

Commentary: Transracial Adoption— Changing Trends and Attitudes

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Legislating adoption practices is a stop-gap measure to protect the interests of potential adoptees and their would-be parents. As our society becomes better able to govern itself in these matters and reaches a consensus on humanitarian values, it is hoped that the need for legislation will diminish. In the meantime, we still have the best-interests test to guide us through new and sometimes troubled waters. We need to instill respect for all minority cultures while also incorporating them into the larger culture that one day will appreciate the values of tolerance and diversity.

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Prior to sharing my comments on the article by Griffith and Bergeron¹ concerning transracial adoption, I wish to share any potential biases I might have on the topic issuing from my own background. I grew up with an adopted brother of the same race; in my career as a child and adolescent psychiatrist, I have had considerable experience in the areas of foster care and adoption; I live in a state that is 98 percent white; and I attend a Unitarian Universalist Church where transracial adoptions are accepted and common.

The increase in transracial adoptions of African-American children in the United States arose in response to the paucity of white babies available for adoption and pressures on public agencies to free children in foster care for adoption. The majority of single teenage mothers now choose to keep their babies. There is increased use of kinship care or adoption, and heightened use of birth control, all of which result in fewer newborn babies being available for adoption. In my state of Maine, the rate of teenage pregnancies has plummeted and is now one of the lowest in the nation. The option of seeking infants from abroad is fraught with uncertainty—concerns about health problems and attachment disorders, delays, expenses, and policies regarding adoptions by foreigners that keep shifting in many nations. Yet another attraction for parents considering adopting

African-American babies is the shorter waiting period.

In many parts of the United States and other countries, communities have become more accepting of racially mixed families. In as much as African-American children tend to stay longer in out-of-home care than do white children, freeing them for adoption by white families became a means of alleviating this situation. In the 1990s, public agencies were under a mandate to hasten the exit of children from foster care into permanent care and the Adoption and Safe Families Act of 1995 offered incentives to states that increased adoption of children in foster care.² This, combined with the Multiethnic Placement Act, resulted in a dramatic decrease in the number of children in foster care and those awaiting adoption. As of 2001, 14 percent of all adoptions were transracial, although most of them were international adoptions.³

As noted by Griffith and Bergeron,¹ the pendulum of statutes regarding transracial adoptions has been swinging like the clapper of a ringing bell. The common thread that runs throughout these debates and dialogues is the concept of adhering to the child's best interests. This guidepost dates back to a 1925 decision by Judge Cardozo who first coined the term best interests. Goldstein *et al.*⁴ would later elaborate on this concept in their book, *Beyond the Best Interests of the Child*, in which they applied psychoanalytic concepts to the resolution of custody disputes. The best-interest standard has held up well over time and continues to be used by courts in determining child

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custody determinations. Most states further delineate a list of factors to be considered in making custody recommendations to the court.

Caseworkers and forensic mental health professionals have always had to be mindful of their potential biases in making custody recommendations. Such biases might pertain to potential adoptive parents' socioeconomic status, education, lifestyle, or sexual orientation. The issue of transracial adoptions may bring out even stronger feelings that threaten the objectivity of those making recommendations and final decisions about adoptions. Resistance to transracial adoptions is reminiscent of the opposition to adoption by same-sex couples. There used to be great concern that children adopted into these families would be stigmatized, proselytized into the gay lifestyle, and deprived of adequate role models. Some professionals in child welfare were adamantly opposed on moral grounds. And yet, follow-up studies have consistently shown that children raised by same-sex couples are no different from children raised by heterosexual parents. Eventually, adoption agencies began to see same-sex couples as a valuable resource for hard-to-place children such as those with AIDs or other serious medical or mental problems and older children with histories of failed adoptions. With time, society has become more accepting of these alternative families and their children. These families have, in turn, demonstrated their parenting skills with some of the most challenging children.

Griffith and Bergeron raise the question of the importance of African-American culture in the adoptee's life. I recall many years ago testifying in the Northwest regarding the placement of a child who was part Native American and part Latino. Strong arguments were put forth on the importance of preserving his Native-American heritage, yet no one was arguing for his Latino heritage. Concern for the well-being of African-American children unable to be returned to their birth parents is a relatively new phenomenon. Certainly, few people advocated for them or for white children in the mid-20th century when it was not unusual for children to languish in foster care for up to five years and then be too old or too emotionally damaged to be deemed adoptable. The hue and cry of professionals opposed to transracial adoption was in part related to fears that African-American children raised by whites would not be able to defend themselves against prejudice in a racist society. However, one must also ask whether life in the

impermanence of foster care with multiple placements and the risk of further abuse or neglect better prepare them to live in a racist society. Of note, private adoption agencies began placing African-American children with white families long before public agencies did so, as the costs of recruiting African-American families was too high. The numbers were small, but there was little protest and somehow this practice passed under the radar screen.

Norris and Ferguson⁵ note that the 1960s and 1970s saw the decimation of many minority families due to substance abuse, incarceration, the HIV epidemic, higher mortality rates, and unemployment due to racism. The net result of these forces was more children of color in foster care. In addition, African-American families often failed to meet the criteria for adoption eligibility. The Adoption Assistance and Child Welfare Act of 1980 provided some relief to families that could not afford to adopt. Simon⁶ conducted a 20-year study of 200 white parents and their predominantly African-American adopted children and found that most of the children were happy with their racial identity and racial awareness and happy with themselves. Twenty percent of the group studied experienced some problems in their preteen and adolescent years. This is not a very high percentage, considering the problems faced by most teens and, in particular, adopted teens who have a more difficult time coming to terms with their identity as they approach this phase of development.

The problems faced by children in transracial families should be approached on a developmental level. Ethnoracial awareness does not begin until sometime between the ages of three and five years. My eldest son who, at age three, would insist that our African-American nanny was part of our family and shared our last name brought this point home to me. One day, he was looking out the window at the park across the street and said excitedly, "Mommy, look! There are three black people out there!" Thinking he finally was beginning to note racial differences, I looked out the window and saw three nuns walking in their black habits. As adopted children become aware that their color is different from that of their parents, this might actually facilitate conversations about adoption earlier than in homogenous families, and there is less likely to be secrecy about the adoption.

As noted, problems with racial identity may not surface until adoptees enter their preteen and adolescent years. White families who welcome African-

American children into their homes to play with their children may become less welcoming once their children are of dating age. African Americans raised in predominantly white communities may have difficulty fitting in with other African Americans once they leave home. I treated an African-American teenager from an affluent white community where she was well accepted in her predominantly white high school. She related how difficult she found it relating to the African-American students at her college who viewed her as an "Oreo": black on the outside and white inside. She commented on how she had felt like neither fish nor fowl in her new environment. Although not adopted, she faced dilemmas similar to those faced by adoptees who grew up in cultures where they are very much in the minority.

For many years, adoption agencies tried to match children with families who shared similar physical attributes. This effort coincided with secrecy about adoption, the shame of infertility, and even the need to protect a child from knowledge of his illegitimacy. Families now speak more openly of adoption and even practice open adoptions. My brother was carefully matched to my family's phenotype, but aside from both of us being tall and Anglo-Saxon in appearance, we have little in common. Biological siblings may look very different from one another and even their parents. Why must there be so much emphasis on sameness? Rainbow families have demonstrated that there is much more to being family than external appearances. Diversity might actually facilitate individuation and separation in children.

Cultural competence and capacity are routinely screened for in white parents wishing to adopt African-American children. In addition, there are many books and Web sites available to help these parents, once they have been approved to adopt, on how best

to raise children of a different race and preserve their cultural roots. There is much emphasis on the need for adoptive parents to expose their adopted children to their African-American culture. While I do not take issue with this, I think there is a much broader need to instill appreciation of African-American culture among all school children and their parents. Tolerance, understanding, and respect should be taught early and reinforced at home. The magazine *Teaching Tolerance* published by the Southern Poverty Law Center has had significant impact on our school systems in this regard. Our culture is rapidly changing, and the fear that African Americans in white families will not be able to handle discrimination seems like an outdated notion. The onus should not be put on adoptees to learn to deal with discrimination but rather on society to end discrimination. African-American children in white families may play an important role in helping other children and their parents overcome racial stereotypes.

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