and uh, we were like, just let us know what’s going to happen here. And he was real, he wanted to know what name we had chosen. . . . And he said, it was important, he wanted to know for the birth certificate. Because otherwise it was just going to be “baby . . .” You know, “baby Kelsen.” And we’re like, well that’s up to you, you can do what you feel you’ve got to do and we’ll deal with that later. . . .

ANN [the adoptive mother]: Well, Joe had looked at me, and I said, “I want to wait to see him,” ’cause I thought, we had “Kevin” picked out, but I thought “what if we see him and we change our mind?” I was like, what if we have a different feeling about this—this just, this just isn’t the right name? So, I don’t know why. Joe thought I was really silly. He still says that I was silly. He said, “why don’t you just name him?” Because, I just thought if we saw him, I just might have a different feeling, and then there’s this name on this birth certificate and I can’t change it. But that’s stupid because now I realize you *can* change it.

For both sets of parents here, the official recording of the baby’s name on the birth certificate became a key moment that marked the termination of the birthparents’ relationship to their child and the beginning of his new relationship to the adoptive parents. The birthparents would eventually spend several hours alone with their baby after delivery, while the adoptive parents waited in a separate room. The birthmother (Kate) said of this time just after delivery:

KATE: I was *sad*, and I was scared to see him. I wish, like my only regret is that I had seen him more when I was in the hospital because, I just, I was so scared to see him, like Mike [the birth father] had to work and stuff, and I, and they’d [the nurses] ask me, “Do you want to see him?” and I’d just say “No.” Even though I wanted to, I was just scared to.

BY: You were scared because you were afraid you’d want to keep him?

KATE: Exactly. And so, finally, Mike came and I saw him again and we kept him in the room for a long time.

²⁴ Adoptive parents who are advertising for a baby commonly install a separate phone line with an 800 number for calls from birthmothers. In this case, the adoptive parents had been in phone contact with the birthparents for the last three months of the birthmother’s pregnancy and had used this phone for conversations with both birthparents.

By contrast to this time “in the room” with the baby, their reluctance to name their son, and eagerness to have the adoptive parents do so, marked the coming separation and their tacit acknowledgment that naming also represented a kind of intimacy, the right to bestow an identity on the child. For the adoptive parents, likewise (and specifically for the adoptive mother), naming marked a kind of irrevocable binding of their new child to them (“I can’t change it”). Because of this, Ann Farmer did not want to “change her mind” and insisted that she wanted to “wait to see him” before naming him “Kevin,” just in case she had a “different feeling” about who this child was.

The sense of the power in naming and of the way this binds (and may subsequently sever) parent and child emerges strikingly in the following account by a young California birthmother (Kit):

I knew they [the adoptive parents] would change her name. I just knew they would . . . and . . . um, I guess that was *my* way of still claiming her. I told them, I said, “Well, personally, I like the name Janella for her, but if you guys wanna change her name, that’s ok by me.” You know, I knew they probably would, because, that’s just, like when Regan [the lawyer] said, “Janella, that’s kind of flashy for Sarah and Daniel.” They named her Rebecca, and, um, that’s very Montana, don’t you think? . . . I guess in a way I still kind of held on to that [name]- “she’s mine and I can go git her back any time I want to.” And I knew I didn’t want to, but I could if I wanted to, and now that all my *power* has been taken from me that I *can’t* get her back, even though I never *wanted* to, I *could’ve*, if I decided that. . . .

For both of these birthmothers, naming marked both a closure and a transition into an unmapped and uncomfortable, but nonetheless compelling, “relationship” of sorts with the adoptive parents. The first woman (Kate) explained:

I didn’t know what our relationship was going to be after she had the baby. And, I mean, I don’t, I don’t want to push myself on her and I never did, so, I didn’t want to come to need her friendship or anything [during the last months of her pregnancy, when she was in contact with the adoptive parents]. I don’t know, it was just an uncomfortable thing.

This discomfort expressed itself in a reluctance or inability to respond to the letters and pictures sent by the adoptive parents. As the social worker who handled the case told the adoptive parents, “Kate and Mike [the birthparents] are really having trouble finding words right now.” The adoptive parents, by contrast, worried that the birthmother stayed an extra night at the hospital (because the baby was underweight and had to remain) and that she waited longer than the required 7 days (in Vermont) to sign the consent papers. In addition, they worried about possibly running into her after the adoption was complete [she lived in a

local town], and whether they should acknowledge knowing her if they did see her:

JOE: I thought I saw Kate in a store, you know, and it was just a really weird meeting of this person I thought that was her, and it turned out not to be her [in fact, the person he saw *was* the birthmother, who recognized him, and her son]. And we had wrote a letter at that time, to Kate, saying that if we ever did, because chances were that we could probably meet each other in this area, don't feel that you have to run and hide.

ANN: I don't want her to feel that she couldn't approach us. I would want her to say something, if she saw us, if she felt comfortable. I mean if she didn't feel comfortable, I wouldn't want her to, but if she was thinking, like, gosh, I'd like to say something, 'cause, we certainly didn't, whoever we're with, we're not hiding anything, so it was her that would have the concern.

This extreme cautiousness on the part of the adoptive parents is reflective not only of their concern about the birthmother's possible need to "run and hide" in order to avoid confrontation with a past she had possibly put behind her, but it also suggests *their* need to avoid confrontation with *her* and with their own fears about "the birthmother" and her possible disruptive return, as indicated in the discussion above about Jane and Steve.

As in the earlier example, the agency again played a role in encouraging the two sets of parents to remain in contact. In this case, the adoptive parents wrote to their social worker, asking her to tell Kate, the birthmother, that if she should accidentally bump into them, they would not object to having her acknowledge their relationship, if she felt comfortable doing so. Kate, in turn, had also written to the social worker (as a result of the accidental encounter with the adoptive father), indicating that she would like to arrange a meeting with the adoptive family. She made clear however, as the adoptive father put it, that she

didn't want to force herself upon us, didn't want to make it look like she was barging into our lives, and that she was going to come back and claim Kevin and all this . . . and she didn't want that to look like that was the situation. It was a really nice letter that she wrote. So I talked to [the social worker], I called her up, and we had a really good talk about it. 'Cause I definitely had some concerns, I had some concerns that Kevin was going to be confused, in that being, you know, just turning four, what were some of the things that I really needed to be aware of.

The social worker contacted both sets of parents, who then spoke with each other and arranged to meet, together with the adopted child, at a local park. The meeting at the park went well, according to Joe, "as far as we were concerned and from what we saw and how they reacted," although Kevin was "really wound up"

and the adoptive parents were initially “fidgety and nervous.” He continued,

It was neat for us to see the three of them together, because you could really see where Kevin gets his looks. . . . We were never threatened by it. That was a *major* concern on Kate’s [the birthmother’s] part. She did not want us to feel threatened by her. And we never, that really never even entered our mind. And when I called her on the phone and said, you know, look, we are not threatened by this. We’re excited that *you’ve* decided to do this and let’s, let’s take it to the next step and let’s do that. If you’re comfortable with that, then we’re comfortable with that.

Kate (the birthmother) describes this meeting with the adoptive family in the following way:

I just wanted to see them again. I mean, it’s really—weird, because I was saying, you know, well, what happens when birthparents meet the kid again? I mean, how do people feel about that, and they’re [the agency] like, “Oh, there’s not enough research to tell you.” . . . I had started talking about it with [one social worker] and then [another social worker] took over. ‘Cause I was so sure in the decision [to place him for adoption] and [my boyfriend] was too and we felt that we could handle it, as long as they were open to the idea. And we didn’t, you know, we just, we don’t *know* how they feel, really, because it’s impossible to measure that. I was scared to ask because I knew that I could handle it, but I didn’t know if they’d think that I was pushing too hard and I don’t want to interfere with their lives, but I just did want to see him again. I mean I wanted to see him as a person, ‘cause when I saw him he was just an infant. And I see pictures, but I just wanted, you know, to hear the sound of his voice and to see what he was *like*. . . . [At the meeting], Kevin was really—you could tell he was a little bit shy and uncomfortable, like he knew something, and then, um, we were just, you know, I just talked to him a little bit. And he wanted to be pushed on a swing. . . .

These accounts suggest once again the simultaneous fear of and longing for the birthmother by the adoptive parents and the tension between desire “to see what he was like” and avoidance of “pushing too hard” in the birthmother’s response to her child. It is in this complex emotional context that the adopted child becomes both “my baby” and “not my baby” for the birthmother, and that her child’s connection to the adopted parents is at the same time secured.

The young California birthmother (Kit), who spoke above about losing her power to reclaim her daughter when the adoptive parents changed her name, described this intricate process of claiming and relinquishment as she recounted a visit with her daughter at the adoptive parents’ home nine months after the child had gone to live with them:

When I left the baby with 'em, it was a 7-month old baby, it didn't even have any teeth, it couldn't walk, it couldn't talk, it was just a baby. And now, she's, she's not *my* baby anymore, she's *their* baby. She's very much Joan and Daniel. She's very quiet, she sat at the piano and played the piano. Um, she [the baby] didn't really want me to hold her. She's kinda shy. And I wanted t' hold her and cuddle her, an', an' she was kinda like, she didn't *know* me, she didn't know who I was, but, you know, I guess I kinda didn't, I kinda expected her to know who I was. And, I guess I expected her to know me, and she didn't, and it was like, she wasn't *my* baby any more, I mean, she's my baby but—but she's Joan and Daniel's baby now. . . . Which I know she'll know who I am, and I still love her, and she knows, or will know, she doesn't know now, but she will know who, that I'm her mom. But Joan's her mother. I, I'm her mother, but Joan's her mommy.

Kit's struggles here with what it means to be a "mother" to the child she has placed for adoption are shaped by the exclusions and silences of a patriarchal discourse of family in which there is no place for an emotionally charged connection of mother to child that is not already prefigured by a "moral" law in which a woman's husband has a key place. Under these conditions, the only way for Kit to be a mother to her baby is to make her Joan and *Daniel's* baby. As Martha Fineman (1995:145) notes, "the legal story is that the family has a 'natural' form based on the sexual affiliation of a man and woman." This "sexual family . . . simultaneously exists in our social imagination both as a legal institution and as a cultural ideal with divine credentials. The nuclear family has an assumed 'naturalness,' venerated in law, institutionalized as the appropriate form of intimacy and secured against defamation or violation by unsanctified alternatives" (p. 150).

Like the other birthmothers described above, Kit accepts these terms for motherhood but struggles to rework them by inventing subtle distinctions between "mother," "mommy," and "mom": "She will know who, that I'm her mom. But Joan's her mother. I, I'm her mother, but Joan's her mommy." This psychological and cultural struggle is complicated not only by lack of "mothering" terms that are not always already shaped by the terms of patriarchy but by what Jan Waldron (1995:131) in a recent book describes as "adoption speak—birthdaughter, searching, real parent, reunion, open adoption—[which] can become a knotty snag in an otherwise smooth conversation." Waldron argues that in adoption speak, "the spoken words are . . . tragically, hilariously estranged from the actual experience" (p. 132), suggesting once again the disjunction that follows a disruptive "re-entry" of a repudiated cultural/legal figure such as the birthmother. This estrangement of the spoken word, a situation that the poet Tomas Tranströmer (1987:159) describes as "words but

no language,” is inseparable from a patriarchal blood institution deeply grounded in the common law, to which adoption (and the illegitimate families it bespeaks) is “repugnant” (Grossberg 1985:280). Adoption is *meant* to be a “major cut-off” (Lifton 1994:47), and official foreclosure of the birthfamily shapes the ambiguities and silences with which adoptive parents, birthparents, and ultimately adoptees must struggle. As Kit explained:

Well, like I say, I haven’t talked to ‘em since, when they sent me the letter to say that the adoption was final. I haven’t . . . called them or wrote them a letter, or . . . actually, I haven’t even acknowledged that I got the letter. . . . I just, I don’t know what to say. Do I say, “Thank you very much” and shake their hand? Or—I don’t know what to say, so I don’t say anything. I feel like now, maybe I should, um, bow out and let them take their—let her grow up and I want her to know that I love her, and I want her to know that, I wanna be a part of her life, but I don’t wanna step on their toes, either. . . . I don’t wanta push myself into, um, into their world.

Identity/Difference

We had made arrangements for the adoptive parents to meet me at the hospital—umh, the adoptive mom was in the delivery room with me. She saw everything, she—it was almost like she was having her my- herself.

—Birthmother, 19 October 1995

Two truths approach each other. One comes from within, one comes from without—and where they meet you have the chance

to catch a look at yourself.

—Tomas Tranströmer, “Preludes” (1987:102)

My mother tells me that at Christmas almost ten years ago, when I asked my son Finn who had given him the present he had just opened, and he answered (with a glimmer of humor in his eye), “It’s from my Mom, Mom,” I looked momentarily “crest-fallen.” I remember the moment, the suddenness with which I felt a stranger to myself, “not Mom,” with the reminder of this double whose recognition of Finn as “child” sustains his sense of who he is, as “Finn,” who grew in her belly, whom we both named, whom she entrusted to us, who is “mine” and “not mine” at the same time.²⁵

All the birth and adoptive mothers with whom I have spoken live (or have lived) this ambiguity, an ambiguity located in the implicit (and sometimes explicit) presence of an “other” mother in the life of their common child. On the one hand, they share

²⁵ This experience recalls Homi Bhabha’s (1994:185) description of individuation as occurring “in a moment of displacement.” It is “the split-second movement when the process of the subject’s designation—its fixity—opens up beside it, uncannily *absents*, a supplementary space of contingency.”

an implicit “truth” about motherhood as a relationship of identity between mother and child, grounded in pregnancy and giving birth. This interpretation of motherhood as “a state of almost mystical commonality and identity” (Schneider 1968:25) is a central fantasy of patriarchy.²⁶ On the other hand, they are *living* the experience of contingent motherhood, of separation: one has given the child she bore to the other, who cannot bear a child. In this sense, both are “mothers in name only” (Kunzel 1993:130), but together each provides what the other “needs” to become a “real” mother under patriarchy.²⁷

For the adoptive mother, her *separation* from the experience of giving birth is (paradoxically) mediated in crucial ways by her capacity to *identify* with the birthmother:

Just by talking with Amy on the phone, instantly there was just a recognition of something that was already in place long ago and that now was kicking in. And she expressed that as well, the minute she heard my voice. Umh . . . So, when we—but I nonetheless kept my emotions, you know, at bay because I figured I really trust my ability to, umh, kind of size people up and so I didn’t want to do anything really, decide until we met both the birth father and Amy. . . . And . . . it was bizarre when we got off the phone—off the plane, Amy met us and it was as if, “Oh, there you are.” And it is such an unusual relationship.

In this case, the birthmother moved to the adoptive parents’ home state three weeks before she gave birth. During a tour of the hospital just before the baby was born, the adoptive mother described visiting the nursery together with the birthmother:

When I was standing in the nursery I’m looking at these babies, I’m, I know Sarah [the baby] is in her belly and I, I must have had this incredible look on my face because Amy turned to me and said: “Are you OK?” I said: “I just can’t—I cannot bring my arms. I can’t fathom my arms coming up to receive—I don’t feel like, I still don’t feel like it’s my place. I’ve been in the back waiting so long for my turn that I can’t quite take the . . . the step to do it and so the couple days before her birth, Amy’s saying to me: “It’s your turn, it’s now your chance and I’m so glad I’m the one who’s giving it to you, your chance.” And she’s coaching me to become a mother.

Similarly, for the birthmother, her capacity to separate from her child is related to her sense of the ways the adoptive family she “chooses” is “like” her own or represents the family she

²⁶ As Julia Kristeva (1986:161) notes, “we live in a civilization where the *consecrated* (religious or secular) representation of femininity is absorbed by motherhood” and where motherhood “involves less an idealized archaic mother than the idealization of the *relationship* that binds us to her, one that cannot be localized—an idealization of primary narcissism” (emphasis in original); see also Chodorow & Contratto (1982) for a critique of feminist writing on the “fantasy of the perfect mother.”

²⁷ For a discussion of the way these “needs” are defined in the professional and popular work on adoption, see Sorosky et al. (1989), Silber & Dorner (1990), Melina & Roszia (1993), and Lifton (1994).

wishes she could provide. Indeed, her sense of identity with the adoptive mother may compel her to distance herself from the adoptive family once the baby is born. Amy, the birthmother described here by the adoptive mother as “coaching me to be a mother” and as recognizing her (as mother) “the minute she heard my voice,” asked that her newborn daughter be placed immediately in the arms of the adoptive mother, rather than holding her herself; and several months later, she asked the adoptive mother to stop sending “pictures and clothes and different odds and ends which occur on a regular basis” because these reminded her of a baby for whom “I’ve had to grieve like she had died.” Here, identification with the adoptive mother involved repudiation of a “not self,” the birthmother’s “self” as mother, which had to be cast away with her baby so that she could “move on with my life and put this part where it belongs, in the past.”

Other birthmothers and adoptive parents described similar processes of identification—“we clicked”—together with (on the birthmother’s part) a reluctance to “get that close to” the adoptive parents. Kate Kelsen, the birthmother who placed her infant son with Joe and Ann Farmer (see above, pp. 61–65), described her choice of the Farmers in the following way:

I didn’t tell my family what was going on, so it was—I felt kind of alone and . . . but I was—I mean, I was OK I guess and I just—I wanted to make sure that we found the right parents, and, umh . . . Originally I had—I had an interview with one, one woman whose husband couldn’t make it to the, to the meeting and I didn’t feel comfortable with her, I just didn’t . . . she had said a lot of things in her letter—her resume I guess you call it—umh, that when I talked to her she actually contradicted, and I thought that that was just something that I—I couldn’t give my baby to her. ’Cause she also didn’t seem like she wanted the baby that much. Like she was like, “Oh, well we have this other baby on hold.” And I—that is not who I wanted to give the baby to so. . . I got a whole ’nother packet full of letters and I found Ann and Joe, and uh, they were just—they were really sweet, open people, umh . . . I right away, the first time I met them, I knew that we clicked, umh, actually Phil was a lot like Mike in a lot of ways and Ann and I were similar in a lot of ways, and , and they just—they seemed like family was the most important thing to them and that is, that was what I wanted.

Joe Farmer described how, at their meeting with Kate and Mike

it was funny because Ann and Kate had kind of the same complexion, had the same type of hair, and Mike and I, you know . . . he could pass as my brother. You know, I mean, he had the same color eyes, the same, you know, skin type thing and—and, you know, the curly hair and, you know, because I’m always getting, with Kevin, “Oh, boy, he’s a chip right off the old

block." You know, which is, I mean, it—and it's funny, I mean, because people are amazed when they find out he's adopted. Even as Kate "knew" "right away, the first time I met them" that Ann and Joe were "what she wanted," she also felt "really scared" at the idea of developing a relationship with them:

I couldn't make any plans for the future because I didn't know if I was going to fall apart once I had the baby and gave him away, I mean, you hear all these things about birthmothers taking their baby back or, you know, wanting the baby back so I had no idea how I was gonna feel. And so I felt that if I established a friendship with Ann and Joe *that it was gonna end the same day that the baby was born and I just thought that that would be losing too much at once so I couldn't really get that close to them.* [Emphasis added] Umh, but I felt comfortable giving it to them and never—I mean I never questioned the idea that they were gonna have the baby.

Five years later, Kate still felt "uncomfortable" in her relationship with the Farmers. Addressing a group of prospective adoptive parents at an FIA weekend orientation in the spring of 1996, she spoke of her continued difficulty in creating a place for herself in her son Kevin's life (after her meeting with him and his parents in the park, when he was four, described above), even though the adoptive parents were open to her desire to stay in touch. As she explained to the parents she was addressing, "open adoptions are pretty, they're not tested, you know, so you don't know that it's . . . gonna be easy o-on him to see me, if it's better for him to see me, or better for him not to see me." She continued,

I wouldn't want to push for another visit until he asked for it because . . . I want to respect him more than anyone. I think that his, his wishes are really the most important so, umh, I'm really hoping he's gonna ask soon but . . . but, uh . . . you know, basically I'd . . . I'd like actually to get in touch with Ann and Joe again, and uh, talk to them, just. . . I just want to feel more comfortable with them and which is something that I've never been able to do since I was pregnant.

Like Cassie (see above, pp. 51–54), who placed a baby she felt was "part of me" in the "certain places" where *she* felt "happiest," identification with the adoptive parents left no space for her own relationship with her child. She described this experience as being "in a new country where there are no signposts to tell you where to go." Thus she was reluctant to decide in advance about plans for visitation, preferring to "leave it open." The adoptive mother's fear that (what she experienced as) Cassie's uncontrollable love for the child, would displace her "self" as "mother," contributed to the unsettled quality of their relationship, literally, its lack of closure. Similarly, Kit (see above, pp. 63, 65–67), who visited her birthdaughter Janella (renamed "Rebecca" by the adoptive parents) nine months after the placement, was also un-

sure of how to “be a part of [Rebecca’s] life.” She described her daughter as having become “kinda shy,” like her adoptive mother Joan, a writer, and she noted that Rebecca/Janella no longer “knew” her, “she wasn’t *my* baby any more.” By contrast, Kit likened herself to “flashy, painted-up, drunken fools.” Describing her relationship with the son she did not place for adoption, she said, “Timmy and I, we wrestle and we romp and we tromp and we yell and we holler. And Rebecca, just, she brought Joan [her adoptive mother], a book, and she said ‘book,’ ‘book,’ ‘book.’” Here, Kit distanced herself from Rebecca, while identifying herself with the “flashy” Janella and the “wrestling” Timmy. In this way, she split her “flashy,” “drunken” self from Rebecca’s “quiet” mommy, a complex psychological move of simultaneous identification and projection that was captured in her differentiation of Joan as Rebecca’s “mommy” and herself as Rebecca’s “mom” or “mother.” With the finalization of the adoption, Kit stopped communicating with the adoptive parents—“I haven’t talked to ‘em since. . . . I haven’t . . . called them or wrote them a letter. . . . I feel like now, maybe I should, um, bow out and let them take their—let her grow up.”

These processes of distancing and assimilation in which birthmothers experience themselves as like (or unlike) the adoptive families where their children are placed are central to the dynamics through which “complete” adoptive families are created. The “splitting off” of the (flashy, unmarried) birthmother makes possible the consolidation of the (quiet, married) adoptive mother and the legal family she represents. This legal family looks alike and is alike; it becomes identical, complete in itself through its absorption of the illegitimate child and the erasure (through separation, through identification) of this child’s illegitimate mother.

The definition of family as identical—as constituted by shared biological heritage, by the “mystical commonality” of mother and child, and as whole rather than split (it excludes difference, it is complete in itself)—is fundamental to the tension surrounding the place, and lack of place, of the birthmother in the adoptive family. The presence of a birthmother disrupts the identity of the adoptive family, revealing the complex relationships through which motherhood is created and the divided subjectivity of the adopted child. Only by outlawing her (splitting her off) through various forms of legal and social closure—sealed records, rewritten birth certificates, the silences that meet revelations that one is a birthmother or that one is a child with “two mothers”—can the adoptive family *become* a family, “as if” it were biological, and the adoptive mother become “real.”

The constitution of the adoptive family as identical is most visible in “closed” adoption policies, and specifically in the intricate race and other matching policies through which social work-

ers and agencies map adoptive parent onto adoptive child.²⁸ But it has continued, in a more subtle fashion, in the identification processes through which birth and adoptive families “match” *themselves* to one another, and in the anxiety and fear that leads a birthmother to “bow out” and adoptive parents to terminate their contact with her. Of the birthmothers I interviewed, the most dramatic example of adoptive parents rejecting the birthmother was in the case of Eileen (see above, pp. 55–56). Recall that Eileen, a devout Catholic, “chose” the adoptive family because the parents were Catholic, like her own, and she felt this identity would help her son understand “exactly where my decision was coming from.” She also believed that by choosing “not just anybody,” but somebody “that I know,” she could develop a relationship of trust with the parents and thus secure her connection to the child she had given away. Any indication on the part of the adoptive parents that they did *not* trust her was a source of anguish.

After four years of semiannual visits, many of them tense, the adoptive father called Eileen to say they wanted no further contact with her. He and his wife had adopted a second child, in a procedure that did not involve birthmother access, and they felt that the visits, exchanges of letters, and pictures were disruptive for their son. The adoptive father, a lawyer, told Eileen that the informal “contract” they had for visitation was not enforceable and her own lawyer confirmed this. Eileen is nonetheless determined to pursue more informal kinds of pressure (e.g., through the Catholic Church), in the hope that she will persuade the adoptive parents to change their minds. Meanwhile, she has not seen them, or her son, for almost two years.

The “decision” of a birthmother to bow out (and of course, it is a far less rational and far more gradual process than this implies), or of adoptive parents to discontinue contact with her, is one possible trajectory which an “open” adoption may follow. The dialectic of *rapprochement* and disengagement in the stories above, and throughout this article, suggests what powerful attractors pull the “open” adoptive family away from openness and back toward the two-parent family and the “identical” mother; that is, it is pulled away from the more complex, unresolved, often painful play of identity and difference that open adoption implies.²⁹ But there is also a powerful pull *toward* the birth-

²⁸ For a discussion of matching practices, see Bartholet (1993:49–50, 95–117); and Modell (1994:38–45). For an example of the specificity involved in matching, see Catholic Human Services (1995). And see discussion above (pp. 40–42), especially note 9.

²⁹ This play of difference is reminiscent of Julia Kristeva’s (1986) discussion of *jouissance* as the pleasurable (but also painful, melancholic) dimensions of the practice of creativity/transgression through which subjects “produce” the social/symbolic/psychological worlds they inhabit. This production assumes a subject who is simultaneously “made” by a particular symbolic/temporal order and “heterogeneous”—that is, divided, split by the particularities of a history (including bio-physiological processes) which also

mother, *away* from the two-parent family, an attraction that is no less shaped by patriarchy, with its central fantasy of “mystical commonality” through union with the biological mother. It is in this tension within “identity”—as completion in a family through which one becomes “identical” or as completion through union with the birthmother³⁰—that open adoption provides a “potential space” for the discovery of new forms of subjectivity and of motherhood.³¹

The point of departure for these more complex forms of mothering is the *political* moment of violent foreclosure of the birthmother. This foreclosure—established legally, culturally, and socially but experienced as deeply private, subjective, and “real”—is inscribed in the very words (and lack of words) we have available to describe who birth and adoptive mothers “are.” Thus, for example, as suggested above, the concept of a “birth” mother or of an “adoptive” mother is oxymoronic in the context of a blood institution that defines a “real” mother as a woman who is connected to her child by blood ties that can neither be severed (a mother who gives her child away is unthinkable, she is a “monster”) nor “artificially” created.³² Thus these mothers exist as mothers only “in the fissure of a radical split” (Mitchell 1982:5) in which they are both “mothers” and “not-mothers” (*birthmothers, adoptive mothers*) at the same time.

form it. *Jouissance* involves the dialectics through which the “heterogeneity” of subjects, while “invariably subject to the signifying and/or social codes, . . . infringe the code in the direction of allowing the subject to get pleasure from it, renew it, and even endanger it” (p. 30; and see Kristeva’s more extended discussion of *jouissance* on pp. 146–54 and 210–11). While Kristeva’s use of *jouissance* implies that it is primarily an intrapsychic phenomenon, I agree with Jessica Benjamin (1994:236) that it is crucial to consider both the intersubjective and the intrapsychic dimensions of the relationship of self with other (what she terms the “double-sidedness” of this relationship). See especially Winnicott’s (1982:96) notion of “play” as “neither a matter of inner psychic reality nor a matter of external reality” (emphasis omitted). Rather, it involves “the *experience* of relating to objects” (p. 98), “*in the potential space between the subjective object and the object objectively perceived, between me-extensions and the not-me*” (p. 100, emphasis in original).

³⁰ Betty-Jean Lifton, an adoptee who is a critic of sealed records and speaks frequently in public about adoption, argues in a recent book (1994:47) that the birthmother represents the “‘key experience’ . . . buried in the child’s psyche” to which her child must return in order to become “whole.”

³¹ Potential space (also described by Winnicott (1982:103) as “transitional space”) is what he conceives of as a “third area . . . contrasted with inner or personal psychic reality and with the actual world in which the individual lives.” Potential space happens “at the interplay between there being nothing but me and there being objects and phenomena outside omnipotent control” (p. 100). In Winnicott’s view, this is the space for cultural creativity, a space where “objects” (others) are both waiting to be “found” (that is, they are given as cultural/legal/linguistic categories) and where they are created by the active subject. For a discussion of the dynamics of power in potential space, see Mahoney & Yngvesson 1992:59–63.

³² Anna Tsing (1990) describes the powerful emotions evoked by stories about women charged with perinatal endangerment. In the media, these women tend to be represented as “monster mothers” or “anti-mothers.” During the past few years, of course, the question of what it means to “give away” “your child” has been complicated by the development of reproductive technologies that expand our understanding of what a “birth” or “biological” mother means.

The transformative potential of this fragmentation lies precisely in the temporary (and inevitably fragile) identifications it enables in the spaces of “nonidentity” that open up *between* adoptive motherhood and birthmotherhood. This involves a process that is both radical and familiar. It involves an introduction of the “cutting edge” of negativity—a negativity that occurs “in the borderline of a past that did exist and a past that was not allowed to exist” (Santos 1996:43)—“into the very interior” of the subjectivity of motherhood (Kristeva 1986:210). This is the potential of the moments of pain, of pleasure, and of fear I have described above, moments which leave us “incoherent” because they blur the separations which divide the “me” from the “not me,” allowing identity and nonidentity to come face to face. While these moments are unsettling, we are continually pulled back into them, motivated by the “strange familiarity” of the other mother in adoptive motherhood and by our own instability as adoptive or birthmothers in a socio-symbolic world where a coherent “identity” as “mother” is just out of reach.³³

The challenge for those of us involved in open adoption is to be able to tolerate these moments and the double vision they makes possible, to return to “the place where it can be said that *continuity* is giving place to *contiguity*” (Winnicott 1982:101), the place where the “me” and the “not me” uneasily come together. As the stories told here suggest, the contradictions of this location may be intolerable, and consequently the borders we create around open adoption “must be constructed with lots of entrances and exits” (Santos 1996:31), allowing for the different needs of different mothers/families at different points in time in the lives of their children.³⁴ Most vulnerable to the instabilities

³³ My analysis here draws both on Santos’s (1996) discussion of shifts in subjectivity that are constituted through interruptions or suspensions which create “surprise, wonder, and indignation” (p. 46) and on Kristeva’s (1991) discussion of “uncanny strangeness,” that is, of events, encounters, or experiences that are both strange and familiar at the same time, producing a feeling of unease, or of feeling “lost,” “indistinct,” or “hazy” (p. 187). For a discussion of Freud’s theory of identification, which is central to Kristeva’s work, see Kristeva 1986:238–71; Benjamin 1994; and Freud 1957 [1917] and 1957 [1919]. The question of how difference constitutes subjectivity and “identity” has broad relevance for our understanding of issues of citizenship and democracy more generally, as Kristeva’s *Strangers to Ourselves* (1991) and her discussion (1996:40–42) of “the problem of foreigners” and of preserving and maximizing “singularities” implies. For related work that takes up these issues, see Bock & James 1992; Butler & Scott 1992; Mouffe 1992; Lennon & Whitford 1994; Elshtain 1995; and Weir 1996.

³⁴ For example, Amy (the birthmother described in the opening of this section who asked the adoptive parents to stop writing to her because it was too painful) was willing to allow her mother and the grandmother of her baby to remain in contact with the adoptive family. The adoptive mother, who experienced the birthmother’s withdrawal as “a great relief” because it allowed her to “become the full parent,” nonetheless said that “the door is always open” to the birthmother and hopes it will be possible for their daughter to meet her when the daughter is “about fifteen.” Other birthmothers, some of whom drew up “adoption involvement agreements” with the adoptive parents before the baby was born, specifying limited visitation and a particular schedule for letters and pictures, have found they would like more pictures but are comfortable with few or no visits until the child is older. Some adoptive parents (like my husband and I) gradually increased our

that are constitutive of what “openness” means in adoption are the children whose lives are shaped by the practice. Thus we must be particularly attentive to the ways that the indeterminacies shaping their parents’ lives affect them. In addition, in a system in which the legal (adoptive) parents are empowered to control access of the birthmother to the child, it is critical that these parents be attentive to the multiple, contradictory, and unpredictable “needs” this complex emotional and political situation generates for the birthmother. I return to the words of the young woman with whose story of delivery I opened this section. Here she recounts a “show and tell” required at the beginning of the school year in her English class:

We had to bring something in and tell a story about it. I mean, it could have been a flashlight, a piece of gum wrapper, whatever. Umh, and I really couldn’t think of anything to bring in to show my class because I really didn’t have anything that meant that much to me except for my daughter. So I brought in a bunch of pictures and, uh . . . I braved it out and said, told ’em—told all my classmates my story about adoption and most of these people that I told it to already knew that I had given my daughter up for adoption and most of ’em were against it. I mean, they’re the ones that said, you know, I was abandoning my kid and everything else. And after they sat and listened to my story and how open things are now, they came up to me, you know, and they were so . . . everybody just kept saying how much they admired me for what I did, you know, how brave I was to give my child up, to give her a better life and, uh, which really shocked me, you know, I was expecting the worst from these people here. And, uh . . . everybody was just so supportive and . . . I was amazed.

This story captures for me the ineradicable difference in the position of birth and adoptive mothers, one of whom has “abandoned” her child so the other can “have” a family. This difference is continually reinscribed in public response (anticipated or real) to the birthmother as “cruel” and in her own amazement when she occasionally is seen as “brave.” Both imply the impossibility of her act, how it places her outside the law (even as her illegitimate motherhood defines her as an “unfit” mother).

The negotiation of mothering in open adoption sometimes blurs this difference in a moment of identification, but it also evokes it in repeated moments of pain and fear. What emerges in the dialectic these moments provide is both familiar and strange, within us and outside us, simultaneously disruptive and quieting. It moves us away from familiar trajectories but provides no mod-

contact with the birthparents, after agreeing at the relinquishment that we would have none. This shift seemed, over time, to “make sense” to all of us and emerged with Finn’s growing maturity, and with his birthmother Diana’s increasing confidence that her presence in Finn’s life would not interfere with his capacity to develop a solid connection to us.

els. The “openness” of open adoption is suffused with risk and enabled by restraint, by the silences that surround it, and by the fragile space that open adoption provides. The mothers that are made in this process are not simply given in the biological connection of mother to child or made as a “code for conduct” in the legal family. Rather, they are created, over time, in the evolving relations between mothers (of various kinds) in “legal” families and the “other” mothers who in relinquishing their children have unsettled this family in the very act of making it “whole.”

Snapshots

It is May 1995, and I have returned from an April visit to California with Finn, first to see his brother (my biological son) Dag, now 24, in Los Angeles and then to northern California for our first meeting in over two years with Finn’s birthmother Diana, with his birthfather, and with two of his “biological” half-sisters, now 20 and 22. There is also a biological “half nephew,” the 16-month-old son of Finn’s sister, India.

The meeting with his birthfamily was an emotionally powerful encounter. Finn, now almost 14, was clearly drawn to the relaxed, countercultural life style in the small northern California beach town where they live; I was compelled by his resemblance to his birthparents, by their histories, which I am slowly learning, and by their generosity in welcoming us once again into their lives for these few days. I felt at times as though I had dropped onto another planet. Finn, when I asked, told me that he felt “a part of it” and not as though he were, as I put it, “on the outside looking in.” And before we left he mentioned wanting to return some time soon, maybe to go to school, but at least to spend time with these newly familiar kin. I felt my stomach knot. “What about your friends in Amherst?” I asked. “Oh, I’ll make new friends,” he assured me.

I felt like the most fragile of bridges during this visit—between our world and this world, between Finn and his birthfamily, between my terror that I was losing him and my certainty that we are deeply embedded in his life. On the morning we left, Diana spoke to me about Finn’s interest in returning and suggested that we might all share a house for a month one summer—she had friends who might like to have housesitters—and we could alternate being there and away, sometimes together, sometimes apart. This suggestion, and her capacity, as we spoke about how we had each experienced our connection over the years, to articulate her conviction that she felt Finn to be her child just as surely as she felt us to be his family, restored my confidence that I had not made some terrible mistake in becoming the catalyst that allowed this unconventional relationship to unfold.

Back in Amherst a week later, Finn is once again caught up in the circle of friends he has been a part of since he was a toddler, and I am at the kitchen table with the pictures of our visit to California spread around me. The roll of film is clearly split, with a Los Angeles part and a northern California part. The former is a series of 10 or 12 pictures of Dag and Finn horsing around on Dag's tiny patio—serious, silly, Dag's lanky, long, blond ponytail a marked contrast to Finn's ungovernable brown curls, each interwoven with red hibiscus flowers from a nearby bush, mocking, posing, having fun. The northern California part is more like a series of still lifes—Finn standing in the road with his arm around Diana, at the breakfast table with his birthparents and half-sisters, standing with his birthfather, their arms circling each other.

Finn is now corresponding with his 22-year-old sister India, who sends him pictures of her young son and news of the family. He is also growing out his hair so he can pull back his burgeoning dreadlocks and wear them in a ponytail like his adopted brother Dag's.

References

- Allen, Susan (1996) "Dean Signs Adoption Reform Bill," *Burlington Free Press*, 16 May, p. B1.
- Baran, Annette, Reuben Pannor, & Arthur D. Sorosky (1976) "Open Adoption," 21 *Social Work* 97–100.
- Bartholet, Elizabeth (1993) *Family Bonds: Adoption and the Politics of Parenting*. New York: Houghton Mifflin.
- Bates, J. Douglas (1993) *Gift Children: A Story of Race, Family, and Adoption in a Divided America*. New York: Ticknor & Fields.
- Benhabib, Seyla, et al. (1995) *Feminist Contentions: A Philosophical Exchange*. New York: Routledge.
- Benjamin, Jessica (1994) "The Shadow of the Other (Subject): Intersubjectivity and Feminist Theory," 1 (2) *Constellations* 231–54.
- Bhabha, Homi K. (1994) *The Location of Culture*. New York: Routledge.
- Bock, Gisela, & Susan James, eds. (1992) *Beyond Equality and Difference: Citizenship, Feminist Politics, and Female Subjectivity*. New York: Routledge.
- Butler, Judith (1993) *Bodies That Matter: On the Discursive Limits of Sex*. New York: Routledge.
- Butler, Judith, & Joan Scott, eds. (1992) *Feminists Theorize the Political*. New York: Routledge.
- Caplan, Lincoln (1990) *An Open Adoption*. New York: Farrar, Straus & Giroux.
- Catholic Human Services, Inc. of Traverse City, Michigan (1995) *The Nuts and Bolts of Open Adoption*. Ann Arbor, MI: R2 Press.
- Chira, Susan (1994) "Law Proposed to End Adoption Horror Stories," *New York Times*, 24 Aug., p. A-12, cols. 4–6.
- Chodorow, Nancy, & Susan Contratto (1982) "The Fantasy of the Perfect Mother," in Thorne with Yalom 1982.
- Clines, Francis X. (1996) "Clinton Signs Bill Cutting Welfare; States in New Role," *New York Times*, 23 Aug., p. A1.
- Collier, Jane, Michelle Rosaldo, & Sylvia Yanagisallo (1982) "Is There a Family? Anthropological Views," in Thorne with Yalom 1982.

- Collins, Patricia Hill (1990) "Black Women and Motherhood," in *Black Feminist Thought: Knowledge, Consciousness and the Politics of Empowerment*. New York: Routledge.
- Coontz, Stephanie (1992) *The Way We Never Were: American Families and the Nostalgia Trap*. New York: Basic Books.
- Elshtain, Jean Bethke (1995) *Democracy on Trial*. New York: Basic Books.
- Fineman, Martha A. (1995) *The Neutered Mother, the Sexual Family and Other Twentieth Century Tragedies*. New York: Routledge.
- Freud, Sigmund (1957 [1917]) "Mourning and Melancholia," in *Sigmund Freud, The Standard Edition*, vol. 14, trans. J. Strachey. London: Hogarth Press.
- Freud, Sigmund (1957 [1919]) "The Uncanny," in *Sigmund Freud, The Standard Edition*, vol. 17, trans. J. Strachey. London: Hogarth Press.
- Gordon, Linda (1988) *Heroes of Their Own Lives: The Politics and History of Family Violence: Boston, 1880–1960*. New York: Viking.
- Grossberg, Michael (1985) *Governing the Hearth: Law and the Family in Nineteenth Century America*. Chapel Hill: Univ. of North Carolina Press.
- Hansen, Mark (1994) "Fears of the Heart," *ABA J.*, pp. 58–62 (Nov.).
- Hayden, Corinne P. (1995) "Gender, Genetics, and Generation: Reformulating Biology in Lesbian Kinship," 10 (1) *Cultural Anthropology* 41–63.
- Hollinger, Joan H. (1993) "Adoption Law," 3 (4) *The Future of Children* 43. Los Altos, CA: Center for the Future of Children.
- Howe, Ruth-Arlene W. (1995) "Redefining the Transracial Adoption Controversy," 2 (1) *Duke J. of Gender Law & Policy* 131–64.
- Kristeva, Julia (1986) *The Kristeva Reader*, ed. T. Moi. New York: Columbia University Press.
- (1987) "The Pain of Sorrow in the Modern World: The Works of Marguerite Duras," trans. K. A. Jensen. 102 (2) *Proceedings of the Modern Language Association* 138–52.
- (1991) *Strangers to Ourselves*, trans. L. S. Roudiez. New York: Columbia University Press.
- (1996) *Julia Kristeva Interviews*, ed. R. M. Guberman. New York: Columbia Univ. Press.
- Kunzel, Regina G. (1993) *Fallen Women, Problem Girls: Unmarried Mothers and the Professionalization of Social Work, 1890–1940*. New Haven, CT: Yale Univ. Press.
- Landes, Elisabeth, & Richard Posner (1978) "The Economics of the Baby Shortage," 7 *J. of Legal Studies* 323–47.
- Lennon, Kathleen, & Margaret Whitford, eds. (1994) *Knowing the Difference: Feminist Perspectives in Epistemology*. New York: Routledge.
- Lewin, Tamar (1996) "Tennessee Is Focus of Debate on Adoptees' Birth Records," *New York Times*, 18 March, pp. A1 (cols. 1–2), A12 (cols. 4–6).
- Lifton, Betty Jean (1994) *Journey of the Adopted Self: A Quest for Wholeness*. New York: Basic Books.
- Mahoney, Maureen A., & Barbara Yngvesson (1992) "The Construction of Subjectivity and the Paradox of Resistance: Reintegrating Feminist Anthropology and Psychology," 18 *Signs* 44–73.
- Marshall, Jennifer (1995) "Sanctioning Illegitimacy: Our National Character Is at Stake." Washington, DC: Family Research Council.
- McRoy, Ruth G., & Harold D. Grotevant (1987) "Open Adoptions: Practice and Policy Issues," 6 (1) *J. of Social Work & Human Sexuality* 119–32.
- McRoy, Ruth G., Harold D. Grotevant, & Susan Ayers-Lopez (1994) "Changing Practices in Adoption." Hogg Foundation for Mental Health, Univ. of Texas.
- Melina, Lois R., & Sharon Kaplan Roszia (1993) *The Open Adoption Experience: A Complete Guide for Adoptive and Birth Families—From Making the Decision through the Child's Growing Years*. New York: Harper Collins.
- Mitchell, Juliet (1982) "Introduction I," in *Feminine Sexuality: Jacques Lacan and the Ecole Freudienne*. New York: Norton.

- Modell, Judith S. (1994) *Kinship with Strangers: Adoption and Interpretations of Kinship in American Culture*. Berkeley: Univ. of California Press.
- Moore, Kristin A. (1995) "Nonmarital Childbearing in the United States," in U.S. Department of Health & Human Services, *Executive Summary: Report to Congress on Out-of-Wedlock Childbearing*. Washington, DC: U.S. Department of Health & Human Services.
- Mouffe, Chantal (1992) "Feminism, Citizenship, and Radical Democratic Politics," in Butler & Scott 1992.
- Mullings, Leith (1995) "Households Headed by Women: The Politics of Race, Class, and Gender," in F. D. Ginsburg & R. Rapp, eds., *Conceiving the New World Order: The Global Politics of Reproduction*. Berkeley: Univ. of California Press.
- Murray, Charles (1993) "The Coming White Underclass," *Wall Street J.*, 29 Oct., p. 14.
- National Conference of Commissioners on Uniform State Law (NCCUSL) (1994) *Draft for Approval, Uniform Adoption Act, 1994*. 29 July–5 Aug. Chicago: National Conference of Commissioners on Uniform State Law.
- National Committee for Adoption (1989) *Adoption Factbook: United States Data, Issues, Regulations and Resources*. Washington, DC: National Committee for Adoption.
- Pollitt, Katha (1996a) "Just the Facts," *Nation* p. 9 (24 June).
- (1996b) "Adoption Fantasy," *Nation*, p. 9 (8 July).
- Prigogine, Ilya (1989) "The Philosophy of Instability," 21 (4) *Futures* 396–400.
- Rich, Spencer (1996) "Wage Bill Includes Provisions Intended to Increase Adoptions," *Washington Post*, 10 Oct., p. 4.
- Riley, Claire (1988) "American Kinship: A Lesbian Account," 8 (2) *Feminist Issues* 74–94.
- Roberts, Dorothy E. (1995a) "The Genetic Tie," 62 *Univ. of Chicago Law Rev.* 209–73.
- (1995b) "Racism and Patriarchy in the Meaning of Motherhood," in Martha Fineman & Isabel Karpin, eds., *Mothers in Law: Feminist Theory and the Legal Regulation of Motherhood*. New York: Columbia Univ. Press.
- Santos, Boaventura de Sousa (1996) "The Fall of the Angelus Novus: Beyond the Modern Game of Roots and Options." Sociology Department, School of Economics, Univ. of Coimbra, Portugal. Forthcoming in *Current Sociology*.
- Schneider, David M. (1968) *American Kinship: A Cultural Account*. Chicago: Univ. of Chicago Press.
- Shalev, Carmel (1989) *Birth Power: The Case for Surrogacy*. New Haven, CT: Yale Univ. Press.
- Shanley, Mary L. (1982) "Marriage Contract and Social Contract in Seventeenth-Century English Political Thought," in J. B. Elshtain, ed., *The Family in Political Thought*. Amherst: Univ. of Massachusetts.
- (1995) "Unwed Fathers' Rights, Adoption, and Sex Equality: Gender-Neutrality and the Perpetuation of Patriarchy," 95 *Columbia Law Rev.* 60–103.
- Shapiro, Deborah (1967) "Attitudes, Values, and Unmarried Motherhood," in *Unmarried Parenthood: Clues to Agency and Community Action*. New York: National Council on Illegitimacy.
- Silber, Kathleen, & Patricia Martinez Dorner (1990) *Children of Open Adoption and Their Families*. San Antonio: Corona Publishing Co.
- Silber, Kathleen, & Phylis Speedlin (1982) *Dear Birthmother, Thank You for Our Baby*. San Antonio: Corona Publishing Co.
- Simon, Rita J., Howard Altstein, & Marygold S. Melli (1994) *The Case for Transracial Adoption*. Washington: American Univ. Press.
- Solinger, Rickie (1992) *Wake Up Little Susie: Single Pregnancy and Race before Roe v. Wade*. New York: Routledge.

- Sorosky, Arthur D., Annette Baran, & Reuben Pannor (1989) *The Adoption Triangle: Sealed or Open Records, How They Affect Adoptees, Birth Parents, and Adoptive Parents*. San Antonio: Corona Publishing Co.
- Stacey, Judith (1994) "The New Family Values Crusaders: Dan Quayle's Revenge," *Nation*, pp. 119–22 (25 July).
- Stack, Carol B. (1974) *All Our Kin: Strategies for Survival in a Black Community*. New York: Harper & Row.
- Stedman, Carolyn Kay (1986) *Landscape for a Good Woman: A Story of Two Lives*. New Brunswick, NJ: Rutgers Univ. Press.
- Stone, Lawrence (1977) *The Family, Sex and Marriage in England 1500–1800*. New York: Harper & Row.
- Strathern, Marilyn (1992) *Reproducing the Future: Essays on Anthropology, Kinship and the New Reproductive Technologies*. New York: Routledge.
- Thorne, Barrie, with Marilyn Yalom, eds. (1982) *Rethinking the Family: Some Feminist Questions*. New York: Longman.
- Tsing, Anna (1990) "Monster Stories: Women Charged with Perinatal Endangerment," in F. Ginsburg & A. L. Tsing, eds., *Uncertain Terms: Negotiating Gender in American Culture*. Boston: Beacon Press.
- Tranströmer, Tomas (1987) *Selected Poems (1954–1986)*, ed. R. Haas. New York: Ecco Press.
- Udiansky, Margaret L. (1996) "Single Motherhood: Stereotypes vs. Statistics," *New York Times*, 11 Feb., sec. 4, p. 4, col. 1.
- Waldron, Jan M. (1995) *Giving away Simone: A Memoir*. New York: Random House.
- Weir, Allison (1996) *Sacrificial Logics: Feminist Theory and the Critique of Identity*. New York: Routledge.
- Weston, Kath (1991) *Families We Choose: Lesbians, Gays, Kinship*. New York: Columbia Univ. Press.
- Wexler, Richard (1995) "A Warehouse Is Not a Home," *New York Times*, 18 March, sec. A, p. 23, cols. 2–5.
- Williams, Raymond (1977) *Marxism and Literature*. New York: Oxford.
- Winnicott, D. W. (1982) *Playing and Reality*. New York: Tavistock.
- Yang, John E. (1996) "House Passes Adoption Credit; States Barred from Delaying Placement because of Race," *Washington Post*, 11 May, p. A4.
- Zelizer, Viviana A. Rotman (1985) *Pricing the Priceless Child: The Changing Social Value of Children*. Princeton, NJ: Princeton Univ. Press.

Cases

- Griswold v. Connecticut, 381 U.S. 479 (1965).
Roe v. Wade, 410 U.S. 113 (1973).

Statutes and International Conventions

- Hague Convention on Protection of Children (1993) Hague Convention on Private International Law: Final Act of the 17th Session, Including the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, May 29, 1993, 32 *I.L.M.* 1134.
- Massachusetts Adoption Law of 1851, St. 1851, ch. 324.
- Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193.
- Small Business Job Protection Act of 1996, sec. 1807, Pub. L. No. 104-188, 110 Stat. 1755 (codified in scattered sections of 26 U.S.C.; majority of material relevant to tax credits for adoption is codified at 26 U.S.C. secs. 23, 137).
- United Nations Convention on the Rights of the Child, G.A. Res. 44/25, U.N. GAOR, 44th Sess., Supp. No. 49, U.N. Doc. A/44/736 (1989).