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**‘These infants are future Australians’:
Making the Nation through Intercountry Adoption
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Abstract

The formal practice of intercountry adoption has its origins in the immediate postwar years but has increased in scale over the past two decades. Although rates of intercountry adoption remain low in Australia, in recent years proponents have called for the transnational adoption of children to be made more readily accessible by Australian couples. As researchers working on the history of adoption in Australia, we are interested in the ways in which intercountry adoption is conceptualised in current discourse. This article examines the manner in which submissions to a 2005 government inquiry into intercountry adoption in Australia mobilised the idea of the ‘interests of the nation’ in their arguments for intercountry adoption, a deployment which – on the surface – seems to represent a break with the nation-building rhetoric associated with ‘White Australia’, a policy which dominated attitudes to immigration and population growth for much of the twentieth century, and one which continues to have a strong resonance. However, we would like to suggest that this strategic deployment of the national interest by proponents of intercountry adoption in fact perpetuates many of the discourses and outcomes associated with earlier population and nation-building policies in Australian history.

The scale of intercountry adoption has risen almost exponentially across much of the western world since the 1990s and now involves the movement of more than 30, 000 children a year between over a hundred countries.¹ Intercountry adoption has had an international presence since the aftermath of World War Two, and was initially conceived as a humanitarian response to war: World War II, the Korean War, and the Vietnam War. In more recent decades, the practice has been predominantly demand-driven, associated with delayed parenthood, rising infertility and the difficulties associated with domestic adoption, particularly the shortage of infants available for adoption.² The 1990s saw the beginnings of international regulation of intercountry adoption, in response to concerns about instances of child trafficking and exploitation. The Hague Convention on the Protection of Children and Co-Operation in Respect to Intercountry Adoption (1993) establishes minimum standards and safeguards to ensure that intercountry adoptions serve the best interests of the children and respect their fundamental rights; however, its ability to prevent the trafficking of children has

¹ Peter Selman, ‘Intercountry Adoption in the New Millennium; the “Quiet Migration” Revisited’, *Population Research and Policy Review*, 21, 3 (June 2002), 206.

² See R.H. Weil, ‘International Adoptions: The Quiet Migration’, *International Migration Review* 18, 2 (1984), 276–293.

come under question.³ In the 1990s recognition of the bad effects of previous adoption policies still shaped public discussion in Western countries,⁴ but in the twenty-first century adoption seems to have regained its legitimacy. At the same time, well-publicised adoptions by celebrities like Angelina Jolie, Brad Pitt and Madonna have served only to increase the visibility of intercountry adoption, and point towards a new era of normalisation.

In Australia, the visibility of intercountry adoption has been similarly strengthened by celebrity support and advocacy, in particular by the Hollywood actor Hugh Jackman and his wife Deborah-Lee Furness. Indeed, Furness has been a central figure in support of intercountry adoption in Australia, lobbying through her organisation, 'Orphan Angels', in support of improvements to the adoption process and greater acceptance of adoptive families.⁵ Formal intercountry adoption began in Australia in the aftermath of the Vietnam War and 'Operation Babylift'.⁶ Rates of intercountry adoption have increased dramatically over the past 25 years, and in 2007–08 represented 61% of all adoptions in Australia (in 1982–83 it was 6% of all adoptions).⁷ In 2007–08, there were 270 intercountry adoptions into Australia; 70 local adoptions; and 100 'known child' adoptions (meaning, generally, the formal adoption of a child by a step-parent, relative or carer).⁸ While intercountry adoptions exceed other forms of adoption in Australia, Australia's rate of intercountry adoption

³ Full text available online at http://www.hcch.net/index_en.php?act=conventions.text&cid=69 (accessed 20 July 09). On the limitations of the Hague Convention see... See also David Smolin, 'Intercountry Adoption as Child Trafficking', *Valparaiso Law Review*, 39, 2 (2004), 281-325; David M. Smolin, "Child Laundering: How the Intercountry Adoption System Legitimizes and Incentivizes the Practices of Buying, Trafficking, Kidnapping, and Stealing Children" *Wayne Law Review*, 52, 1 (2006), 113-200.

⁴ Rosemary Pringle, 'Adoption in Britain: reflexive modernity?', *Australian Feminist Studies*, vol. 19, no. 44, 2004, p. 225; Denise Cuthbert and Ceridwen Spark, "'Society moves to make its own solutions . . .': Re-thinking the relationship between intercountry and domestic adoption in Australia' in Ceridwen Spark and Denise Cuthbert (eds), *Other People's Children: Adoption in Australia*, Australian Scholarly Publishing, North Melbourne, 2009, pp. 55–72.

⁵ See Jessica Tapp, 'Deborra-Lee Furness pushes for more adoptions', ABC News Online, 16 Nov 2009, at <http://www.abc.net.au/news/stories/2009/11/16/2744336.htm> (accessed 6 January 2010). Furness promoted her cause through media appearances and a website, Orphan Angels, which was withdrawn in late 2009.

⁶ Patricia Fronek, 'Intercountry adoption in Australia: a natural evolution or purposeful actions' in Ceridwen Spark and Denise Cuthbert (eds), *Other People's Children: Adoption in Australia*, Australian Scholarly Publishing, North Melbourne, 2009, pp. 37–54.

⁷ Australian Institute of Health and Welfare (AIHW), *Adoptions Australia 2007_08*, Child Welfare Series no. 46. Cat. no. CWS 34, Canberra, 2009, p. v.

⁸ AIHW, *Adoptions Australia 2007–08*, p. 8. It should be noted that numbers of adoptions for 2007–08 were the lowest recorded for Australia since 1969–70. For a discussion of this decrease, see AIHW, *Adoptions Australia 2007–08*, pp. 33–4; Selman, op. cit.

is low when compared with a number of other countries and particularly the United States.⁹

It is within this wider context that the federal House of Representatives Standing Committee on Human and Family Services completed an Inquiry into the Adoption of Children from Overseas in Australia in 2005. Chaired by Liberal MP Bronwyn Bishop and primarily intended to investigate inconsistencies in the treatment of adoptive and biological children, the Inquiry generated a great deal of public interest and debate, receiving more than 270 written submissions and hearing from more than 90 individuals and organisations at public and community meetings across the country. Despite a self-proclaimed focus on the 'best interests of the child', the idea that the best interests of the *nation* would also be served by an increased flow of children into Australian families was constantly evoked during the Inquiry. Throughout its submissions, Australia is frequently imagined as having, by virtue of its first-world status, a responsibility to 'rescue' third world children, whose own nations were portrayed as unable, or perhaps unwilling, to care for them. Intercountry adoption, however, is also considered in the submissions to be beneficial to the Australian nation, helping not only to increase its population in a time of falling local birth rates, but also to encourage the making of what one submission called 'productive' future citizens.¹⁰ Put simply, intercountry adoption in the Inquiry became what another submission termed a 'Win-win-win': a win for children, a win for childless people, and a win for the Australia nation.¹¹

As researchers working on the history of adoption in Australia and mindful of the long history of loss and trauma that are associated with adoptive practices in Australia and elsewhere, we are particularly interested in the ways in which intercountry adoption is currently being conceptualised. In this article, we make use of the submissions, hearings and public conversations of the Inquiry into the Adoption of Children from Overseas to look more closely at the discourses surrounding intercountry adoption in contemporary Australia. Supporters of intercountry adoption have stressed that it is a new, inherently multicultural and profoundly humanitarian

⁹ Selman, op. cit., p. 185.

¹⁰ House of Representatives Standing Committee on Human and Family Services (HRSCFHS), *Overseas Adoption in Australia: Report of the Inquiry into Adoption of Children from Overseas*, Canberra 2005, submission 111, anon; submission 234, Inter Country Adoptee Support Network. All submissions can be accessed at <http://www.aph.gov.au/house/committee/fhs/adoption/subs.htm> (accessed 21 July 09).

¹¹ Submission 74, anon.

way to make – and perhaps even re-make – the Australian nation ‘by promot[ing] harmony, tolerance and understanding of other countries and cultures’¹², an assertion of much significance given the histories of both nation-making and adoption in Australia. As many have noted, the making of the Australian nation has all-too-frequently taken place around the construction or maintenance of an explicitly “white Australia”.¹³ The first act of the Australian parliament, the *Immigration Restriction Act* (1901) conceptualised the nation as white for much of the twentieth century. Critical to the genesis and maintenance of the White Australia policy was the perceived importance of populating the ‘new’ nation with white bodies.¹⁴ Although this conceptualisation was challenged – especially by postwar migration, the dismantling of the White Australia policy in the 1970s, and the largely bipartisan move to an official policy of multiculturalism in the 1970s and 1980s – the idea of Australia as a white nation maintained a great deal of potency. At the same time, and similarly driven by an assimilationist imperative, the twentieth century saw the height of the state-sponsored removal of Indigenous children from their families in what has become known as the ‘stolen generations’.¹⁵

While proponents of intercountry adoption draw on some elements of this nation-making lineage, in the twenty-first century intercountry adoption itself does seem to represent a significant break from this past, apparently uncoupling the question of population from the racialised imperatives within which it has so often been framed. Instead, nation-making is apparently mobilised in support of intercountry adoption through a new framework of inclusiveness and diversity; it is a

¹² Submission 101, Australian African Children’s Aid and Support Organisation.

¹³ See for example: Warwick Anderson, *The Cultivation of Whiteness: Science, Health and Racial Destiny in Australia*, Melbourne University Publishing, Carlton, 2005; Alison Bashford, ‘Is “White Australia” possible? race, colonialism and tropical medicine’, *Ethnic and Racial Studies*, vol. 23, no. 2, 2000, pp. 248–71; Catriona Elder, Cath Ellis and Angela Pratt, ‘Whiteness in constructions of Australian nationhood: indigenes, immigrants and governmentality’, in Aileen Moreton-Robinson (ed), *Whitening Race: Essays in Social and Cultural Criticism*, Aboriginal Studies Press, Canberra, 2004, pp. 208–21; Marilyn Lake, ‘White man’s country: the trans-national history of a national project’, *Australian Historical Studies*, vol. 24, no. 122, 2003, pp. 346–63.

¹⁴ Ien Ang, ‘From White Australia to Fortress Australia: the anxious nation in a new century’ in L. Jayasuriya, D. Waler and J. Gothard (eds), *Legacies of White Australia: Race, Culture and Nation*, University of Western Australia Press, Olinda, 2003, pp. 18–37; James Jupp, *From White Australia to Woomera: The Story of Australian Immigration*, Cambridge University Press, Port Melbourne, 2007.

¹⁵ For an examination see: Anna Haebich, *Broken Circles: Fragmenting Indigenous Families 1800–2000*, Fremantle Arts Centre Press, Fremantle, 2000; Human Rights and Equal Opportunity Commission, *Bringing Them Home: Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families*, Sydney, 1997; Peter Read, *The Stolen Generations: The Removal of Aboriginal Children in New South Wales 1833–1969*, Govt. Printer, Sydney, 1981; Peter Read, *A Rape of the Soul so Profound: The Return of the Stolen Generations*, Allen & Unwin, St Leonards, 1999.

means of making “rainbow” families and, by extension, a multicultural, racially diverse nation. Indeed, for many supporters of intercountry adoption it is *opposition* to the practice that is cast as racially and nationally suspect, signalling the continuation of a commitment to the maintenance of a white Australia. Furness, for example, characterised the apparent resistance to intercountry adoption by federal and state governments as the ‘return of a “White Australia policy”’.¹⁶

Nevertheless, the evidence discussed below suggests that the strategic deployment of the national interest by proponents of intercountry adoption continues to serve the assimilationist purposes of modern nation-building in Australia. Echoing the nation-making rhetoric of the past, contemporary invocations of the nation rely on a schema of stratified reproduction within which some people – middle-class, heterosexual, respectable and stable people – are assumed to be more fit to parent than others. And further, by appealing to the nation, proponents of intercountry adoption perhaps unintentionally remind us that adoption policy, both local and international, has typically been driven by the interests of states and adoptive parents, rather than adoptive children themselves. The contemporary discourses surrounding intercountry adoption share continuities with earlier discourses on adoption in Australia and beyond, reflecting an historical pattern which, at best, sees children serving the interests of adults and, at worst, has resulted in the systematic abuse of both children and birth families – who invariably hold far less power than either adoptive families or the state – and unleashed legacies of trauma and disconnection for significant numbers of people around the world.

The 2005 Inquiry’s Report on intercountry adoption in Australia was released during the closing years of the conservative government led by Prime Minister John Howard. One of the features and ongoing legacies of the Howard government has been the stimulation of widespread public debate about the issue of declining fertility in Australia, and, in response to this, the advent of interventionist pronatalist policies to address the “problem” of an ageing population. As Genevieve Heard has documented, over the course of the Howard government’s eleven years in office the issue of fertility moved swiftly from one understood as fundamentally unsuited to government intervention or comment – as the outraged response to Victorian Premier Jeff Kennett’s incursion into the issue in a 1999 speech to female high school students

¹⁶ Ellen Connolly, ‘Deborra-Lee Hits Adoption Laws’, *Herald Sun*, August 5, 2007, at <http://www.news.com.au/heraldsun/story/0,21985,22189611-661,00.html> (accessed 15 July, 2009).

demonstrated¹⁷ – to a valid and important focus of national policy and rhetoric. This was most clearly and publicly demonstrated by the former Treasurer Peter Costello's 2007 exhortation to Australian families to have three children: 'one for Mum, one for Dad and one for the country'. It can also be seen in his series of "breeder budgets", which enacted a myriad of pro-family policies and benefits.¹⁸

As Maryanne Dever and Barbara Baird have astutely argued, contemporary debates around the declining birth rate in Australia draw for their effect on historical ideas, images and anxieties rooted in Australia's relatively recent settler past.¹⁹ These debates feature ideas about the nation and nation-building very familiar to Australian historians: notions of Australia as a vast, empty land needing to be filled; of the dangers of excessive or indiscriminate immigration and the desirability of a 'home grown' population boost; of the vulnerability of our borders; of the worrying possibility of falling into 'Old World' patterns of degeneration and decline, leading to 'race suicide'; and of the decadence and/or selfishness of (white) middle-class women reneging on their maternal responsibilities to the nation.²⁰ Intrinsic to all these facets of Australian debates about fertility – both historical and contemporary – is, as Dever argues, a racialised semiotics in which the 'right' mothers and babies to fulfil national needs are understood to be white mothers and white babies. Dever compellingly links the Howard government's pronatalism to its deployment of a 'politics of difference' in relation to border security and refugee policy, while Baird notes that 'debates about

¹⁷ In April 1999 Jeff Kennett, then Premier of the state of Victoria, gave a speech to students at MacRobertson Girls' High in which he spoke about the threat to Australia's prosperity of declining birth rates, and was quoted as saying that 'our women are not producing enough offspring to simply maintain our population levels'. Kennett was subsequently lambasted by feminist groups, the media and opposing parties for implying that it was the duty of young women to breed. See Genevieve Heard, 'Pronatalism under Howard', *People and Place*, vol. 14, no. 3, 2006, p. 13.

¹⁸ Genevieve Heard, 'Pronatalism under Howard', *People and Place*, 14, 3 (2006), 12-25. See also Anne Summers, *The End of Equality: Work, Babies and Women's Choices in 21st century Australia* (Milsons Point, New South Wales 2003), esp. ch. 10.

¹⁹ Maryanne Dever, 'Baby talk: the Howard Government, Families, and the Politics of Difference', *Hecate*, 31, 2 (October 2005), 45-61; Barbara Baird, 'Maternity, Whiteness and National Identity: The Case of Abortion', *Australian Feminist Studies*, <http://www.informaworld.com/smpp/title~content=t713402962~db=all~tab=issueslist~branches=21-v21> 21, 50 (July 2006), 197-221.

²⁰ One of the first Royal Commissions after the nation was federated addressed the problem of the declining birth rate in New South Wales, which was seen as 'a grave disorder sapping the vitals of a new people, dispelling its hopes, blighting its prospects, and threatening its continuance' as well as its position in the 'rivalry of nations'. Cited in Kate Murphy, "'Very Decidedly Decadent': Responses to Modernity in the Royal Commission on the Decline of the Birth Rate in New South Wales, 1903-4", *Australian Historical Studies*, 126 (2005), 232.

maternity...continue to be wedded to historically repetitive discourses of race and national vitality'.²¹

Contemporary discourses around the declining birth rate are thus imbued with ideas, symbols and anxieties drawn from the era of nation-building associated with both Federation and the White Australia policy, in which the 'unclothed immigrant' (the child born to citizens, and preferably respectable, middle class citizens) was deemed the ideal basis on which to build a robust and great nation.²² Pronatalist policies, as well as child protection legislation, have historically privileged white mothers and their children.²³ Recent debates around population have repeated these tendencies, both implicitly and explicitly. Baird has noted, for example, that debates around abortion in Australia often contain racially-charged implications regarding the 'killing of our own' while other (non-white) cultures continue to breed at an enormous rate.²⁴ So too, in recent conversations around the issue of declining birth rates, the option of increasing immigration was raised but was soon dismissed by commentators, many of whom preferred to encourage 'more native-born babies'.²⁵ The rejection of immigration clearly echoes sentiments from early last century that 'population is best replenished and our empty spaces best filled by our own natural increase: the newborn infant, in other words, is our best immigrant'.²⁶

Historically, then, the discourse of nation building and the politics of population during the first century of Australia's nationhood have revolved around a pronatalist emphasis on the importance of white, home-grown children. At the turn of

²¹ Dever, op.cit; Baird, op.cit, 203. See also Maryanne Dever and Jennifer Curtin, 'Bent Babies and Closed Borders: Paid Maternity Leave, Ideal Families and the Australian Population Project', *Asian Journal of Women's Studies*, 13, 2 (2007), 33-62.

²² See for example Alison Mackinnon, "Bringing the Unclothed Immigrant into the World": Population Policies and Gender in Twentieth Century Australia', *Journal of Population Research*, 17, 2 (2000), 109-123.

²³ Australia's racialised anxieties around population issues have revolved around a hierarchy in which some women's reproductive labours are valued more than others. See Ann McGrath, 'Beneath the Skin: Australian Citizenship, Rights and Aboriginal Women' in R. Howe (ed.), *Women and the State: Australian Perspectives*, (Bundoora, Victoria 1993), 99-114. In cases where the state was concerned with non-white or mixed race children, such as in the matter of the Stolen Generations, its treatment of them can be understood as being part of the 'socio-political strategy of Whiteness': Phillip Morrissey, 'Aboriginal Children', *Australian Humanities Review*, Issue 42, August 2007, online at <http://www.australianhumanitiesreview.org/archive/Issue-August-September%202007/Morrissey.html> (accessed 7 July 2009).

²⁴ See for example a 2004 speech by then-businessman Malcolm Turnbull (who is currently Leader of the Opposition Liberal Party in the Australian Parliament) on the 'decline of the West' in the face of the rise of the Islamic world, cited in Baird, op.cit., 202.

²⁵ See for example the *Australian Financial Review*, 25 February 2002, cited in Dever and Curtin, 'Bent Babies and Closed Borders', 41.

²⁶ The quote is from *AJHR*, 1925, H-31, 3 cited in Philippa Mein Smith, 'Blood, Birth, Babies, Bodies', *Australian Feminist Studies*, 17, 39 (2002), 305-323.

the twenty-first century, however, increasing support for intercountry adoption has added new elements to this rhetoric by insisting that other ways of increasing the population are equally legitimate, and might even be more beneficial for the nation itself. Within these new nation-building discourses, there is the familiar emphasis on the benefits to the nation's prosperity and security of robust population growth, but the sources from which this growth may be secured are opened to include adoption as equally 'valid' to natural generation as a mode of family formation. Further, and more significantly, these contemporary nation building discourses are no longer exclusively white: they are open to the nation being built through the adoption by Australian families of children from 'overseas'.

It is perhaps unsurprising, then, that the 2005 Inquiry was 'unequivocally in support of intercountry adoptions' and deeply critical of the 'anti-adoption culture' attributed to state and territory welfare departments and the public more broadly.²⁷ While the inquiry's terms of reference in theory restricted its focus to intercountry adoption, in its final report the committee suggests that adoption, rather than foster care and other out-of-home-care, might also be 'in the best interests' of many Australian-born children.²⁸ The Inquiry was followed by another into the Impact of Illicit Drug Use on Families, which produced its final report in September 2007. This Inquiry's Report, *The Winnable War on Drugs*, recommends that a national adoption strategy should be implemented recognising adoption as a way to give a 'significant proportion' of children of drug-addicted parents a stable home. It proposed that adoption should operate as the 'default' care option for children aged under five in cases in which illicit drug use is reported as a factor in a child protection notification. Where this is the case, it would fall on child protection authorities to prove that adoption was *not* in the 'best interests' of the child/ren, reinforcing the implication that adoption would be naturalised under these proposed guidelines.²⁹ Significantly, these inquiries did not represent an aberration in federal government attitudes towards adoption; rather, they appear to represent the beginnings of a profound change in adoption policies in Australia. The current Rudd government has since signalled its support for a systemic reform of intercountry adoption, and is now acting on a number of the recommendations of the inquiry, including its calls for the federal government

²⁷ HRSCFHS, op.cit., ix.

²⁸ Ibid., x.

²⁹ House of Representatives Standing Committee on Human and Family Services, *The Winnable War on Drugs: The Impact of Illicit Drug Use on Families*, September 2007, xxii and ch. 3.

to take on a greater role in facilitating overseas adoption.³⁰ It has remained silent, however, on the 2007 report.

These pro-adoption governmental initiatives represent a significant shift in attitudes towards adoption in Australia. Not only do they appear to be returning adoption to its previous position as an unequivocal good, but, in doing so, they also marginalise – and at times erase – the recognition of the harm and trauma associated with adoption policies and practices that characterised public conversations in the 1980s and 1990s, both in Australia and internationally. As Rosemary Pringle commented as late as 2004, the ‘climate of apology’ surrounding adoption in Australia, linked with understandable shame regarding past adoption practices and in particular the ‘stolen generations’ of Aboriginal children, mean that it has been ‘almost impossible’ to endorse adoption as a policy option since the 1970s.³¹ In both the 2005 inquiry into overseas adoption and the 2007 inquiry into the impact of drug use on families, however, adoption has once again become very possible. Read together, these inquiries and their conclusions signal an attempt to rehabilitate adoption in Australia from its apparent status as the ‘poor relation of child protection’ policy to political and social endorsement as a ‘legitimate way to form or add to families’.³²

These attempts to recuperate and restore adoption to its former, commendable position as a social policy option were undoubtedly nurtured by the conservative family policy context of the Howard government, and have been further encouraged by international trends in adoption policy.³³ Another critical factor driving this repositioning of adoption has been the burgeoning influence of an organised and effective network of intercountry adoption proponent groups and organisations in Australia. As Kirsten Lovelock notes, lobby groups have wielded a great deal of influence on postwar government policy on intercountry adoption in other countries, especially the United States.³⁴ The emergent adoption lobby in Australia has in the

³⁰ See Government response to the recommendations available at <http://www.aph.gov.au/house/committee/fhs/adoption/govtresponse.pdf> (accessed 16 July 2009)

³¹ Rosemary Pringle, ‘Adoption in Britain: Reflexive Modernity?’, *Australian Feminist Studies*, 19, 44 (July 2004), 225.

³² HRSCFHS, op.cit., 4, 9.

³³ See Kate Murphy, Marian Quartly and Denise Cuthbert, ‘In the Best Interests of the Child’: Mapping the (Re) emergence of Pro-Adoption Politics in Contemporary Australia’, *Australian Journal of Politics and History*, 55, 2 (2009), 201-218.

³⁴ Kirsten Lovelock, ‘Intercountry Adoption as a Migratory Practice: A Comparative Analysis of Intercountry Adoption and Immigration Policy and Practice in the United States, Canada and New

past five years sought to influence governmental and public attitudes towards adoption through media-savvy strategies and the enlistment of celebrity support. Jackman and Furness, for example, have been central in calls for the federal government to streamline intercountry adoption processes and seek agreements with more sending countries – including countries that are not signatories to the Hague Convention.³⁵

Echoing the 2005 inquiry, Furness has been publicly scathing of Australia's 'anti-adoption culture' and has employed very effectively a tactic, identified by Patricia Fronek, whereby proponents of intercountry adoption wield the term 'anti-adoption' to refer to anybody urging caution or voicing ethical issues in relation to adoption, either domestic or intercountry.³⁶ Furness' organisation 'Orphan Angels', while specifically formed as an intercountry adoption pressure group, lobbied the government to establish the inquiry into domestic adoption suggested (though not officially recommended, due to the limitations of its terms of references) by the 2005 Inquiry. Furness' campaigning on adoption has been effective and has led to widespread discussion and interest in the popular media. Among many other examples, a recent edition of *Marie Claire* contained an article entitled 'Celebrities Can Adopt: Why Can't We?' which condemns Australia's 'heartbreaking policies' on intercountry adoption, citing Furness.³⁷ The popular morning television show *Sunrise* has also very vocally supported Furness' calls for reform of intercountry adoption.³⁸ The second annual Adoption Awareness Week (November 16-22, 2009), instigated by Furness, is likely to generate even more interest and attention to the issue.

For many of its supporters, whilst intercountry adoption might be facilitated by national governments and international laws, its purpose is profoundly individualised: it is about a child in need and a family with the ability and desire to help. Indeed, intercountry adoption has often been understood as driven primarily by

Zealand in the Post W.W. II Period', *International Migration Review*, 34, 3 (Autumn 2000), 911 and *passim*; see also Fronek, 'Intercountry adoption in Australia'.

³⁵ See, for example, Jessica Tapp, 'Deborra-Lee Furness pushes for more adoptions', ABC News Online, 16 Nov 2009, at <http://www.abc.net.au/news/stories/2009/11/16/2744336.htm> (accessed 6 January 2010).

³⁶ Fronek, *op. cit.*, 49.

³⁷ 'Celebrities Can Adopt: Why Can't We?', *Marie Claire* February 2006, at <http://au.lifestyle.yahoo.com/b/marie-claire/3865/celebrities-can-adopt-----why-cant-we> (accessed 21 July 2009).

³⁸ See November 2008 episode at <http://www.youtube.com/watch?v=8eKciR4gcxo> (accessed 15 July 2009).

the individual desires and private interests of adoptive parents.³⁹ The relationship between these individual interests and those of the nation, then, has not always been clear. And there are aspects of intercountry adoption, particularly in terms of costs, which would seem to remove it from the national interest. The cost of establishing programmes, for example, might divert scarce resources away from the care of local children,⁴⁰ as might the adoption of overseas children with special needs.

In the 2005 Inquiry, however, as well as in public debate around intercountry adoption in Australia more generally, the individual, private needs of adopting families have been strongly aligned with the national interest; or rather, in some cases, the need of the nation for new citizens has subsumed and obscured the individual and private motivations for adoption of most adoptive families. In these discourses, intercountry adoption is made to appear to be in the interests of the nation, while adoptive families are represented as benevolent citizens of the nation, opening their hearts and their homes to children born overseas. Within this schema, intercountry adoption swiftly becomes a national imperative: the interests of adoptive parents are firmly linked to those of the nation, and these links form the basis of campaigns for increased government attention and support.

This process can be seen in Bishop's 2005 Australian inquiry. The inquiry was a response to lobbying by pro-adoption groups and specifically addressed the concerns of adoptive parents, who constituted the majority of participants and witnesses in the inquiry.⁴¹ Reflecting the Inquiry's terms of reference, the focus of written public submissions are twofold: inconsistencies in the cost and approval processes for intercountry adoption between states and territories; and inconsistencies in government assistance for intercountry adopting parents when compared with biological parents. The Australian nation and its interests, however, form a significant thread that can be seen running through the submissions. While typically casting their

³⁹ See Lovelock, op. cit., 910; Fronek, 'Intercountry adoption in Australia'; New Zealand Law Commission Report 65, *Adoption and its Alternatives: a Different Approach and a New Framework* (Wellington New Zealand 2000), p. 11.

⁴⁰ See evidence given by a senior representative from the Department of Children's Services in New South Wales, HRSCFHS, Overseas Adoption in Australia, p. 93.

⁴¹ Bishop openly reveals the objective of the inquiry as an investigation into 'why overseas adoptions are so difficult and so expensive': see Paula Kruger, 'Government Opens Inquiry into Adoption Difficulties' on ABC Radio PM, 18 April 2005, at: <http://www.abc.net.au/cgi-bin/common/printfriendly.pl?http://www.abc.net.au/pm/content/2005/s1347940.htm> (transcript accessed 6 August 2009); see also HRSCFHS press release announcing its public hearings in Queensland, accessed on 6 August 2009 at: <http://www.aph.gov.au/house/committee/fhs/adoption/media/media04.pdf>.

investment in the issues as a profoundly *personal* one based on individual desires to form families and, in some cases, offer homes to children in need, proponents of adoption also pointed to the ways in which their individual needs or desires complemented those of the nation. Intercountry adoption, it is argued, ‘provides children who otherwise have virtually nothing, the chance to grow up in a loving, safe home with opportunities to reach their potential. Simultaneously, it enables many Australians to fulfil their dreams of creating or enlarging their families.’⁴²

The nationalist imperatives deployed in submissions to the inquiry may also be seen at work in the numerous calls for a greater or enhanced role for the federal government – as distinct from the governments in states and territories – in the management and regulation of intercountry adoption in Australia.⁴³ It is suggested in the submissions on this subject that differing requirements between states in the management of intercountry adoption are problematic as ‘we are all Australians’ and should be treated ‘equally’.⁴⁴ Likewise it was argued that as adopted children ‘become citizens of Australia...why do people have to apply through state governments?’⁴⁵ Another submission noted that ‘It is time this country grew up and we placed the official channels in the hands of the federal government so that we can approach overseas countries as a nation rather than a bunch of squabbling states’.⁴⁶ The need for the federal government to be more involved in intercountry adoption was a clear feature of the submissions and the subsequent Report. The Committee’s recommendation that responsibility for establishing and managing overseas adoption programs be transferred to the Attorney General’s Department was accepted by the current government and has been implemented.

The Australian nation featured strategically in the Inquiry in two main ways. First, Australia is imagined – and notions of ‘Australianness’ are performed – in support of calls for greater access to intercountry adoption. Supporters of intercountry adoption position Australia as having a responsibility, as a wealthy developed nation, to adopt needy children from developing countries as a form of humanitarian aid, thereby cementing its status as a good ‘global citizen’. In these arguments, the actions of the nation as a good and humanitarian-inclined global citizen mirror or parallel the

⁴² Submission 100, Australian African Children’s Aid and Support Organisation.

⁴³ At least fourteen submissions take up this point.

⁴⁴ Submission 67, anon.

⁴⁵ Submission 104, individual.

⁴⁶ Submission 127, individual.

aspirations of adoptive parents to take in the needy children of the world and make them their own. The blurring of the boundaries between good-hearted nations and citizens in the developed world, as well as those between needy countries and children in the developing world, highlights the alignments between the private needs of adoptive parents and the needs and imperatives of the nation. As one proponent told the Committee, '[t]his is one way a rich country like Australia can help countries/children less fortunate than ourselves'.⁴⁷ It was argued that 'Australia is well placed to contribute in a much more significant way as part of its responsibilities and obligations as an international citizen'.⁴⁸ Many submissions pointed to the numbers of children apparently urgently in need of rescuing from other countries:

Please improve the efficiency of the whole process between states and keep the possible adoptive parents informed of what is happening and of why there is a bottle neck, particularly when there are so many children suffering in many other countries. It should...be in the government's and the world's humanitarian interest to look after these children as soon as possible.⁴⁹

Several submissions, echoing the rhetoric utilised by Furness in television appearances,⁵⁰ referred explicitly to Australia's status as a 'lucky country': 'It would be great to think that not only will Australia be known as the Lucky Country, but also as a builder of families'.⁵¹ In the revised nation-building rhetoric at work in these pro-adoption discourses, the luck of the lucky country can be readily extended to others less fortunate than us by making them Australians, too:

Children who are declared abandoned overseas and made available for adoption and end up being adopted in Australia would have to rate among the luckiest children in the world. They are being taken from deprivation and squaller [sic] where there is no one and no funding to look after them and given parents who will care for them and offer them opportunities they could not have dreamed of in their birth country.⁵²

⁴⁷ Submission 77, individual.

⁴⁸ Submission 96, individual.

⁴⁹ Submission 40, individual.

⁵⁰ *The 7.30 Report* 13 March 2008, transcript at <http://www.abc.net.au/7.30/content/2007/s2188906.htm> (accessed 15 July 2009).

⁵¹ Submission 235, anon.

⁵² Submission 127, individual.

Proponents of adoption also draw on popular ideas about Australia as a generous and nurturing nation to admonish the government for their perceived lack of support for intercountry adoption. One noted that ‘Australians...are generous with humanitarian aid worldwide and it would seem out of character to penalize Australian parents who rescue children from a life of deprivation and rootlessness’.⁵³ Other popular nationalist rhetoric is also thrown into the mix. Several submissions talked about Australia extending a ‘fair go’ for adoptive parents or needy children.⁵⁴ One adoptive mother told the Committee:

I want my daughter to grow up being proud...to be an Australian. I wanted her to grow up believing that in Australia we are all considered equal – except that now I don’t believe that’s true, if the example set to her by the government right from the outset is anything to go by.⁵⁵

In this passage, it is the voice of the adoptive parents which best represents the true spirit of Australia – the spirit of the land of equality and the fair-go – and the job of these Australians is to remind the government of Australia of its responsibilities.

These discussions about Australia’s position in the world and its related humanitarian responsibilities draw strongly on what adoption scholars internationally have referred to as an ‘ideology of rescue’ that casts (adult) developed nations as having a responsibility to act as rescuers of the (infantile) developing world.⁵⁶ Patricia Holland has explored how images of poverty in the developing world frequently feature helpless, appealing children, who are offered up to a viewer assumed to be white, paternal and prosperous and thus a potential surrogate (or adoptive) parent.⁵⁷ Children are often pictured alone and without cultural or family context, suggesting that they are unprotected or orphaned.⁵⁸ This kind of representation has a specific resonance in the ICA context, in which the category ‘orphan’ has particular utility; despite its problematic and misleading character. Furness and Jackman, among others,

⁵³ Submission 56, Australian Council for Adoption.

⁵⁴ Submission 100, Australian African Children’s Aid and Support Organisation; submission 172 – anon.

⁵⁵ Submission 140, anon.

⁵⁶ See for example Laura Briggs, ‘Mother, Child, Race, Nation: The Visual Iconography of Rescue and the Politics of Transnational and Transracial Adoption’, *Gender & History*, 15, 2 (August 2003), 179-200.

⁵⁷ Patricia Holland, *Picturing Childhood: The Myth of the Child in Popular Imagery* (London and New York 2004), 148.

⁵⁸ Ibid, ch. 6.

have in the past few years been responsible for promulgating the idea that there are hundreds of millions of defenceless children in the world.⁵⁹ This claim is based on the UNICEF definition of 'orphan' which applies to children who have lost one or both parents, but the majority of whom are cared for by relatives. UNICEF has itself warned against the misuse of figures regarding 'orphaned' children:

[UNICEF's] definition contrasts with concepts of orphan in many industrialized countries, where a child must have lost both parents to qualify as an orphan... this difference in terminology can have concrete implications for policies and programming for children. For example, UNICEF's 'orphan' statistic might be interpreted to mean that globally there are 132 million children in need of a new family, shelter, or care. This misunderstanding may then lead to responses that focus on providing care for individual children rather than supporting the families and communities that care for orphans and are in need of support.⁶⁰

As this comment suggests, one of the problems with the imagery of the defenceless orphan needing a (western) rescuer is that it implies that the ultimate form of 'rescue' is not to give aid to support a child in its own country and culture, but to pluck it from this existence in order to give it access to the 'privileges' of the first world. A common visual device in the iconography of rescue is the intervention of a 'charismatic individual' from the West: an Angelina, Madonna or Furness/Jackman.⁶¹ The assumption is always that this alternative mother or father, representing the developed nation – the Lucky Country – can offer the unfortunate child a better life.⁶² Notions of child rescue also have a long lineage in the domestic context of adoption in Australia. As Fronek has commented, this discourse of child rescue is 'one dimensional, wholly positive, and not amenable to the consideration of complexities of social circumstances, politics, [and] welfare conditions'.⁶³ As David Smolin and Damien Riggs have argued in different contexts, the 'child rescue' narrative may work

⁵⁹ See for example 'Jackman attacks adoption laws', *ABC online* May 1 2009, at <http://www.abc.net.au/news/stories/2009/05/01/2557776.htm> (accessed 15 July 2009).

⁶⁰ UNICEF Press Centre, 'Orphans', at http://www.unicef.org/media/media_45290.html (accessed 21 July 2009).

⁶¹ Holland, *Picturing Childhood*, 151–52.

⁶² Similar notions of child rescue have a long lineage in the Australian domestic context. See Shurlee Swain, 'The State and the child', *Australian Journal of Legal History*, 4, 1 (1990), pp. 57–77; Renate Howe and Shurlee Swain, 'Saving the child and punishing the mother: single mothers and the State 1912–1942', *Journal of Australian Studies: Special Edition on Women and the State: Australian Perspectives*, no. 37 (1993), pp. 31–46.

⁶³ Fronek, *op. cit.*, p. 49.

to remove the need the need for mostly affluent, white adoptive parents to reflect critically on their position in global networks of racialised power, wealth and opportunity that make possible the very fact of transnational adoption.⁶⁴ Where transnational adopters do reflect on these issues, they often do so in ways which simultaneously reinforce their sense of privilege and their sense of innocence through what Emily Noonan calls ‘anti-conquest narratives’, which view the western world as competent nurturer rather than imperialist father.⁶⁵

The second, and far more prevalent, figuration of the nation in the 2005 Inquiry can be found in the ways in which intercountry adoption is positioned as beneficial to the nation, promising to alleviate Australia’s birth-rate “problems”, enable the formation of more stable families, and contribute to the creation of productive future citizens. Submissions often explicitly referred to intercountry adoption in terms of the pronatalist preferences and policies of the Howard government. In both their written submissions to the inquiry and in evidence given to the committee in public hearings, adoptive parents and prospective adoptive parents claimed proudly and explicitly that they were ‘Putting into practice what Howard has urged us all to do’ in seeking to ‘have more kids’ through intercountry adoption.⁶⁶ As one submission put it:

Australia is currently facing a negative growth rate and with couples having less kids and later in life the outlook for the country is of some concern. The Federal Government encourages families to have children to minimise any demographic impact our ageing population will have in the future. To its credit the Federal Government has identified these issues to the Australian people and has developed initiatives to reduce our ageing population and encourage an increased growth rate. It is difficult therefore to understand why no initiatives have been suggested to assist couples with intercountry adoption.

This submission ended with the words: ‘ADVANCE AUSTRALIA FAIR’,⁶⁷ reinforcing the nation-building sentiments implicit in its argument and implying that

⁶⁴ David Smolin, ‘Intercountry adoption and poverty: a human rights analysis’, *Capital University Law Review*, vol. 36, 2007, pp. 413-53; Damien W. Riggs, ‘Race privilege and its role in the ‘disappearance’ of birth families and adoptive children in debates over nonheterosexual adoption in Australia’ in Spark and Cuthbert (eds), *Other People’s Children*, pp. 161–75.

⁶⁵ See Emily J. Noonan, ‘Adoption and the Guatemalan Journey To American Parenthood’, *Childhood* 14 (2007), 308.

⁶⁶ Submission 136, individual.

⁶⁷ Submission 41, individual.

as well as being ‘anti-adoption’, the failure to implement initiatives to facilitate increased levels of intercountry adoption in Australia might well be ‘unAustralian’. In line with this perception of intercountry adoption as a *service* to the Australian nation, many proponents called for greater government assistance in support of the efforts of adoptive parents. A particularly prominent demand in many submissions was for tax rebates for adoptive families, similar to those offered in the United States, Canada and some European countries. As noted above, many [several?] submissions referred to Costello’s now-infamous directive to parents. One said:

Peter Costello last year exhorted us to have more kids, one for Mum, one for Dad and one for the country. Well we’re trying our best and we hope that the Federal Government realises this and decides to offer a fair level of support to ICA families to help that happen.⁶⁸

Another offered that,

With the low fertility rate currently a major concern to Australia’s future, and with the government’s recent call to have an extra child for posterity, we, who form our families through adoption, can do our bit to stem this unfortunate situation.⁶⁹

A number of submissions viewed the government’s lack of financial assistance for adoptive parents, and the resultant disparity between the cost of raising an adoptive child and the cost of bearing biological children, as discriminatory. Again implying the ‘unAustralianness’ of lack of support for intercountry adoption in Australia, one such submission argued:

Our government wants to increase the population to provide for our ageing population but it is clearly discriminatory in how that increase happens. I am at times ashamed to be an Australian and feel also we may very well have been better off moving to our daughter’s country or to a more adoption-friendly country rather than have her move here.⁷⁰

⁶⁸ Submission 127, individual.

⁶⁹ Submission 48, anon.

⁷⁰ Submission 172, anon.

Another states that '[i]t is absurd that governments facilitate (and even create) so many barriers and discriminatory policies to hinder adoptive parents', particularly given that so much money goes to assisted reproductive technology.⁷¹

As well as pointing to the immediate benefits of transnational adoption in augmenting the population, supporters argue for the long-term economic and social benefits of intercountry adoption in producing productive Australian citizens and taxpayers. Further working to align the interests of adoptive parents with those of the nation, as well as removing the distinction between families formed natively and those formed through adoption, one submission argues that irrespective of whether family formation comes about through intercountry adoption or birth, '[t]he end result...to Australian parents is the same [as] to Australia. There is a child to raise and educate to be a happy and productive member of society'.⁷² Adoptive parents have the same 'parental responsibilities' as biological parents, which is 'to raise children to be happy, confident and proud Australian citizens'.⁷³ These new citizens, it is suggested, will 'grow up to become valuable contributors to our society and be the next generation of doctors, teachers, plumbers, accountants and dare we say politicians'.⁷⁴ Another submission put it:

These infants are future Australians. They will be part of our community from the minute they enter Australia. They'll attend our playgroups and kindergartens. As they grow, they'll attend our schools and universities. They'll join our sporting clubs and community organisations. Once they reach adulthood, they will enter our workforce. They will be on an electoral role [sic] and will vote. One day, they will become parents and will produce a future generation of Australians.⁷⁵

Several submissions lobbying for access to intercountry adoption for same-sex couples also utilised this rhetoric, arguing that sexuality should not be a factor in determining suitability to adopt, because the most important consideration is the ability of the adoptive parent/s to offer a child an 'opportunity to become an effective contributor to the Australian community in adulthood'.⁷⁶

⁷¹ Submission 7, anon.

⁷² Submission 111, anon.

⁷³ Submission 121, individual.

⁷⁴ Submission 109, individual.

⁷⁵ Submission 209, Queensland Taiwan Support Group.

⁷⁶ Submission 213, individual.

In this way, children are frequently figured in the inquiry in terms of their future ability to contribute to the nation's economy and become part of Australia's citizenry. While it is understandable that proponents of intercountry adoption chose to speak strategically to matters of 'national interest' as part of this inquiry, as researchers in the history of adoption we are acutely aware that the theme of national productivity and interest have been rehearsed before in the adoption context, notably during the pre-reform era of domestic adoption, where the rhetoric was also about making children productive members of society.⁷⁷ Government policy, including adoption policy, tends, as Jan Mason has argued, to view children as 'becomings' – as resources/human capital for the future – rather than 'beings' with identities and experiences in the present; thus it has developed with the interests of nations, and not those of children, in mind.⁷⁸ In the Australian context, Helen McDonald has argued convincingly that child removal policies in the twentieth-century were not motivated by concern for child welfare (a common misunderstanding perpetuated, for example, in the film *Rabbit Proof Fence*)⁷⁹; but that in fact national and Imperial interests, including the protection and perpetuation of White Australia, underlay both indigenous child removal practices and British child migration schemes, despite the frequent employment of the ideology of 'rescue' that continues to be utilised in the discourse in support of ICA.⁸⁰

Intercountry adoption also frequently appears in the Inquiry as providing children with the 'right' kind of parents, further proof of the national benefit of ICA. Throughout the Inquiry, adoptive families are considered to be better able to raise productive citizens than many other parents of biological children, in part due to the gruelling processes through which they go to establish their fitness to parent. It is stressed in several submissions that due to the rigorous application process, adoptive parents are 'well educated, dedicated and financially better off than most people' and

⁷⁷ See for example Shurlee Swain with Renate Howe, *Single Mothers and their Children: Disposal, Punishment and Survival in Australia* (Cambridge; Melbourne 1995).

⁷⁸ Jan Mason, 'Child Protection Policy and the Construction of Childhood' in Jan Mason and Toby Fattore (eds), *Children Taken Seriously: in theory, policy and practice* (London; Philadelphia 2005), 92.

⁷⁹ The Australian film *Rabbit Proof Fence* (2002) tells the story of three young Aboriginal girls (Molly, Gracie and Daisy) who were forcibly removed from their families in 1931 and sent to the Moore River Native Settlement. It was produced and directed by Philip Noyce; the screenplay is adapted from the book written by Doris Pilkington (Nugi Garimara), *Follow the Rabbit Proof Fence*, University of Queensland Press, St Lucia, Qld, 2002.

⁸⁰ Helen McDonald, 'Perish the thought: Populating White Australia and the Role of Child Removal Policies', *Journal of Australian Studies*, 31, 91 (2007), 1-7.

have ‘had to have their [parenting] abilities scrutinised’.⁸¹ This is sometimes explicitly contrasted to biological reproduction, for which there are no screening processes or quality control. The children of these administratively-selected adoptive families, it is claimed, are more likely grow up to ‘pay lots of taxes or otherwise contribute to society in a positive way’,⁸² evidently in comparison with other families. In this context, single mothers were mentioned several times. One anonymous submission from an adoptive parent told the Inquiry that lack of access to government assistance for child raising ‘seems very unfair when I see young girls who have children so they do not have to work, taxpayers will support them and their children for a long time’.⁸³ Another noted that ‘Our [adopted] children have not been a burden on the Australian tax payer instead they will be wonderful contributors to our society’.⁸⁴ In these submissions, adoption is presented not merely as second-best to natalism in terms of the interests of the nation but as the best option: the rigorous selection processes for adoption assure the nation that the very best people are being selected as parents and that these people will raise children without placing any burden on the nation.

These submissions speak to the broader politics of stratified reproduction in which intercountry adoption takes place. The practices and discourses of both domestic and intercountry adoption have tended to perpetuate the ideal of the nuclear middle-class family as well as white ideals or norms of parenting and childhood. Married, heterosexual couples are seen as the members of the community best suited to undertake the transformative or ‘becoming’ work of adoption, while economically disadvantaged, indigenous, single and homosexual people are disqualified or discouraged from adopting (and may be included among those that are more likely to *relinquish* children than to adopt).⁸⁵ In Australia, racialised anxieties around population issues have historically invoked a hierarchy in which some women’s reproductive labours are privileged over others. As Dever and Curtin have argued, recent anxieties about the birth rate have reproduced these ‘familiar hierarchies’ by focusing on educated, middle class white women and their reproductive choices; specifically, the question of their delaying childbirth or choosing childlessness and

⁸¹ Submission 129, individual.

⁸² Submission 126, anon.

⁸³ Submission 31, anon.

⁸⁴ Submission 119, anon.

⁸⁵ Mason, op. cit., 93-5; Alice Hearst, ‘Multiculturalism, Group Rights, and the Adoption Conundrum’, *Law & Society Review*, 36, 2 (2002), 500.

how these particular women can be induced – through tax cuts and other measures – to reproduce.⁸⁶ Intercountry adoption, in this context, can be understood as solution to the childlessness of these ideal white women, whose capacity to raise good future citizens is assumed. The Inquiry's final report was quite unapologetic in expressing its view that 'adopting a child into a family with a high income and good education is likely to have positive effects on that child's tertiary education and its marital status'.⁸⁷

Proponents of intercountry adoption in the 2005 Inquiry are clearly speaking within recognisably nationalist frameworks and engaging with a long lineage of (white) Australian population discourse. At the same time, however, supporters of intercountry adoption frequently insist that intercountry adoption in fact represents a significant departure from these older ways of thinking about both the family and the nation. A common position taken by adoptive parents and other supporters of intercountry adoption in representations made to the Inquiry is to locate it as an explicitly progressive, cosmopolitan, and multicultural practice. Proponents of intercountry adoption employ a version of what Pamela Anne Quiroz has called a discourse of 'colour-blind individualism' which argues not only that race does not matter, but that the practice of intercountry adoption will in fact work to eradicate racism.⁸⁸ Various submissions argue that an increased flow of children adopted from overseas will foster harmony between different cultures and thus enhance social cohesion within the nation:

Inter-country adoption is a highly successful way to promote a multicultural Australia, not only by increasing exposure to children from overseas countries, but also by providing a link between refugee and migrant communities, and the general Australian population...Inter-country adoption promotes harmony, tolerance and understanding of other countries and cultures, far more than any advertising campaign.⁸⁹

Others appealed to Australia's multicultural character to make the point that children from other cultures will feel welcome. It is argued in one submission that '[c]hildren

⁸⁶ Dever and Jennifer Curtin, op.cit.

⁸⁷ HRSCFHS, op.cit., 5.

⁸⁸ Pamela Anne Quiroz, 'Color-blind Individualism, Intercountry Adoption and Public Policy', *Journal of Sociology and Social Welfare*, XXXIV, 2 (June 2007). See also Pamela Anne Quiroz, 'Transnational adoption: reflections of the "diaper diaspora": on reconfiguring race in the USA', *International Journal of Sociology and Social Policy*, 28, 11/12 (2008), pp. 440–57.

⁸⁹ Submission 100, Australian African Children's Aid and Support Organisation.

adopted into an Australian family will find it relatively easy to feel part of the Australian multi-cultural way of life'.⁹⁰ Another states that '[w]e are fortunate to live in a country that is predominantly tolerant and diverse with many multicultural activities at our doorsteps'.⁹¹ Concerns that children adopted internationally might encounter racism were dismissed as irrelevant in the brave new inclusive Australia of today:

Australia 30 or more years ago was far less multi-cultural than it is today. Asian features and dark skin were much less common and even many adoptive parents were unaware of the cultural divide or the feelings of their children who may have grown up as the only Asian face in their school or town. In today's society these children are usually only one of many in their school and most children seem to take no notice of their friends' appearances.⁹²

Intercountry adoption apparently has the potential to foster a harmonious cultural and racial pluralism that is beneficial to the nation. However, many submissions paradoxically also insisted, in response to fears that children adopted internationally may 'lose their culture', that these children have no culture to begin with. One writer reports that '[o]ur children had no "birth culture". They lived in two rooms, rarely went outside, watched American TV shows most of the day, had no education, no toys, and could not even speak their birth language properly'.⁹³ Another agrees that although some people have criticised overseas adoption for removing children from their birth culture, these criticisms fall wide of the mark because 'to fully participate in and experience of their culture they would have to be in a family setting'.⁹⁴

The argument that children adopted from overseas have 'no culture' points us to set of important considerations relating to the apparently inherently 'multicultural' outcomes of intercountry adoption. As Alice Hearst has noted, the concept of 'culture of origin' has only limited relevance when applied to institutionalised children and children adopted at a very young age. It is important to note that children in the latter category (infants) are considered to be more desirable than older children in the

⁹⁰ Submission 77, individual.

⁹¹ Submission 141, Adoption Support for Families and Children.

⁹² Submission 137, EurAdopt Australia.

⁹³ Submission 33, individual.

⁹⁴ Submission 70, individual.

intercountry adoption ‘market’.⁹⁵ It has been suggested that this is partly due to the fact that babies are seen as *tabula rasa* in terms of cultural identity.⁹⁶ Thus, while proponents of intercountry adoption argue for its positive multicultural impact on the nation, this is in tension with the preference – particularly notable in Australia, which has low rates of older child adoption compared with the United Kingdom and the United States⁹⁷ – for very young children who arguably possess ‘no culture’ at all. One of the attractions of intercountry adoption for many adoptive parents, moreover, is that it is seen to remove the possibility of contact from or with birth parents, unlike more ‘open’ forms of adoption that are available domestically in countries like Australia.⁹⁸ Furthermore, adoption legally alters a child’s personal or familial identity as well as its cultural and national identity, in ways that problematise claims for the multicultural outcomes of intercountry adoption.⁹⁹ It is salient also to remember in this context the various cultural and indigenous groups that have opposed adoption as a form of racial and cultural genocide.¹⁰⁰

While arguments in support of the adoption of children from overseas *appear*, then, as a movement away from the legacy of White Australia that has so strongly – and problematically – informed population-related discourses and politics in Australian history, intercountry adoption in fact speaks to many of the same assimilationist imperatives at work in these earlier nation-building discourses and is seen as a potential ‘alternative to immigration’, as one submission to the inquiry put it.¹⁰¹ Intercountry adoption, involving as it often does young children, in fact potentially solves some common concerns associated with immigration, such as chain migration¹⁰² and the cultural integration of migrant groups. As Quiroz comments, that intercountry adoptions promote the blurring of racial, ethnic and cultural boundaries and the creation of ‘transnational identities’, is a matter for debate: it is arguable that

⁹⁵ Selman, op. cit., p. 20

⁹⁶ Jon Telfer, ‘The Imagined Child: Ambiguity and Agency in Australian Intercountry Adoption’, *The Australian Journal of Anthropology*, 14, 1 (2003), 74.

⁹⁷ See AIHW, *Adoptions Australia 2007–08*, p. 16.

⁹⁸ See for example Madeline Engel, Norma K. Phillips and Frances A. Dellacava, ‘International Adoption: a Sociological Account of the US Experience’, *International Journal of Sociology and Social Policy*, 27, 5/6 (2007), 258. See also Denise Cuthbert, Ceridwen Spark and Kate Murphy, “That was then... but this is now”: The Divergent Histories and Development of Intercountry Adoption and Domestic Child Adoption in Australia’, (submitted to *Journal of Historical Sociology*, 28 May 2009 [published 23, 3 (2010), pp. 427–52]).

⁹⁹ Hearst, op. cit., 499.

¹⁰⁰ See Hawley Fogg-Davis, *The Ethics of Transracial Adoption* (Ithaca 2002).

¹⁰¹ Submission 48, anon.

¹⁰² See Lovelock, op. cit., 913.

intercountry adoption instead creates ‘honorary members of the dominant society’.¹⁰³ In 2000, a New Zealand Law Commission report on adoption noted that it offered a means for New Zealand to ‘obtain immigrants at a relatively early age, thus increasing the likelihood that they will become fully integrated, productive members of society’.¹⁰⁴ Similar sentiments were in evidence among the submissions to the 2005 Australian Inquiry. One participant, linking immigration and intercountry adoption, told the Committee:

Adoption supports this need [for immigration] in a much more dynamic way, by bringing new Australian citizens to Australia when they are still very young, giving them the opportunity to grow up as Australians, feeling Australian and recognising Australia as their home. Governments should recognise this as an additional service that adoptive parents perform for their country.¹⁰⁵

Another similarly argued that intercountry adoption provided new immigrants to Australia and that ‘[in] addition’, adoptive parents ‘provide a one to one training of the new immigrants to integrate into Australian culture and to become valuable citizens’. The same participant observed that ‘It takes one or more generations before immigrant children truly reflect Australian accents and culture [,] but with adopted children it happens as they grow up’.¹⁰⁶ Despite the multicultural rhetoric, there is little sense here that these children – or their birth cultures – might make or re-make the Australian nation in new and diverse ways. Instead, intercountry adoptees, the Inquiry is assured, will fit seamlessly into an already-formed Australian nation in ways that other migrants simply cannot (or perhaps even will not). The nation should, the Inquiry is told, be grateful for the ‘service’ being rendered by adoptive parents who undertake the task of assimilation within their homes, making overseas children into productive – and future ‘tax-paying’ – citizens. Again, these sentiments recall older discourses about the attractions of children as migrants, seen, for example, in the disastrous postwar child migration schemes.¹⁰⁷

¹⁰³ Pamela Anne Quiroz, ‘Transnational adoption: reflections of the “diaper diaspora”’, p. 448.

¹⁰⁴ New Zealand Law Commission, op. cit., 123.

¹⁰⁵ Submission 84, individual.

¹⁰⁶ Submission 236, Northern Tasmanian Inter-country Adoption Support Group.

¹⁰⁷ See Philip Bean and Joy Melville, *Lost Children of the Empire* (London and Sydney 1989); Alan Gill, *Orphans of the Empire: the Shocking Story of Child Migration to Australia* (Milsons Point, NSW 1998); David Hill, *The Forgotten Children: Fairbridge Farm School and its Betrayal of Australia’s Child Migrants* (Sydney 2007).

As noted above, modern nation states tend to seek assimilation and homogenisation as the most likely path to social cohesion, privileging dominant groups over minorities.¹⁰⁸ Despite the popular currency still enjoyed by the idea of multiculturalism in Australia, the concept has come under intense criticism in recent years, most notably from within the Howard government, which focused on the unifying concept of citizenship rather than the diversity represented by multiculturalism.¹⁰⁹ Internationally, commentators have spoken about the ‘death of multiculturalism’ and the ‘return of assimilation’.¹¹⁰ While children adopted internationally might carry physical markers of difference, intercountry adoption is only nominally ‘multicultural’ in its impact on the nation; it is clear that intercountry adoption bolsters the assimilationist imperatives of states in important ways that bring a whole new meaning to the old ideal of the ‘unclothed immigrant’.

In their recent calls for enhanced access to internationally adopted children for Australian couples, proponents have portrayed intercountry adoption as a new and different but legitimate way of making a family and building the nation. The emphasis on the objectives and interests of the Australian nation at the 2005 Inquiry no doubt reflects what supporters of intercountry adoption believed the government wanted to hear. But in utilising this emphasis on ‘nation building’, proponents also spoke to the fact that intercountry adoption privileges national needs and priorities.

One of the problems with this national focus is that it works to obscure the various ways in which intercountry adoption is largely driven by the personal needs of adoptive parents. It seems clear that the recent rise in intercountry adoption has primarily been driven by the demand from childless people for children to adopt.¹¹¹ In Australia, the call for adoption reform is clearly linked to attempts to legitimate adoption as a means of ‘family formation’ for childless people wishing to fill ‘empty cradles in our homes’, as one submission to the Inquiry put it.¹¹² These needs and interests of adoptive parents are assumed to correlate with those of disadvantaged and

¹⁰⁸ See for example Will Kymlicka, *Multicultural Citizenship: a Liberal Theory of Minority Rights*, (Oxford; New York 1995).

¹⁰⁹ See for example Andrew Markus, *Race: John Howard and the Remaking of Australia* (Crows Nest, N.S.W.), 2001.

¹¹⁰ Christian Joppke and Ewa Morawska (eds), *Toward Assimilation and Citizenship: Immigrants in Liberal Nation-States* (New York 2003).

¹¹¹ Weil, op. cit.; Selman, op. cit.

¹¹² Submission 246, individual.

needy children – or, indeed, of ‘the child’, a universalised, uncomplicated figure with pre-established and self-evident needs.¹¹³

Humanitarian arguments that see intercountry adoption as ‘finding families for children’ (rather than ‘finding children for families’) also operate to obscure the fact that intercountry adoption flows to the developed world are primarily driven by infertility, and that the humanitarianism involved in the ‘rescue’ of individual children is a highly selective form of humanitarian activism which fails to address the structural and systemic issues which lead to children in the under-developed world living in poverty and disadvantage.¹¹⁴ While arguments that focus on orphaned or abandoned children have a great deal of resonance in the public understandings of intercountry adoption being encouraged by proponent groups, submissions to the 2005 Inquiry from government departments expressed concern about the misleading nature of this discourse. A submission from the South Australian government’s Department for Families and Communities warned that:

It is important to note that intercountry adoption is not a form of foreign aid. This process is not about “saving the world’s children”. There are other institutions, such as the United Nations Children’s Fund and other world wide government and non-government agencies and programs in place that address the effects on children of poverty and disadvantage... this is clearly a process that also provides benefits to people choosing to form a family in this way. If funding intercountry adoption was the role of government as a means of assisting disadvantaged overseas children, and the average amount of money needed to fund an individual intercountry adoption was, for example \$20,000, this amount of money would be more wisely spent on foreign aid, because this would help many more children than just one.¹¹⁵

Moreover, in recent public conversations about ICA the voices of those who might most easily critique the ‘humanitarian’ argument and other features of the current discourse – relinquishing countries, biological parents, and adoptees themselves –

¹¹³ Fronek, op.cit. See also Lovelock, op.cit., 936. On the ‘universal child’ see Sharon Stephens, ‘Editorial Introduction: Children and nationalism’ in *Childhood: A Global Journal of Child Research*, 4, 1 (Feb 1997), 8.

¹¹⁴ See Chantal Scalier, ‘In the Best Interests of the Child?’, in Peter Selman (ed), *Intercountry Adoption - Developments, Trends and Perspectives* (London 2000), 53-65; David M. Smolin, ‘Intercountry Adoption and Poverty: A Human Rights Analysis’, 413-53.

¹¹⁵ Submission 245, South Australian Government Department for Families and Communities.

have had no place. In the 2005 Inquiry, the perspectives of adoptees were almost entirely absent, and other opinions on the issue, such as those expressing reservations about ICA, were sidelined (or in the case of a number of submissions from supporters of adoption by same-sex couples, simply ignored). Submissions received from relinquishing mothers, who experienced the brutal adoption practices current in Australia in the 1950s and 1960s, were acknowledged but dismissed as being irrelevant to the current historical moment, because the ‘past social attitudes and practices that brought it about are no more’.¹¹⁶ This wilful amnesia sits uncomfortably with rhetoric stressing the appalling social conditions from which these children have been ‘rescued’ and in which their birth mothers – the voices most silenced here – still remain. Future work should aim not merely to gesture towards, but to give voice to these silent figures in the story of intercountry adoption in Australia.

Finally, despite the rhetoric of ‘multiculturalism’ utilised by proponents, it is clear that ICA benefits the nation in ways that have much in common with traditional notions of the ‘national interest’ that remain embedded in assimilation imperatives. In recent discourse intercountry adoption has been understood as a way for mainly heterosexual, middle class white couples (exemplars of the dominant cultural group) to ‘train’ young, foreign-born children to be productive Australian citizens, as an alternative to immigration. The terms of the current conversation about ICA thus perpetuate many of the same discourses and outcomes associated with earlier population and nation-building policies in Australian history. Problematically, they also work to exclude almost completely the voices of adoptees, both domestic and intercountry, as well as those of birth parents, whose interests have also traditionally been neglected in the long and difficult history of adoption.

¹¹⁶ HRSCFHS, *op. cit.*, 5.